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OFFICIAL REPORT
(HANSARD)

Thursday, December 8, 2011

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, December 8, 2011

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)
[English]

CANADA-U.S. RELATIONS

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 32(2) I have the honour to table, in both official languages, two reports. One is entitled, “Perimeter Security and Economic Competitiveness Action Plan”. The other is entitled, “Regulatory Cooperation Council Joint Action Plan”. Both were announced by the Prime Minister yesterday.

* * *

BAN ON SHARK FIN IMPORTATION ACT

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP) moved for leave to introduce Bill C-380, An Act to amend the Fish Inspection Act and the Fisheries Act (importation of shark fins).

He said: Mr. Speaker, I rise today to introduce the bill, an act to amend the Fish Inspection Act and the Fisheries Act (importation of shark fins). I would like to thank the member for Vancouver East for seconding the bill.

The bill would amend the Fish Inspection Act to prohibit the importation of shark fins into Canada, and would make into law a prohibition on shark finning in Canadian waters.

Sharks are top predators and play a key role in maintaining ocean health. Their populations are plummeting around the world. Scientists report that up to 73 million sharks are killed annually for their fins, often by finning, a horrific practice in which the fins are severed from the shark and the shark's body is discarded at sea.

In 2009, the International Union for Conservation of Nature reported that over one-third of all shark species are threatened with extinction as a result of shark finning.

The best way to curb illegal finning is to stop the international trade in shark fins. Canada can become a world leader in shark

conservation and ocean stewardship by adopting legislation to protect sharks.

I hope all members of the House will support this legislation.
(Motions deemed adopted, bill read the first time and printed)

* * *

STRENGTHENING FISCAL TRANSPARENCY ACT

Ms. Peggy Nash (Parkdale—High Park, NDP) moved for leave to introduce Bill C-381, An Act to amend the Parliament of Canada Act (Parliamentary Budget Officer).

She said: Mr. Speaker, today I rise to introduce my private member's bill, an act to amend the Parliament of Canada Act (Parliamentary Budget Officer).

I am pleased to present this important legislation. I would like to thank my colleague from Rimouski-Neigette—Témiscouata—Les Basques for seconding the bill and for supporting efforts to promote transparency and accountability, which are so important to our role as members of Parliament.

[Translation]

The position of parliamentary budget officer was created in 2006 after the Liberal sponsorship scandal, as part of the Conservatives' commitment to government accountability. But despite their promise to create an independent parliamentary budget office, the Conservatives refused to grant the PBO the same independence and the same authority as other officers of Parliament, such as the Auditor General.

In accordance with the legislation, the PBO's appointment can be revoked at the discretion of the Prime Minister. The Prime Minister, and not Parliament, has the power to hire and dismiss the PBO. This restriction is not imposed on other officers of Parliament.

Canadians and their members of Parliament deserve to know the real costs of policies and laws, and the PBO must have enough power and independence to achieve this goal.

• (1010)

[English]

Canadians and their MPs deserve to hear about the real costs of policy and legislation, and the PBO must have sufficient power and independence to meet this goal. The bill would allow the PBO to operate independently with a budget to fulfill his or her mandate.

Routine Proceedings

Canadians want the government to be held accountable. We must be focused on ensuring that fiscal transparency and accountability are standard operating procedure in Ottawa.

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

* * *

FAMILY HOMES ON RESERVES AND MATRIMONIAL INTERESTS OR RIGHTS ACT

Hon. Gordon O'Connor (for the Minister of Indian Affairs and Northern Development) moved that Bill S-2, An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves be read the first time.

(Motion deemed adopted and bill read the first time)

* * *

[*Translation*]

SAFER RAILWAYS ACT

Hon. Gordon O'Connor (for the Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec) moved that Bill S-4, An Act to amend the Railway Safety Act and to make consequential amendments to the Canada Transportation Act, be read the first time.

(Motion deemed adopted and bill read the first time)

* * *

[*English*]

NATIONAL PHILANTHROPY DAY ACT

Hon. Geoff Regan (Halifax West, Lib.) moved that Bill S-201, An Act respecting a National Philanthropy Day, be read the first time.

He said: Mr. Speaker, I am pleased to introduce Bill S-201, an act respecting a National Philanthropy Day.

Both at home and around the globe, Canadians are recognized for their generosity and compassion. We continue to be inspired by the dedication of volunteers who give freely of their time to improve the lives of others.

I want to thank my good friend, Senator Terry Mercer, who has introduced this bill to recognize November 15 as national philanthropy day numerous times in the other place. Through his persistence and hard work, the Senate passed the bill on several occasions. I hope this time my colleagues in the House will see fit to pass it as well.

Every one of us is a beneficiary of volunteerism and the generous spirit that Canadians exemplify. This philanthropy is seen in organizations like Beacon House, a food bank in the Bedford/Sackville area, which is in my riding. It depends upon the generosity of people who care about others, their friends, neighbours and people they may never meet.

There are larger organizations, like Feed Nova Scotia, which collects and distributes food to more than 150 food banks in Nova Scotia and meal programs thrive under the caring spirit of Nova Scotians.

Canadians give more than two billion hours a year of their time to help others. Two-thirds of all Canadians donate to charitable organizations every year. It is in recognition of these immeasurable contributions that we look to recognize national philanthropy day every November.

(Motion deemed adopted and bill read the first time)

* * *

HUMAN RIGHTS

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, there have been discussions among the parties and I think you will find unanimous consent for the following motion. I move:

That, the House of Commons joins the Senate of Canada in calling upon the Government of Pakistan to immediately release Ms. Asia Bibi, to ensure her safety and well-being, to hear the outcry of the international community and to respect the principles of the Universal Declaration of Human Rights.

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

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

ASBESTOS

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am proud to rise today to present another three petitions signed by hundreds more people in my riding of Hamilton Mountain who call upon the House of Commons to finally take action on asbestos. They note that asbestos is the greatest industrial killer the world has ever known. In fact, they point out that more Canadians now die from asbestos than from all other industrial and occupational causes combined.

The petitioners also draw the attention of the House to the fact that Canada remains one of the largest producers and exporters of asbestos in the world. Asbestos use is banned in Canada, but Canada still spends millions of dollars subsidizing and promoting the asbestos industry abroad and blocking international efforts to curb its use.

Therefore, the petitioners call upon Parliament to ban asbestos in all its forms and to institute a just transition program for both asbestos workers and the communities in which they live.

They also call upon Parliament to end all government subsidies of asbestos in Canada and abroad. They want the government to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam convention.

I am thrilled by the huge response my article in the *Mountain News* generated on asbestos, and I will continue to table petitions until the government finally listens to all those Canadians who are engaged on this file and who want to see action.

● (1015)

HEALTH CARE

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am delighted to present a petition that was developed by SEIU Local 1 and circulated by SEIU retirees. They gathered hundreds of signatures in support of the urgent need for a national pharmacare program in our country.

The petitioners point out that our goal ought to be to have a national drug plan that would enable all Canadians to enjoy equitable access to medicines while at the same time controlling the rising cost of drugs.

They are keenly aware of a report released by the Canadian Centre for Policy Alternatives which concluded that the existing patchwork of private and public plans in Canada is inequitable, inefficient and costly. The report found that Canada is the third most expensive country for brand name drugs because it deliberately inflates drug prices in order to attract pharmaceutical investment.

Instead of tackling the issue head-on, the government is talking about privatization and user fees. Those are hardly the answers for an aging population that is already finding it difficult to make ends meet and whose retirement savings are again put at risk by another economic downturn.

The request by the petitioners is as straightforward as it is urgent. They simply want the government to acknowledge that there is a sound economic case to be made for universal public medicare—

The Acting Speaker (Mr. Barry Devolin): Order. There are lots of members on their feet to present petitions and we would like to get through them all in 15 minutes. I would ask the hon. member for Hamilton Mountain to quickly finish.

Ms. Chris Charlton: I just need two more seconds, Mr. Speaker.

The petitioners simply want the government to acknowledge that there is a sound economic case to be made for universal public medicare and then to get on with the job of developing and implementing a national pharmacare program.

THE ENVIRONMENT

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, pursuant to Standing Order 36 it is an honour to rise in the House today to present two petitions on behalf of many Ottawa residents.

I would like to recognize the advocacy efforts of my constituent Mr. Joe Parchelo of Ottawa South.

I am also pleased to table a petition on behalf of Mr. John Dörner of the Archdiocese of Ottawa.

The petitioners wish to build support for positive Canadian action at the United Nations conference on climate change in Durban, South Africa.

It is a privilege to table these petitions on behalf of very concerned local citizens.

Routine Proceedings

VETERANS AFFAIRS

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I am pleased to rise today to present two petitions.

The first petition is signed by veterans and their supporters who feel they have been abandoned by their own government and believe planned cuts of \$226 million to the Department of Veterans Affairs are wrong. This petition notes the impact of the government's severe cuts will impair the department's ability to provide support to the very veterans who have been injured in the service of their country.

The proud Nova Scotians who have signed this petition call on the government to restore full funding to Veterans Affairs and exempt the department from the current program review.

THE ENVIRONMENT

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, the second petition is signed by citizens in my riding on behalf of the Canadian interfaith call for leadership and action on climate change.

This petition points out that the growing crisis of climate change is symptomatic of greed, an underlying spiritual deficit which has led to unsustainable patterns of production and consumption.

The petition calls on Canada to lead by example instead of waiting for others to act.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am pleased to present a petition from the Canadian interfaith call for leadership on action on climate change.

The petitioners, who reside in the Abbotsford-Delta area in the Lower Mainland, call on Parliament in the spirit of global solidarity to take collective action by signing and implementing a binding international agreement replacing the Kyoto protocol that commits nations to reduce carbon emissions and set fair and clear targets to ensure that global average temperatures stay below a 2° Celsius increase from pre-industrial levels.

[*Translation*]

CANADA POST CORPORATION

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, I am presenting a petition addressed to the Minister of Transport, Infrastructure and Communities. It is signed by about a hundred of my constituents, who say:

We, the undersigned, Canadian residents and persons with reduced mobility, wish to call to the attention of the Minister of Transport, Infrastructure and Communities that the Canada Post Corporation has cut an essential service without consultation and without offering another comparable service, by refusing to use the built-in mailboxes between the entrances of 6660 and 6680 Couture Street to collect mail.

Routine Proceedings

Therefore...and with the support of...[our] member of Parliament for Saint-Léonard—Saint-Michel, we, the undersigned, residents of the Gérard-Poitras complex, located at 6660 and 6680 Couture Street in Saint-Léonard, Quebec, are calling on the Canada Post Corporation to install a mailbox directly in front of our complex, since the nearest mailbox to the Gérard-Poitras complex is too far away and is inaccessible for many of us who have reduced mobility.

• (1020)

[English]

CITIZENSHIP AND IMMIGRATION

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I rise today to present two petitions to the House, the first of which pertains to Bill C-4.

Hundreds of petitioners in my riding of Parkdale—High Park wish to call the House's attention to Bill C-4, the preventing human smugglers from abusing Canada's immigration system act. The petitioners argue that the bill is in violation of the Charter of Rights and Freedoms as well as numerous international conventions and covenants to which Canada is a party. They therefore call upon the House to withdraw the bill.

HUMAN RIGHTS

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the second petition I wish to present today pertains to the Canadian Museum of Human Rights.

The petitioners call upon Parliament to ensure that the Holodomor and Canada's first national internment operations are included in the exhibits permanently displayed at the Canadian Museum for Human Rights, and that any further funding to the museum be suspended until there is a transparent review of the governance of the museum.

[Translation]

QUEBEC CITY MARINE RESCUE SUB-CENTRE

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, I am honoured to present a petition signed by over 2,000 people calling on the government to reverse its decision to close the marine rescue sub-centre in Quebec City and maintain all marine rescue coordination operations at the Canadian Coast Guard base in Quebec City.

That centre serves an area between Lake St. Francis and Blanc-Sablon, including the Gaspé Peninsula and the Magdalen Islands. I would remind the House that the centre was created in 1977 after many deficiencies were identified in the management of rescue operations, which at the time were coordinated by the centres in Trenton and Halifax. One particular concern was the fact that those centres could not provide services in French. Let us not forget the fishermen from the Magdalen Islands who died on the *Acadien II* in March 2008.

Despite that tragedy, the Conservative government announced in the last federal budget that it is closing the Quebec City rescue centre in the spring of 2012, and any distress calls from the St. Lawrence River or gulf will be handled in Trenton, Ontario, or Halifax, Nova Scotia. In other words, all marine rescue operations for the St. Lawrence River and gulf will no longer be coordinated in Quebec City. Instead they will be transferred to Halifax or Trenton. It makes absolutely no sense, which is why I support this petition and I call on

the government to stay the closure of the marine rescue sub-centre in Quebec City.

* * *

[English]

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, Question No. 195 will be answered today.

[Text]

Question No. 195—**Mr. Brian Masse:**

With regard to the procurement practices and policies governing the Canadian Air Transport Security Authority (CATSA): (a) which set of federal laws govern procurement by CATSA; (b) have CATSA's major screening equipment procurement processes undertaken in 2009 and 2010 been subject to a legal procedure (such as Treasury Board contracting policy); (c) which set of laws or contracting procedures will govern CATSA's October 2011 procurement for Next-Generation Computed Tomography X-Ray equipment; (d) which government bodies provide oversight for procurement processes conducted by CATSA; (e) what is the overall annual value of procurement carried out by CATSA; (f) what portion of this procurement is tendered; (g) does CATSA maintain conflict of interest policies for its employees and procurements and, if yes, how does CATSA enforce these policies; (h) how do CATSA procurement actions foster competition to ensure best value to the Canadian taxpayer; (i) does CATSA or Transport Canada establish the regulatory requirements and approval processes for security technology; and (j) how many of the checkpoint x-ray systems acquired by CATSA through a sole-source procurement process in 2009 were deployed in British Columbia for the Olympics?

Hon. Steven Fletcher (Minister of State (Transport), CPC):

Mr. Speaker, with regard to (a), CATSA was created under and is subject to the provisions of the Canadian Air Transport Security Authority Act, the CATSA act. CATSA, as a crown corporation listed in schedule III of the Financial Administration Act, the FAA, is subject to certain provisions of the FAA.

With regard to (b), such procurements were carried out in accordance with CATSA's procurement and contracting policy and were done with the approval of CATSA's board of directors.

With regard to (c), the procurement process in respect of next generation computed tomography X-ray equipment is being conducted in accordance with CATSA's procurement and contracting policy.

With regard to (d), the Office of the Auditor General has authority to examine any procurement conducted by CATSA.

With regard to (e), the overall value of procurement fluctuates yearly based on CATSA's approved corporate plan. For the current fiscal year to date, expenditures are approximately \$269.5 million.

With regard to (f), for this fiscal year to date, CATSA has initiated a total of 14 new procurements. Of these procurements, one was non-competitive.

With regard to (g), all CATSA employees adhere to the Code of Ethics and Conduct for the Employees of the Canadian Air Transport Security Authority. The code contains provisions in respect of conflicts of interest. Employees must provide annually a signed statement of compliance in which the employee acknowledges that he/she has recently read and understood the code and undertakes to comply with it.

With regard to (h), in accordance with the CATSA Act, CATSA has established policies and procedures for contracts for services and for procurement that ensure that operational requirements are always met and that promote transparency, openness, fairness and value for money in purchasing. Where national security considerations, operational requirements and market conditions permit, CATSA conducts open procurement processes via MERX.

With regard to (i), Transport Canada is responsible for establishing regulatory requirements related to aviation security and must approve security technology before it may be used in Canadian airports.

With regard to (j), the multi-view X-ray units procured through a sole-source process in 2009 were used to replace existing equipment in pre-board screening checkpoints that had reached the end of their useful life. The multi-view equipment procured represented the latest technology and was deployed in eight of Canada's busiest airports that were expected to have high passenger traffic because of the 2010 Vancouver Winter Olympic Games. Forty multi-view X-ray machines were deployed within British Columbia at the Vancouver International Airport. No multi-view machines were deployed at temporary Olympic sites.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, if Question No. 191 could be made an order for return, this return would be tabled immediately.

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed

[Text]

Question No. 191—**Ms. Françoise Boivin:**

With regard to Human Resources and Skills Development Canada funding in the riding of Gatineau for the last five fiscal years: (a) what is the total amount of spending by (i) year, (ii) program; and (b) what is the amount of each spending item by (i) Technical Assistance and Foreign-Based Cooperative Activities (International Trade and Labour Program), (ii) Skills Link (Youth Employment Strategy), (iii) Consultation and Partnership-Building and Canadian-Based Cooperative Activities (International Trade and Labour Program), (iv) Canada Summer Jobs (Youth Employment Strategy), (v) Children and Families (Social Development Partnerships Program), (vi) Labour Market Development Agreements, (vii) Labour Market Agreements, (viii) Labour Market Agreements for Persons with Disabilities, (ix) Enabling Fund for Official Language Minority Communities, (x) Opportunities Fund for Persons with Disabilities, (xi) Aboriginal Skills and Training Strategic Investment, (xii) Enabling Accessibility Fund, (xiii) Skills and Partnership Fund - Aboriginal, (xiv) Targeted Initiative for Older Workers, (xv) International Academic Mobility Initiative - Canada-European Union Program for Co-operation in Higher Education, Training and Youth, (xvi) International Academic Mobility Initiative - Program for North American Mobility in Higher Education, (xvii) Surplus Federal Real Property for Homelessness Initiative, (xviii) International Labour Institutions in which Canada Participates (International Trade and Labour Program), (xix) Labour Mobility, (xx) New Horizons for Seniors, (xxi) Career Focus (Youth Employment Strategy), (xxii) Fire Safety Organizations, (xxiii) Organizations that Write Occupational Health and Safety Standards, (xxiv) Social Development Partnerships Program - Disability, (xxv) Foreign Credential Recognition Program Loans (pilot project), (xxvi) Fire Prevention Canada, (xxvii) Adult Learning, Literacy and Essential Skills Program, (xxviii) Canada-European Union Program for Co-operation in Higher Education, Training and Youth (International Academic Mobility Initiative), (xxix) Labour-Management Partnerships Program, (xxx) Social Devel-

Government Orders

opment Partnerships Program - Children and Families, (xxxii) Social Development Partnerships Program - Disability, (xxxiii) Foreign Credential Recognition Program, (xxxiv) International Trade and Labour Program - Technical Assistance and Foreign-Based Cooperative Activities, (xxxv) International Trade and Labour Program - Consultation and Partnership-Building and Canadian-Based Cooperative Activities, (xxxvi) International Trade and Labour Program - International Labour Institutions in which Canada Participates, (xxxvii) Sector Council Program, (xxxviii) Federal Public Sector Youth Internship Program (Youth Employment Strategy), (xxxix) Aboriginal Skills and Employment Partnership Program, (xl) Employment Programs - Career Development Services Research, (xli) Career Development Services Research (Employment Programs), (xlii) Occupational Health and Safety, (xliii) Youth Awareness, (xliv) Aboriginal Skills and Employment Training Strategy, (xlv) Homelessness Partnering Strategy, (xlvi) Youth Employment Strategy - Skills Link, (xlvii) Youth Employment Strategy - Canada Summer Jobs, (xlviii) Youth Employment Strategy - Career Focus, (xlix) Youth Employment Strategy - Federal Public Sector Youth Internship Program, (l) Apprenticeship Completion Grant, (li) Apprenticeship Incentive Grant, (lii) Work-Sharing, (liii) Small Project Component (Enabling Accessibility Fund)?

(Return tabled)

[English]

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

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

SENATE REFORM ACT

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

The Acting Speaker (Mr. Barry Devolin): When this matter was last before the House, the member for Bonavista—Gander—Grand Falls—Windsor had the floor.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I thank the House and the Speaker for allowing me this time, as well as for allowing the debate regarding the House of sober second thought to move ahead.

Over many years, certainly since the inception of this country, this debate has raged on as to its content, how it proceeds, how it is selected and how it goes about its daily business. It has been debated across the country in many forums, sometimes high profile and other times not so high profile. Nonetheless, there have been several repeated attempts to make it better reflect the opinions and the diversity of this country, not just of persons but also the regions that many of us represent. Therefore, I will go through a brief analysis.

Government Orders

I do not think we thank the people who work in the Library of Parliament enough. However, I am thankful to them and, in particular, Sebastian Spano, who did some background information on this. He brought forward some great points. He also brought forward an historical context with respect to the Senate and, in particular, this bill, the thrust of which proposes two things: that we should limit the duration of time that senators can sit, in this case nine years; as well as allow the participation of the provinces in the selection of senators and, more to the point, in the election of senators, which is a practice that has been done circuitously at best when it comes to the situation.

For instance, we remember the particular appointments of the late Stan Waters, as well as Bert Brown, but they were not direct elections per se. This particular bill hopes to bring a direct election within the confines of the Senate, along with term limits.

The bill is divided into two parts. The authors of the bill, in this case the government and the minister in question, have expressed a desire to initiate a process for constitutional reform leading to an elected Senate “in the near future”, which begs the question whether this opens the door to something else. I assume that it does, given that the origins of the party in power always talk about the triple E Senate, equal, elected and effective, which, in my opinion, refers to two things, being equal and elected. Whether it is effective remains to be seen.

The legislative model would allow voters to select candidates wishing to be considered for appointment to the Senate. It does that on two levels. It does that at provincial elections and municipal elections, which is something I will discuss a little later.

It should be noted that the bill would impose no obligation on the provinces or the territories to establish a selection process. However, the nominees model and framework is set out in the schedule, a lot of which the entire framework is set out in the province of Alberta legislation, which is what the schedule is modelled on.

Bill C-20, An Act to provide for consultations with electors on their preferences for appointments to the Senate, was a past attempt to do this. There were past recent attempts in both the Senate and here. We had Bill S-7 and Bill C-20, which were two ways of doing that, both of which died on the order paper in 2008.

I will trace back to when it all started. Basically six major changes were proposed with respect to how the Senate should react through committees, through the House of Commons, as well as through the Senate. First, in 1887, they proposed a Senate in which half would be appointed by the federal government and the other half would be appointed by the provincial governments. Again, we go back to the appointment process. There was no election involved.

The second time this happened was at the end of the 1960s. In the constitutional conference of 1969, the federal government of the day proposed that senators be selected in part by the federal government and in part by the provincial governments, which is the same sort of situation we had in 1887. As well, the provinces could choose the method of selection of senators, whether by nomination by the provincial governments or with the approval of their legislatures. The difference here is that in the past they wanted to infuse provincial input into this by allowing them to appoint but it never set

out the way it was to be done, whether by election or appointment. I am assuming they wanted to do it by appointment of the legislatures so they would choose their own, but we can get the idea.

•(1025)

What they wanted to do, for the most part, for the past 144 years, was bring the provinces into a direct consultation process and a process to directly appoint senators to Parliament.

Third, in 1978, the Government of Canada's proposal for a time for action, as the document was called, a renewed Constitution, which would include a house of the federation that would replace the Senate. How interesting is that? It was probably something similar to what the Council of Europe has in Strasbourg.

Basically, the legislators in their home provinces would come to Ottawa and use the Senate, the upper chamber, as a house of the federation, as it was called. Now that proposal did not last very long. It did not cause a lot of excitement around here and it did not get a lot of media attention. Nonetheless, it was something that was brave and bold for its time.

Bill C-60 was tabled and received first reading in the House of Commons in 1978. In 1979, the Pépin-Robarts task force on Canadian unity recommended the abolition of the Senate and the establishment of the council of the federation. It moved one step further. The council of the federation was to be composed of provincial delegations led by a person of ministerial rank or by the premier of a province. I suggest that members in this House may want to look at that as a proposal, as an alternative, as in the case of the NDP who want to abolish the Senate. There is something there the NDP may want to consider.

In 1984, the Molgat-Cosgrove Special Joint Committee of the Senate and the House of Commons recommended that senators be directly elected. The Royal Commission on the Economic Union and Development Prospects for Canada recommended that senators be elected in elections held simultaneously with elections to the House of Commons. Therein lies the rub. That is where the direct participation of the provinces is needed, depending on the formula, in particular, seven provinces representing 50% of the population.

That brings us to 1987. I have three words, Meech Lake accord. We all remember that. That was one of the more high-profile attempts at reforming the Senate, a constitutional reform that would have had implications for the method of selecting senators.

With the Meech Lake accord, once a vacancy occurred in the Senate, the provincial government of the province in which the vacancy existed could submit a list of nominees for potential appointments to the Senate. It was somewhat circuitous in the way it went about its business. The provinces would provide a list of people for the prime minister through the governor general to select. That is a little different but, nonetheless, I do not think it would have put it into the context of allowing the provinces to be directly involved simply because it was more of an advisory role. That brings me to this bill, but I will get to that in a little bit.

Government Orders

In 1992, the Beaudoin-Dobbie Special Joint Committee of the Senate and the House of Commons on a renewed Canada recommended the direct election of senators under a proportional representational system. Therein again lies the participation of the provinces.

Several provinces have enacted their own legislation to make way for this type of procedure where they would be involved in electing senators to the Senate. We know about Alberta. It enacted a senatorial selection act in 1989 which set out the guidelines by which they could do that.

In 1990, British Columbia enacted a senatorial selection act as well, which mirrors the counterpart in Alberta, and it did lapse by the way, but it has been reported in recent media accounts that British Columbia may revive this type of legislation.

In 2009, Saskatchewan passed the Senate nominee election act, which received royal assent but has not been proclaimed into force yet.

In Manitoba, there is the special committee on Senate reform. Manitoba took a different track. In November 2009, it proposed an election process for selecting Senate nominees to be administered by Elections Canada and to be paid for by the federal government. Manitoba went in a different way, which tied it a little more directly into the federal system, certainly with Elections Canada, and proposed that the federal government would look after it. As my hon. colleague from Manitoba points out, it was put forward by Gary Doer of the former NDP government.

Proposals for reforming Senate tenure, again from 1867 to 1985, I mentioned the Molgat-McGuigan committee and others. There were several guiding principles involved, which brings me to the point I am trying to make here when it comes to Senate reform. This is why this particular bill could find itself in trouble.

• (1030)

A few years back a former premier of Newfoundland and Labrador, Danny Williams, made a representation by saying that this cannot be done without the provinces. I think he was right and here is why.

In a judgment delivered in 1980, the court articulated a number of guiding principles in the British North America Act and the Senate. It said, basically, that in many ways we cannot change the spirit of the legislation because of the effect of direct election to the Senate. It said that what we would end up doing is changing the very thrust of the way the Senate operates. However, in this particular case, the Conservatives will convince themselves that it is not direct, but it is, thanks to clause 3, which states that the Prime Minister must consider this.

• (1035)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I thank my colleague from the Liberal Party for his views on Bill C-7, the act respecting the selection of senators.

Earlier today, during routine proceedings, there were no fewer than three pieces of legislation introduced in the House of Commons that had their origins in the other place, the unelected, undemocratic Senate. I would like to ask him if he shares my view that it is

completely inappropriate for the democratically elected House of Commons to be guided by and, in fact, have its business interrupted and interfered with by bills originating in the Senate, which take primacy and bump the business of the House of Commons.

Regardless of the fact whether he shares the NDP's view that the Senate should be abolished, does he at least concede that it is inappropriate and wrong for the Senate to be dictating the course of action and the debate in the elected chamber, the House of Commons?

Mr. Scott Simms: Mr. Speaker, that is a good point. I would point out one thing. Despite their origins, they still have to get through this House, which is a good thing. The origin of which in many cases was introduced by a member of Parliament.

With regard to the abolition of the Senate, one of the things being talked about is a referendum to choose whether it should be abolished or not. It is a pretty sincere motive, but the problem with that is the provinces also have to get involved, which in many cases could become a cumbersome event. Nonetheless, if that is the way New Democrats feel, the only thing I can suggest they do is win a majority government and give it the boot.

Nonetheless, in the meantime, this bill is probably the wrong way to go about doing this as the provinces are not involved. That is the fundamental flaw of this legislation because, according to the legislation, as I pointed out earlier, the reference to the Supreme Court said that we cannot change the spirit of the Senate without going to the provinces for consultation and their approval.

This does because there are elections in the provinces. Not only that, clause 3 states that the Prime Minister must consider it, which binds him to the will of provincial legislation, which, in turn, has to enact that formula, which is seven provinces and 50% of the population.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I will not talk about hypocrisy, but I will pose a question. Just prior to starting the debate, New Democrats gave unanimous support for a motion that came from the Senate dealing with a world issue. I believe they gave unanimous support because they recognized what the Senate had done was of value.

The province of Manitoba had a public consultation to deal with what we could do to add value to the Senate and people of all political parties in the province of Manitoba at least recognized that. Does he not think that other jurisdictions like Manitoba would benefit if, in fact, the public was consulted as to what sort of future role the Senate would play, and whether the Senate would be elected or appointed?

Mr. Scott Simms: Mr. Speaker, the member brings up a valid point when it comes to the Senate, how there are many facets of it and how it should be reformed. The vernacular bandied about here is that it is the House of sober second thought. Certainly, it is. Many of my colleagues, I know when it comes to defence issues, such as Roméo Dallaire and others, bring some great input into the debate in Parliament.

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However, bear in mind, the thrust of my speech is about the provincial consultation method that is there. The provinces have the right to be involved in Senate reform as well as if we had a referendum to abolish the Senate. They have a right to be involved in that, as well. That is the gist of what I am saying. Whether we believe in the abolishment of the Senate or not, we have to engage the provinces because they are part of the process.

This legislation points out a fundamental flaw. We need to bring these provinces into this discussion, for their agreement, and for the constitutional amendment, because it states quite clearly that we should. That is something that I have not seen from the government; namely, the language saying that the provinces will be involved. That is just not there.

● (1040)

[Translation]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, the bill the Conservative government has introduced is a travesty of democratic reform and an affront to Canadians' intelligence.

If the bill is passed, our Senate will no longer be representative either of Canadians' choice or of the cultural reality of Canada, and we will inherit a hybrid Senate devoid of the independence it needs if it is to be more credible in the public's eyes.

If I may, I would like to explain why this reform is sloppy, incomplete and scandalous. I would then like to add a few thoughts about genuinely democratic reform of our parliamentary system.

Let us see. This reform would allow the provinces to hold elections in order to participate in the process of selecting senators. The bill proposes a framework for holding these "elections", which could be held at the same time as municipal or provincial elections, for example. The public would be invited to go and vote for one of the candidates in the running. Citizens would do their civic duty and put their ballot in the box. And then what would happen? The province would submit the list of candidates selected to the prime minister of Canada, who would decide whether to take the recommendations into account. But the prime minister would retain the privilege of choosing the candidates. He would therefore not be at all obliged to take the voters' choice into account.

Are we really going to ask Canadians to go and vote, and not be able to assure them that their choice will be honoured? And the government calls this a democratic reform? We already have a declining voter turnout for federal, provincial and municipal elections. Canadians are completely disillusioned about our political system, and they are being asked, with a straight face, to take part in a travesty of democracy. Is this a joke?

That is not all. These senators will be appointed or elected, as the case may be, for a maximum term of nine years, and will be allowed to serve only one term. These new senators will be sitting alongside colleagues who are senators appointed for life and will be telling them that since they were elected, they have more legitimacy than they do. This will create a two-tier Senate.

As well, once the senators are elected, they will never again have to account to Canadians. Because they will be unable to stand again, they will not have to face the public and keep their campaign

promises. The provinces will be able to decide to hold elections without even knowing whether the voters' choice will be honoured. And who is going to foot the bill for those elections? The provinces, of course.

We might say that this has become a bad habit with Conservatives. This looks like the omnibus bill, Bill C-10, which provides for more prison terms and more prisons. Who will pay for that? The provinces will, again. It is easy to make reforms when you can pass the buck and the consequences on to someone else, but it is hard for the provinces to swallow, given, moreover, that they are not the ones who are making the decisions. This really looks like an ad hoc, sloppy bill. The fact is that this is the third time the Conservatives have proposed a bill relating to Senate elections, and my Liberal colleague has explained that very well. And yet they still have not managed to do any better than this. To me, this looks a lot like a manoeuvre to get us to swallow an ad hoc reform at top speed, in order to circumvent the constitutional rules of this country.

If the government truly wanted to respect democracy, it would follow the rules laid down in the supreme law of this country, our Constitution, which states that any reform relating to the selection and qualification of senators requires an amendment to the Constitution of Canada.

It is true that section 44 of the Constitution Act, 1982, authorizes Parliament to amend the Constitution without the agreement of the provinces in certain circumstances, however paragraphs 42(1)(b) and 42(1)(c) of the Constitution Act, 1982, set out four exceptions to this rule, and in these cases the agreement of the provinces is required. The exceptions are as follows: amending the powers of the Senate; the method of selecting senators; the number of members by which a province is entitled to be represented; and the residence qualifications of senators.

So what is the government doing in order to avoid consulting the provinces? It is trying to make people believe that senators will be elected while continuing to appoint them. It is trying to reform the Senate without asking the opinion of the provinces.

● (1045)

This trick, however, is perhaps not even constitutional. In fact, in a very important decision of the Supreme Court of Canada in 1980, the justices of the highest court in the land stated that Parliament alone cannot make substantive amendments to the "essential characteristics or fundamental features of the Senate". Moreover, Quebec intends to challenge the constitutionality of this bill, if passed.

What can be made of a bill that is nothing but a parody of democracy and does not respect the Constitution of our country? What can be made of a government that says it supports democratic reforms in Libya and in other Arab nations, touts democracy in China, Burma and Vietnam, and is not even capable of following its own democracy's rules? What can be made of a government that negotiates free trade agreements and security perimeters behind closed doors and Conservative members who shut down standing committees by systematically directing committees to go in camera and cut short debates in the House? This government is very poorly placed to talk about democracy.

Moreover, the purpose of the Senate must be kept in mind. The Senate was created by the Fathers of Confederation to ensure the independence of our democratic system, a long-term perspective, continuity and equality between the regions, all in keeping with the principle of federalism of our nation. If the government wanted true reform of the Senate—democratic reform—it would modify the upper house to reserve a special place for the first nations, women, francophones—especially francophones outside Quebec, who presently have no national voice in our system—a place to better respect the contemporary nature of our Canadian societies with seats for the cultural communities.

I am convinced that Canadians also have their thoughts on the matter. Why not give them a voice? A referendum on the reform or abolition of the Senate would provide us with a real democratic verdict. We should let Canadians have their opinion on such an important subject. We should give Canadians a real voice instead of having them participate in a mere semblance of democracy. Canadians deserve much better than this botched reform.

[English]

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windor, Lib.): Mr. Speaker, I appreciate many of the member's comments. She has described what she does not like about the Senate and the reasons to get rid of it. However, I do not think undermining the role of democracy is the way to go.

If we go ahead and abolish the Senate and it is no longer, what do we do then?

[Translation]

Ms. Anne Minh-Thu Quach: Mr. Speaker, if we abolished the Senate, we could reinvest thousands of dollars in communities. Last July, 36% of Canadians said they were in favour of abolishing the Senate. It is up to Canadians to decide. We need to have a referendum, to consult the provinces, as the Constitution demands. That would be a much more democratic approach and would allow people to have a say, share their opinion.

We are elected by the public and are accountable to them. The three reforms the Conservatives are proposing in the current bill do not even allow senators to be accountable to the public, since a senator's term would end after nine years. They would be replaced before they could even serve a second term, precluding the need to take responsibility for their decisions or to justify the choices they force on the public. For all those reasons, this cannot stand and we must abolish the Senate.

• (1050)

[English]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, my colleague's thoughtful comments get to the heart of the problems that we have with the unelected Senate.

It seems to me that one of the key questions when we are looking at electoral change and democratic reform is the need to move on proportional representation. If we are going to do something, let us make it meaningful. We need to get to the heart of the matter and deal with the way we vote as Canadians. Let us forget about the Senate and deal with proportional representation.

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I wonder if the member might comment on the need to move to a system where the way people are voting is actually reflected in the makeup in the House.

[Translation]

Ms. Anne Minh-Thu Quach: Mr. Speaker, I want to thank the hon. member for Vancouver East.

Indeed, proportional representation would better represent the realities of all regions of the country and the different peoples who live in Canada. As a result, things would be much more democratic. This would be politics at its best. More people would be inclined to get involved and become interested in Canadian politics.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the member referred to ways to add value to an appointed or an elected Senate to better protect minorities and regional interests.

We saw what happened with the Canadian Wheat Board and the disadvantage many westerners felt. A regionally based Senate that had more strength to it, whether appointed or elected, would have protected the interests of western Canada. Many westerners truly believe that adding that kind of value to the Senate would be of great benefit. Would the member not agree that, in that sense, a valued Senate is better than no Senate?

[Translation]

Ms. Anne Minh-Thu Quach: Mr. Speaker, I want to thank the hon. Liberal member.

In fact, when it comes to the Canadian Wheat Board, if we had better representation in Parliament, representation that was more proportional and democratic, the people in the regions and the prairie provinces would be better represented. The current government represents just 40% of Canadians.

If there were better representation, we would have more people from the Prairies or from each region and local issues would be better represented. Canadians would have better representation within our Parliament.

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I thank my colleagues for their very relevant remarks on today's issue, the Senate reform bill, as introduced by the Conservative government. I am also pleased to support the position of the official opposition, which proposes to simply abolish this archaic institution, which should no longer be part of a modern democracy like Canada.

As my colleagues have done, I will try to present clearly and accurately the arguments supporting the NDP's position. I will also explain why this government should immediately put a stop to its Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

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First, I want to commend the work done by members opposite, who recognize that we need to reflect on the democratic system in which we live. As Canadians, we should all ask ourselves whether that system adequately meets the changing needs of a modern democratic society like ours.

Since 1900, 13 attempts have been made to reform the Senate, but they all failed. Considering that so many attempts have been made to deal with a serious issue that affects the very foundation of our Constitution, I think there is as much a need to debate the issue and reflect on it as to engage in a reform. It is on the content of the proposed reform that our opinion differs from that of the government. Indeed, a thorough analysis of the issue leads us to the conclusion that the Senate simply no longer serves the interests of Canadians.

The first amendment proposed in the bill by the government deals with the appointment process. The government is proposing a process that, in theory, allows voters to have a say in the selection of Senate nominees. However, in fact, there is not much change in this regard.

The government is saying that a province or territory would have the option of holding an election, at its own cost, to select the names to be submitted to the Prime Minister for consideration. However, the Prime Minister would be under no obligation to appoint a person previously elected in a province or territory. Therefore, this bill does not change the way senators are appointed, since the Prime Minister would still be free to appoint whomever he chooses from a pool of elected nominees.

In short, this means that the government is proposing to keep all the power regarding Senate appointments, under cover of a supposedly more democratic selection process, and with the provinces footing the bill.

What is the point of letting voters believe that they can have a say if, ultimately, senators will continue to be appointed by the Governor General upon the sole recommendation of the Prime Minister? And why make the provinces again pay for a federal measure?

Furthermore the bill states that if an elected person is not appointed within six years of their election, a new election must be held. This means that a candidate may have spent time, energy and money on an election campaign. He or she may be elected by the people, but if this person is not appointed to the Senate within six years, he or she will have to start all over again. Voters would have elected candidates for the Senate who will wait to be appointed on the recommendation of the Prime Minister, but who may not be appointed and will have to start all over again six years later. This measure makes no sense at all and, to my mind, even seems anti-democratic in that it still leaves a great deal of room for favouritism and cronyism while discriminating against others.

The second amendment being proposed by the government has to do with term limits. Before 1965, senators were appointed for life. Under the British North America Act, 1965, the maximum duration of a term is nine years and the retirement age is 75 years. Reducing terms to a maximum of nine years is definitely a step in the right direction. However, in my humble opinion, it is not enough. This

proposal does not do enough to make senators accountable to Canadians.

• (1055)

Once their terms are over, senators will never have to stand before the people of Canada and be accountable for the election promises that they failed to keep or for the decisions that they made while serving. Another thing that does not make sense is that senators will be entitled to receive a Senate retirement pension without ever having had to account for their performance to those who elected them to be their representatives and stand up for their interests.

Another issue of major concern to me is that the provinces were not consulted when the bill was drafted, despite the fact that it deals with the foundations of our Constitution. This government cannot take the initiative for any more new bills devoid of logic on the redundant and unjustified pretext that Canadians gave them a mandate on May 2.

I believe that the provinces have something to say about this bill and that it is imperative that they all be consulted on the subject. Right now, we have proof that the government did not consult the provinces. Ontario and Nova Scotia have publicly called for the Senate to be abolished. Manitoba has maintained its position in favour of abolishing the Senate. The Premier of British Columbia has said that the Senate no longer serves any useful purpose within our Confederation. Even Quebec, the nation that I very proudly represent here today, has stated that it will appeal the matter in court if this bill is passed without first consulting the provinces.

As far as I know, the provinces are the parts that make up Canada. Can the government tell us, here in this House, who it listened to when drafting this bill? Did it develop its approach and these proposals based on actual needs?

Unfortunately, I think I need to remind the House that this government is supposed to listen to and serve Canadians. Such an amendment to our Constitution cannot be made without consulting the provinces and the general public. So why not hold a referendum on the issue? Some 71% of Canadians have already said they want a referendum on the issue, before the question has even been asked unofficially. Some 36% of Canadians are already in favour of abolishing the Senate. Personally, I think a responsible government is one that allows the people to have their say on issues as fundamental as this one.

As a final point on this bill, one that illustrates my negative feelings about it, has to do with a potential conflict of legitimacy between elected senators and appointed senators. How does the government plan to deal with the fact that some senators will have been elected and others appointed, and that some can remain in their positions until they are 75, while others will have a nine-year term? It will be impossible to ensure equal treatment for them all because, right from the start, those who were elected by the public will insidiously be given greater legitimacy.

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In the NDP, our reflections on the possibility of abolishing the Senate date back to the 1930s. The relevance of an unelected Senate was already in question, to say nothing of the costs involved, which of course Canadian taxpayers are forced to bear. The Senate costs up to \$100 million a year and that money should be invested elsewhere—in infrastructure, for instance, and in job creation.

As we know, historically, the Senate was created based on the Anglo-Saxon model in order to represent Canada's economic and social elite, but that role is outdated and the institution has become archaic.

These days, great modern democracies have come to the same conclusion as the NDP and realized that the Senate is no longer fulfilling its duty in the current political framework. Its role simply no longer corresponds to our current social reality.

• (1100)

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I would like to thank my NDP colleague for providing so much relevant information. I would like to hear her opinion on this bill, which has been introduced for a third time and still has many shortcomings. For example, the provinces will hold elections and cover the costs, but the elected candidates will not necessarily be considered by the Prime Minister. In fact, the Prime Minister could choose candidates without any obligation to consider the elections held in the provinces. In addition, the Senate would be made up of some elected senators and some appointed senators. There are still many slapdash elements that were developed on the fly. Is that democratic? What does my colleague think?

Mrs. Anne-Marie Day: Mr. Speaker, I would like to thank my colleague for her question.

When the Fathers of Confederation planned the Senate at the time of Confederation in 1867, they did not think that the authorities in place had the ability to properly manage Canada and the provinces. Times have certainly changed and those who have been appointed and elected by the provinces are able to manage their own territory. Today, the Senate, as an institution, is no longer indispensable.

• (1105)

[*English*]

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I want to thank my colleague for her excellent speech and historical overview of what the Senate has done over the years, or not done, in my view, when it comes to public service. She has articulated how this thing, and I hate to refer to it like that, I guess I will just refer to it as the other place, over the years has been really ineffective.

I wonder why my friends in the Liberal Party down at the other end of the House still want to defend it when, clearly, it is only the other side that is going to actually get to put anybody there. Until the day that this thing changes and we go across the aisle and actually get rid of it, it is only Conservatives who can put Conservatives there. The day of the Liberals putting folks in the other place is over. They are going to see them finally decline, to the point where it will be a blue House not a red House. Maybe they will change the carpet.

However, at the end of the day, the premier of the province of Ontario, the largest province in this country by population, has said it should go. Which party does the premier of the province of Ontario

happen to belong to? It is the Liberal Party. Imagine that. The premier of a province who has been elected, I guess I should congratulate him even though I am a New Democrat, for the third time in a row, two majority governments and just shy of a majority government this time, says, as a Liberal, let it go. Let it go to wherever it needs to go to, just let it go.

I wonder if my colleague would like to comment on the fact that the premier of Ontario, the hon. Dalton McGuinty, says it is time to let it go.

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, I would like to thank the hon. member.

Ontario and the other large provinces want to do away with the Senate. This institution has outlived its *raison d'être*. I will not show any pictures but I am thinking of at least three senators who were appointed by the last government after they were defeated in the election. That is shameful. Things like that should not be done. Canadians do not want things like that.

The bigger provinces like Ontario and Quebec are saying that the Senate should be abolished and that it is no longer necessary. However, replacing the Senate with an American model is not the solution either. We saw what happened recently: that type of model can completely paralyze the government. That is not a solution.

In a country like Canada, we are capable of managing the country. We must therefore abolish the Senate.

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, it is my pleasure to rise today in the House to debate and criticize Bill C-7.

The Liberal Party of Canada has always defended democracy and representation. Therefore we do not object to the democratic goal of Senate reform proposed by Bill C-7, but on the other hand we do object to the constitutional problems, conflicts and injustices which this reform would inevitably bring about. This reform would indeed add some democratic legitimacy to the Senate, but that very legitimacy would bring its own share of problems.

A number of new problems would be created, and basically, for what? To try to solve a democratic deficit problem which in fact has very few real consequences. In its current form, the Senate very rarely blocks bills from the House of Commons. Why? Simply because senators are not elected and the public does not see it as having the legitimacy to block the bills produced by democratically elected members of Parliament. Senate reform would give them that democratic legitimacy, and hence senators would be correct to affirm that they have a clear mandate from Canadians and would begin to block certain bills since they would represent the population on the same footing as MPs.

Let us be realistic: to get elected, senators will have to have ideas, make promises and take positions. So they will have a mandate to defend the positions for which they were elected to the Senate. That also brings with it other problems such as political party financing. It would then be necessary to increase taxpayers' contributions, because the Senate would have to be included. It would not be just for MPs, but a whole new series of laws would be necessary to govern senators during their election campaigns.

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Do we really need disputes between the two chambers? Since 1945, only very rarely has the Senate blocked bills from the House of Commons. With this reform, one can easily imagine an impasse being caused by a Senate most with a majority of members from a certain party as it faces a House of Commons with a majority from another party. In that sort of scenario, blockages would become frequent and do harm to the political dynamics of Canada that make change possible.

Do Canadians really want a political situation in which change is difficult, or do they want quick changes when problems arise? The answer to that question is obvious. With such a reform to the Senate, the political situation in Canada would, at best, become similar to that in the United States. Canadians deserve better. If the Conservatives were serious about this bill, they would propose mechanisms for avoiding blockages in the Senate. Unfortunately, this bill ushers in another problem, which is the current distribution of the Senate.

As I mentioned earlier, an elected Senate would have more power because it would have the legitimacy to be actively involved in debates. This raises a problem of current interest, namely, the distribution of senators across the entire country. For example, today, Alberta and British Columbia have only six senators each, while the province of Prince Edward Island has four and New Brunswick has ten. The demographic situation in Canada has changed a great deal since the time the distribution of Senate seats was established.

If senators had more power, do we really believe that Alberta and British Columbia would accept being seriously under-represented, the way they are now? Changing the allocation of Senate seats would not satisfy all provinces either. So what should we do? Should we take seats away from some provinces or add some more? The Conservatives will probably want to do the same thing they have suggested in Bill C-20, that is, add more senators so that each province feels it has gained something.

Do we really believe those provinces which would lose their relative representation in the Senate would be happy about it?

• (1110)

Let us look at the percentage mentioned in Bill C-20, which suggests adding 30 seats to the current 308. That would mean adding 10 seats in the Senate. However, as there has been no increase in the number of Senate seats since it was established, the Conservatives may want to increase that number from 105 to 500 or so, based on how the country has grown since then. I don't know what they have in mind, but I believe representation will need to change if senators are elected. I do not know whether they will be brave enough to change the allocation of seats in the House of Commons without adding any seats. If not, they will not have the guts to do it in the Senate, either.

Meddling with the Senate will lead to quarrels. Why would the Conservative government want to create more interprovincial conflicts? Although the current situation is unfair to the western provinces, it is not all that problematic since the Senate allows the House of Commons to legislate as it sees fit. As I said earlier, a democratically elected Senate would simply create more barriers. This bill will create interprovincial quarrels and political blockages.

So what would we do to avoid the Senate blocking bills from the House of Commons? We would have to create constitutional mechanisms for resolving disputes. It is highly likely that other elements of this bill will be deemed unconstitutional by the Supreme Court of Canada. For this bill to work, the government would therefore have to reopen the Constitution. We know how difficult a subject the Constitution is. It would be necessary to have the support of at least seven provinces, as has already been said today, representing at least 50% of the population. If we reopen the Constitution, it is highly likely that the provinces will also want something in return for their support.

Take the case of Quebec, for example. I remind you that Quebec has still not signed the 1982 Constitution. Do we seriously think it will be so easy to ask Quebec to close its eyes and sign? As a Quebecker, I would say no.

Would the maritime provinces be in favour of losing their weight in the Senate? I do not think so.

Is the Conservative government prepared to declare today that it will reopen the Constitution if necessary? I very much doubt it.

In short, this bill is probably unconstitutional and, if the government decides to move ahead with it, it will lead to constitutional confrontations.

As my colleagues can see, there are many "ifs" to this bill. It is precisely for that reason that we are opposed to it, for too many problems may arise. If the government were serious about this reform, it would respond to our concerns with amendments and would negotiate with the provinces. At present that is not the case. So there will be quarrels between the provinces, legal challenges and confrontations between the House of Commons and the Senate.

Finally, there is another problem to consider. What do we do if the Prime Minister refuses to recommend an elected senatorial candidate? In fact it is always the Governor General who appoints senators on the recommendation of the prime minister. The Prime Minister never appoints them directly. So a mere bill cannot force the Prime Minister to have a candidate appointed.

In spite of all the problems I have raised, this bill might well make no change apart from the problems I have mentioned. Let us be clear: this government does not even follow the rules when it comes to appointing an Auditor General. Can we believe that it will follow the rules for the Senate?

Like the rest of the Canadian population, we are in favour of democratic representation. But in this case, the reform will only create problems. At the moment the Senate is not democratic, but it lets the elected officials present their bills, and in so doing respects Canadian democracy. Furthermore, we believe that this reform is unconstitutional, and we know for a fact that the Conservative government does not want to reopen the Constitution.

• (1115)

The government must not do half the job: either let it commit to a total reform, including negotiations with the provinces and reopening the Constitution, or let it keep the status quo.

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In closing, I want to emphasize the following point. We are not opposed to a democratic reform of the Senate but we are opposed to the way that the Conservatives want to do it.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I would like to thank the hon. member for Saint-Léonard—Saint-Michel for all the very serious questions he raised concerning this reform.

The only thing that I do not understand is why some of his colleagues dream of saving this institution and think that it can be fixed. It is like trying to fix a wound on a horse by sewing on a piece of an old fur coat. That does not work. It gets us nowhere, it seems to me.

Does the hon. member think that this institution can be fixed?

Mr. Massimo Pacetti: Mr. Speaker, we do not think the Senate is broken. We are always ready to reform the Senate because things change over the years, but we are not ready to abolish it. We have recently had proof of that with Bill C-10. The House of Commons has just passed Bill C-10, although it contained a number of errors. Even the government acknowledged that the bill had errors. Who is going to deal with those problems? Who is going to accept the new amendments? The Senate, that is who. The Senate will move its own amendments, which are going to be more sensible, I believe. That is the Senate's job. We are ready to respect the role the Senate plays in Canada's democracy.

• (1120)

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, I have a serious problem with the beginning of the argument made by the hon. member. The issue is not that the Senate seldom defeats bills. The issue is that it has the ability to do so.

The Senate defeated the bill dealing with climate change, which is one of the most important issues of this century. The Senate interfered in this debate. The problem is not that it does so often. It may do so on rare occasions, but if it is for issues that are as important as the world's future, we absolutely must think about getting rid of an institution that does such things without being elected.

Mr. Massimo Pacetti: Mr. Speaker, I thank the member for his question. If we are talking about the same bill, it came from the House. Elected members introduced this bill. Even if that bill came from the Senate, it would eventually have to be introduced in the House of Commons so that the members could debate it. When a bill is debated in the House of Commons, it is elected members who engage in debate. So I do not see the difference.

Does Canada really need an elected Senate and an elected House of Commons? People are already mixed up. There are provincial members, councillors and mayors. People already know there are specific skills for each area. Do we really need two levels of elected officials at the national level? I do not think so.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it always amazes me how narrow-minded a New Democrat can be.

The vast majority of people in the province of Manitoba see value in the Senate, especially when it comes to representing regional

interests. Some New Democrats seem convinced that the only way to deal with the Senate is to abolish it. Many Canadians recognize that value could be added to the Senate that would benefit our nation going into the future.

Could the member respond to the idea that the Senate does play a valuable role today, and could even contribute more in the future if we work with Canadians to add more value to it?

Mr. Massimo Pacetti: Mr. Speaker, I always get the most difficult questions from the Liberal Party, but obviously the ones that are best thought out.

I want to thank the member for Winnipeg North. He is one of the hardest-working members. He is always working for his constituents. Meanwhile, the NDP is not fit to govern, and neither are the Conservatives.

In one of my questions today, I spoke about the fact that there are different people with different talents who would not normally run in elections but are selected for the Senate. They may have different points of view, for example, on child issues or the elderly. It was mentioned that Mr. Dallaire is an expert in defence matters. That is one benefit of having the Senate.

The other one is what I mentioned in relation to Bill C-10. If we did not have the Senate, we would have a flawed bill going through the judicial process right now.

[Translation]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, to the title "An Act respecting the selection of senators", I would add "to ensure that the Senate resembles the bar scene in *Star Wars*", as my colleague said. Senators appointed for life, senators elected through some crazy, vague process, all at the provinces' expense, people who lost elections, friends: the Senate is a goldmine for comedians.

Before reforming an institution like that, it is important to do a bit of thinking. In countries where several nations or ethnic groups share the territory, when there has been improvisation or when thoughtless things have been done, we have seen results as in Czechoslovakia, India or Belgium—we still see it today. When there is tension between different groups and someone decides unilaterally to limit the political force of one of those groups, it leads to conflict. That is what we are heading for.

Every constituent I speak to wants to know when the Senate will be abolished. Everyone thinks that getting rid of an outdated symbol of the monarchy would be an essential first step in parliamentary reform. We have to wonder where the government is going. This is the same government that lamented the presence in the House of a party that dreamed of dividing Canada. Let me say that the Prime Minister and his government seem to be even better at doing that themselves.

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I ran in the election to represent the people of Laurentides—Labelle primarily because, like them, I could no longer take the government's sterile confrontation and inaction on important issues. People back home are not scared of cyberpredators and criminals. They are scared that the sawmills will remain closed and their children will move away to find work. The Senate does not even register on their list of priorities, except in that it costs taxpayers money.

In June, I signed the clerk's book and made a four-year commitment. I thought that I was signing on with the most progressive force in the country, and I do not think I was mistaken. We keep seeing improvisation from members on the other side, and the one thing we can count on is that their mistakes are already coming back to haunt them. Every day we see court rulings or international opinions about our country. We can see that they are losing ground. This kind of nonsense is not the best way to move forward.

• (1125)

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like my colleague to look beyond this reform and tell me how he envisions democratic reform for the 21st century. With the means of communication available today, what could we do to ensure that citizens and civil society can participate? I would like to hear some of his thoughts on that.

Mr. Marc-André Morin: Mr. Speaker, at the very least, when we want to reform an important institution—I say “important” because unfortunately it still is—the first step would at least be to consult the provincial and territorial partners and the public, instead of improvising like this. People across Canada are intelligent and reasonable. They are capable of forming an opinion if we ask them to. Taking action without any consultation means you can do whatever you want, as those across the way are proving in this House.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments. Given the member's response, is it safe to assume that if the NDP were in government, its first act in dealing with this issue would be to consult Canadians to hear what they would want to happen with the Senate? Is that a fair conclusion on my part?

• (1130)

[*Translation*]

Mr. Marc-André Morin: Mr. Speaker, I want to thank the hon. member for his question.

We would very likely do something else because there are far more pressing matters that need our attention, such as ensuring that our aboriginal communities do not have to turn to the Red Cross for help, or ensuring that our seniors are not living in poverty. There are plenty of other things to do. Personally, on my list, the Senate is item Z-270.

[*English*]

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, presently we are in a global economic crisis and there seem to be many issues more important than tinkering with an unelected house, the red chamber.

Could my colleague describe to us all the other priorities that we should be tackling now, rather than tinkering with the mechanics of an upper house that costs Canadians millions of dollars per year and that is wasteful spending when there are so many other priorities? Could he outline what the priorities of an NDP government would be, if we were the government right now?

[*Translation*]

Mr. Marc-André Morin: Mr. Speaker, before concerning ourselves with the retirees in the other place who sit around twiddling their thumbs, we should begin by ensuring that the 308 members here succeed in producing results for the public. I feel it when I meet with the public. They tell us that the system is ineffective and that we get paid to do nothing. It hurts me to hear that because I did not come here to do nothing and neither did my colleagues. We are even prepared to work with our friends across the way. That is why we are proposing amendments. The hon. members opposite should at least look at those amendments before voting against them.

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, first I would like to say that I am pleased to rise to present the Bloc Québécois's position on Senate reform.

The Prime Minister is definitely single-minded; he is taking another run at it. Under the cover of increasing the Senate's legitimacy, he is proposing two important changes to the Senate: limiting senators' tenure to nine years and allowing them to be elected by the provinces.

Before explaining my party's position, I would like to point out some of the dangers to democracy lurking in this reform bill. First, electing senators is not such an easy business. That is where the reform proposed by the Prime Minister becomes dangerous. According to the bill, the provinces would be responsible for organizing these elections, which means that implementing the bill would depend entirely on the provinces' goodwill. Most provinces are not interested or are downright hostile to this change that is being made without their consent. The Prime Minister has done nothing to win the co-operation of the provinces in this attempt to reform the Senate, and his inflexibility may result, in the end, in the appointment of some senators who are elected and others who are not.

We would end up with a legislative assembly whose democratic legitimacy would vary, unless the Prime Minister decides to leave some seats vacant. No elections in some provinces, elections in others. This would also be detrimental to the representation of certain provinces. There is another problem: the term limits would not apply to senators appointed before 2008, which would create a double standard. Ultimately, if all senators were elected, and in the absence of true reform, the fundamental problem would remain the same.

With the government's proposal, the election of senators would change the balance of power in Parliament and certainly also between the provinces and with Quebec. The Senate has broad powers that it has practically always used with a certain amount of restraint, out of respect for the House of Commons. Once elected, however, it could use its new legitimacy to stand up to MPs. The exception could become the rule, if the membership of the two houses were different.

The Conservatives' bill brushes this danger aside. So the Conservative government is proposing to reform the Senate with Bill C-7 and to reform the House of Commons with Bill C-20, which would weaken Quebec's position within federal political institutions. So it is doublespeak. On the one hand, the government is saying that it wants to prevent political manipulation by appointing senators for partisan reasons. And on the other hand, as we have seen over the past few months and the past few years, the job of senator has increasingly become a political reward given by the Prime Minister largely to his friends. The Senate as an institution is less and less useful to democracy.

The Bloc Québécois is in favour of abolishing the Senate. But let us remember that Quebec's traditional position is that any change to the Senate must be made with the consent of the provinces, especially Quebec. The Canadian Constitution is a federal constitution. There are therefore very good reasons for ensuring that a change in the essential characteristics of the Senate should not be made by Parliament alone, but rather should be subject to a constitutional process involving Quebec and the provinces.

As far back as the late 1970s, the Supreme Court of Canada looked at the power of Parliament to unilaterally change the constitutional provisions dealing with the Senate. In 1980, the court ruled that decisions regarding major changes, like the ones the Conservatives are proposing today, that affect the fundamental features of the Senate cannot be taken unilaterally. Changes to the powers of the Senate—the method of selecting senators, the number of senators to which a province is entitled, or the residency qualifications of senators—can be made only in consultation with Quebec and the provinces. Furthermore, in 2007, Benoît Pelletier, the former Quebec minister of Canadian intergovernmental affairs who is well known in the field, reiterated Quebec's traditional position, and I quote:

The Government of Quebec believes that this institution does not fall exclusively under federal jurisdiction. Given that the Senate is a crucial part of the Canadian federal compromise, it is clear to us that...the Senate can be neither reformed nor abolished without Quebec's consent.

• (1135)

The same day, in the National Assembly of Quebec, a resolution was adopted, a unanimous motion that read as follows:

That the National Assembly of Québec reaffirm to the Federal Government and to the Parliament of Canada that no modification to the Canadian Senate may be carried out without the consent of the Government of Québec and the National Assembly.

With the unanimous support of the National Assembly of Quebec, the Government of Quebec therefore requested the withdrawal and/or suspension of the various bills that had been introduced over time by the Conservative government with a view to Senate reform.

This position by the Government of Quebec is not new. It is an historical position. Following the unilateral patriation of the

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Constitution in 1982, successive Quebec governments, be they sovereigntist or more federalist, all agreed on one basic premise: they did not want to discuss Senate reform before the Meech Lake accord was ratified, as Robert Bourassa said in 1989.

A little later, in 1992, Gil Rémillard said that Quebec's signing of an agreement involving Senate reform would depend on the outcome of negotiations on three important things: the idea of a distinct society, the division of power and limiting the federal spending power.

Finally, on November 7, 2007, the National Assembly of Quebec unanimously adopted the motion I mentioned earlier in my speech.

As for the people of Quebec, a fairly recent poll from March 2010 clearly shows that the majority of Quebecers do not give any value to the Senate in its current form and that a larger proportion of them are in favour of abolishing it completely.

Here are a few figures to be more specific. Only 8% of respondents from Quebec believe that the Senate plays an important role and that the Senate appointment system works well. In addition, 22% of Quebecers would prefer to have elected senators, while 43% would like the Senate abolished completely.

Not only is this bill unwanted, but it is undesirable.

For all these reasons, the Bloc Québécois will vote against the bill introduced by the government and, as members know, it would ideally like the Senate abolished.

• (1140)

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I thank the hon. member for the excellent presentation he just made; it explains his position quite well.

Certainly, the Senate has evolved in recent years, especially in the light of the increase in partisanship. When it was established, the role of the Senate was to provide sober advice to members of Parliament, who tended to be rather partisan.

How does the hon. member think an institution could offer that advice to members of Parliament while avoiding partisanship? I am thinking of civil society or more participatory democracy. I would like to explore those ideas a little to see how we could achieve something along those lines.

Mr. Jean-François Fortin: Mr. Speaker, I thank the hon. member for her very pertinent question.

We have indeed seen the reasons for which the upper house was created, especially in coming to the defence of minorities and of certain regions of Canada. Over time, things have changed and the role of the Senate has become much more closely linked to partisanship. That was because the government largely saw it as a way to reward its friends.

Of course, besides the formal machinery of democracy, we have civil society and we have groups that are very capable of providing representation on issues that affect daily life. In my opinion, the government should listen to those groups to a greater extent and, specifically, should establish formal and informal mechanisms that would allow it to connect with the reality of Canadians and Quebecers.

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At this point, abolishing the Senate seems to us to be the best solution, and we urge the government to be attentive to the interests of Canadians and Quebecers.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I feel that the government's positions are almost clear. They have no real idea what to do with the Senate, as the various approaches and bills over the years demonstrate. Our friends in the Liberal Party, I feel, are equally clear in their view that the Senate is an essential and important institution, and they have their own reasons for feeling that way. But the position of the hon. member and that of the NDP are somewhat similar in that we favour the abolition of the Senate. In that context, knowing his background in political science and that he is an expert in the field, I would like to hear his comments on the fact that Quebec abolished its own provincial senate in the late 1960s and on the impact it had on the way in which Quebec was governed and administered.

Mr. Jean-François Fortin: Mr. Speaker, I represent a magnificent riding that I invite you to come visit. In time, you will become more familiar with the name of my riding.

I want to thank the hon. member for Rimouski-Neigette—Témiscouata—Les Basques for his question. Parliaments around the world, in Europe, the United States or in Canada, have had democratic practices that have changed how the public is represented over time. Clearly, a senate that may have been necessary at a certain time for various reasons, like a photograph that reflects the true reality of a certain moment, has to be able to change and evolve in the minds of the people. My party and I feel that the Senate no longer has a place today. We see that the NDP has a similar position on this. The role that the Senate used to play is no longer called for today. We are therefore proposing the abolition of the Senate. Quebecers, of course, chose to abolish their senate for reasons I cannot get into right now for lack of time.

• (1145)

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, it is a pleasure to speak on such an important bill before the House. There can be nothing more important to us as Canadians than our democratic institutions. I believe that a Senate that is appointed or pseudo-elected, which is what the bill would have us do, is actually anti-democratic. We have a democratic House of Commons. We are elected by our constituents. We come to this House, and we actually try to debate the issues and bring the concerns of our constituents into this House. However, that has been very difficult during the last few months because, as we know, time allocation has been moved and our voices have been silenced many times.

However, we still believe and would encourage our colleagues across the way to allow the democratic process to play out. In this democratic process, we do not need to have a Senate. The Senate is appointed. Senators do not really represent any constituents. They come from regions. They do not have any kind of feeling of reporting back to anybody.

As we know, this is not the first time that my Conservative colleagues have tried to make changes to the Senate, but each time the changes they propose do not go far enough.

On the other hand, the NDP is constant. Since the 1930s, we have been constant in saying that it is time for the Senate to go. Our party keeps reaffirming that position over and over again, not because we are just looking for something to be opposed to, by the way, but because when we talk with our constituents, to Canadians across this country, they actually see very little value, if any, to the Senate.

Both sides of the House have to acknowledge that we are going through hard economic times, unemployment is rising, poverty levels are rising, our child poverty has increased, actually, the gap between the rich and the poor in Canada has increased, our health care system is under stress, our students in post-secondary education are burdened with a growing debt load, and many of them do not even have access to post-secondary education because they do not have the financial wherewithal to do so. I would argue that as we go through these hard economic times, this is the time that we should really all be standing to say it is time to abolish an archaic institution called the Senate.

When we look at our history, we have a group of people who are appointed by the Prime Minister. Under the new proposals, as we all know, the provinces may have elections at their own expense, and how many of them have money these days? Even when they elect and recommend somebody, the appointment is still at the discretion of the Prime Minister. What we have seen since May 2 have been appointments of either key workers, supporters, or failed candidates, to the Senate. Obviously, patronage is truly alive on the Hill.

When we look at all that, Canadians out there are asking, what is the role of the Senate? In my riding of Newton—North Delta most of them would rather take the millions of dollars we spend on the Senate and have it spent on education. They would like to have it spent on transit infrastructure. They would like to have it spent on health care. They would like to have it spent on raising seniors out of poverty. Shame on us. They would really like to see that kind of debate.

• (1150)

If the government feels it has to move to make some changes, let us take it to the public. Let us take it to Canadians right across the country, and let us engage in a healthy debate. I know that healthy debate is hard for my colleagues across the aisle, but let us take this out into our communities, engage in a healthy debate, and let our constituents tell us if they are for, against, or do not care. I will bet that they will care because they care how their tax dollars are spent and they would like to have them utilized to do some public good.

I have yet to be convinced of the public good that is achieved through a Senate. I was looking at it historically. As members know, I am new to the House. I looked at the number of times that an elected House of Commons has passed legislation and it was blocked by appointed, partisan senators that owe their loyalty to no one except the people who appoint them.

It is a very telling comment when a senator can write a letter to other senators stating:

Those of us who came to the red chamber were there to get a majority vote for reform. Those in the Senate before [the Prime Minister came to power] need to realize that, had he not made appointments, the Conservatives appointed by Mulroney would now be a very small group struggling to do anything! Every senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple:—

As a taxpayer this would actually give me sleepless nights. It continues:

—our loyalty is to the man who brought us here, the man who has wanted Senate reform since he entered politics, the Rt. Hon. [Prime Minister].

I would encourage every parliamentarian, my colleagues across the aisle as well, to really pay attention to that. If after reading that, we believe there is a role for the Senate, then we need to give our heads a shake. There is a need for a referendum because we need to justify that to every Canadian out there.

Every time I read this letter, I must admit I get goosebumps because here we are in a democratic country called Canada, with a parliamentary democracy, where a senator can write a letter to his whole caucus saying that their only loyalty is to the man who brought them to the Senate. That tells us a lot about the Senate, about who appoints the senators, where the power lies, and how the senators, once appointed, do not even see themselves as having any kind of commitment to Canadians. They see their commitment to the man who appointed them, who gave them their jobs.

My commitment is to the constituents who voted, whether they voted for me or whether they voted for another candidate. Once I became an MP, I am an MP for every constituent in my riding. That is my role.

It is because the Senate is archaic and out of touch, and does not connect with the people across the country, that it needs to be dissolved. Once it is dissolved, let us take those resources and do some real public good that the citizens of Canada can feel proud that their tax dollars are being spent to lift people out of poverty, to help seniors, to help our veterans, to establish a universal child care program, and to help our struggling students get an education, so that they can contribute to our economy and grow our economy.

• (1155)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments. However, we have another bill before us with regard to increasing the number of members of Parliament. It would increase the number from 308 to 338.

The member made reference to canvassing what Canadians want and to the issue of saving money. I am sure she would agree that a vast majority of Canadians, I would suggest 90% or more, do not believe we need more members of Parliament and do not believe we need an additional 30 MPs. We can imagine the money that could be saved.

Does the member believe that the same principles in applying those issues with the current bill should also apply to the bill that would increase the number of politicians? It is a bill her party is supporting, along with the Conservatives.

Ms. Jinny Jogindera Sims: Mr. Speaker, I want to thank my colleague for a very insightful question.

Members of Parliament come to sit in this House and, when they are allowed to, debate issues that are important to Canadians. When

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they go back to their ridings, they provide a direct service. I know my colleague will agree that we are often busier when we are back in our own ridings than sometimes we are when we are here. At least we feel we play a useful role when we are back in our ridings; when we are there, we do provide a direct service.

There is a difference between parliamentarians who are elected and senators who receive a patronage appointment or are appointed by the Prime Minister.

It is not just the NDP or myself who are saying that we should get rid of the Senate. Ontario Premier Dalton McGuinty, a Liberal, has also said that it is time for the abolition of the Senate. B.C. Premier Christy Clark, who calls herself a Liberal, although I would say she is a Conservative, has said the Senate no longer plays a useful role in Confederation. Manitoba maintains its position of Senate abolition. Quebec has called this legislation unconstitutional.

When we really look at this issue, right across the country there is a consensus already building that we should get rid of the Senate.

[*Translation*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, I want to thank the hon. member for her very passionate speech. She said that by abolishing the Senate, we could save astronomical amounts of money. In my riding, we are working with the government to see how we could come up with a more efficient rail transportation system in order to reduce traffic on the Island of Montreal, but we are being told there is not enough money to invest in such infrastructure.

I would like the hon. member to talk about actual projects in her riding that the government should be putting money into instead of investing in the Senate.

[*English*]

Ms. Jinny Jogindera Sims: Mr. Speaker, we could come up with a huge number of projects. With the amount of money we spend on the Senate, we could address a number of issues. We could lift our seniors out of poverty. We could have infrastructure projects that would improve our commitment to the environment—that is, if we still have a commitment from the government side to the environment. Really, when we think about it, there are many projects.

There will be some who would argue that if we do not have the Senate, our parliamentary democracy will come to a halt. I would reply that in the provinces that got rid of their senates, the sky did not fall. Everything carried on, and they actually got more work done. Bills were able to go through quickly. Legislation was able to be enacted quickly. Not only was the timing important, but they actually had money freed up.

A survey done in July 2011 found that 71% of Canadians are in favour of holding a referendum to decide the future of the Senate. I know my colleagues across the way are very committed to listening to Canadians across the country. They keep saying how they were elected to respond to the needs of Canadians; here we have 71% of Canadians saying it is time for a referendum.

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●(1200)

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I am pleased to speak about government Bill C-7 on the Senate. For several years, the government has been saying that it wants an elected Senate. If anyone is wondering whether I believe in the Senate, no, I absolutely do not, and I will explain why.

I may have once believed in the Senate but, if I did, I lost that faith. There was a time when I thought that there should be a place for the Senate and a time when I was uncertain, but that is no longer the case. I absolutely do not believe in a Senate appointed by the Prime Minister. For me, that is not democracy. In the past, in other countries, senators were appointed by their prime ministers, but those countries changed their way of doing things to take modern democracy into account. They chose to have elected senators with certain powers. For example, there are countries where the Senate cannot vote on bills related to government spending but, instead, it takes care of bills related to what is happening in communities.

I am looking at our Senate when I refer to an unelected Senate. We are supposed to live in a democratic country. There are various political parties—the NDP, the Conservative Party, the Liberal Party, the Bloc Québécois, the Canadian Alliance and all the others. They are all legitimate. We have the right to have our parties. Someone at Elections Canada makes sure that all the rules are followed, that everyone has a place and that any eligible person can run for a seat in Parliament. Those running for office campaign for 35 days. There is a huge election campaign. We have to sell ourselves to the public. Who should the people choose to represent them in Ottawa? A democratic, secret vote is held to choose someone—a man or a woman—to represent us in Ottawa, someone who can discuss and vote on bills that will become the laws of our country. These representatives are chosen by the people. That is democracy. It is the people who decide who will represent them, or who their members of Parliament will be. In the end, does it matter that the Prime Minister says that he wants to elect senators—people who are retiring?

Everyone knows that when someone is appointed to the Senate by the Prime Minister, they are there until the age of 75. The Prime Minister has the power to appoint people to the Senate, but not to remove them, however. A senator may do whatever he or she likes after being appointed. A senator must have done something really inappropriate to be relieved of his or her duties. No one wants to leave; they do not do anything until the age of 75, and there is no problem. That said, I do not want to tar all of the senators with the same brush.

In 2005, when Canadians and Quebeckers decided to elect a minority government, the opposition had the majority in the House of Commons. As has always been the case, if a budget is brought down by a minority government in the House of Commons and if the opposition, which is in the majority, votes against that budget, this means that the government does not have the confidence of the House and, consequently, that government falls and an election is held.

●(1205)

If a budget is brought down by a minority government in the House of Commons and the majority opposition votes against the government's budget, this means that the government does not have the confidence of the House. The government falls and there is an election. That is the rule. That is what protects the elected government, which has the power to trigger an election. That is where confidence is expressed. It is a vote of confidence. Normally, the government has to choose.

That is not, however, what is happening. The House is passing bills and the unelected Senate is voting them down in the other place. The Senate is voting against bills passed by the members elected by the population. I will give you an example.

The NDP introduced Bill C-311 concerning our responsibility with regard to climate change, the Act to ensure Canada assumes its responsibilities in preventing dangerous climate change. Whether we like it or not, the House expressed its opinion in a vote. The elected members voted. I think that all members, be they with the NDP, the Liberal Party, the Bloc or the Conservative Party, should feel offended, even though this is an NDP bill, that the unelected Senate voted to defeat this bill.

Our time here in the House is limited. At some point, there will be other people here. At some point, the Conservatives will no longer be in power and will be in the opposition. I wonder how the Conservatives would feel about the Senate voting against House bills, in a minority government situation, for example, during the time when they had a minority government.

The current Prime Minister himself has said previously that the Senate's job was not to vote against House bills. The House is elected. Members of Parliament are elected by the public.

A few years ago, I sent out a bulk mailing in my riding and asked constituents to respond. It was almost a referendum. I asked people whether they agreed with the Senate, whether senators should be elected, whether the Senate should be abolished or whether it should remain as is. No one wanted the Senate to remain as is. Among those who responded, 85% indicated that they were in favour of abolishing the Senate. It would be interesting to have a referendum on this in Canada. It is great to say that this is part of the Constitution, to hide behind that and to say that, because of the Constitution, we can never change the Senate. The Constitution makes a great place to hide.

However, what would happen if there were a national referendum and the public said it was in favour of abolishing the Senate? If that happened, all of the provinces would have to agree in order to amend the Constitution. Hopefully the provincial premiers and legislatures would honour the decision of Canadians and Quebeckers. We would hope they would recognize that, if the public no longer wants a Senate, it is time to get rid of it once and for all. Why are we spending money on this institution?

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The bill that I introduced required Supreme Court justices to be bilingual. The bill was passed in this House. The majority of parliamentarians voted in favour of the bill. The Conservatives consider themselves lucky that the Senate does exist because, had it not, the bill would have been passed and they would now be required to appoint bilingual justices to the Supreme Court. That is democracy. Elected representatives should decide. We are the elected representatives—whether Conservative, NDP, Liberal or Bloc. The voters elected us to the House. We were not appointed by the Prime Minister. Conservatives should mull that over. They will not be in power for the next 100 years. At some point, the Conservatives will no longer be in power.

It is not right. It was not right when the Conservatives were in opposition. The current Prime Minister was against the Senate voting down bills passed by the House of Commons. What has changed since he moved from opposition to power? What has caused such a change in him?

• (1210)

The Senate claims that it exists to protect minorities and the regions, but it never has done that.

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Madam Speaker, I would like to thank the member for Acadie—Bathurst.

We are aware that a number of countries have abolished the Senate, for example Finland, Germany and Japan. And those are not the countries lowest on the list. A number of provinces have abolished the senate as well. At present, 71% of the population would support holding a Canada-wide referendum so they could voice their opinion. This morning, a member said it would be difficult to open our Constitution. Our Constitution was created to be opened when it is necessary. Processes have been provided for opening it and for agreeing. Some of them mean that referendums can be held.

I would like to hear the member's opinion on that.

Mr. Yvon Godin: Madam Speaker, if we hold a Canada-wide referendum on the Senate, with Quebec, Canadians can decide whether they no longer want the Senate. The Constitution is not written in stone. Everything can be changed and that is why we have a Parliament.

When New Brunswick enacted legislation to make the province bilingual, all the provinces agreed. There was no talk of the Constitution and it was not opened up for everything. It was opened only on that subject, and bill 88 was incorporated into the Constitution. We are protected by the Constitution. It was done democratically; the Constitution was opened, bill 88 was added to it, and that was the end.

So if there is a referendum on the Senate, the Constitution can be opened just on that subject. We can listen to the people and respond to their desire to get rid of that institution. The provinces have got rid of it, as our colleague mentioned just now, and it was not the end of the world. No one can run and hide anymore.

Now, members rise in the House to vote on a bill, the public looks at them, and if the members do not do a good job, in a democratic way, they can be voted out in the next election. We do not need a

Senate to reject bills passed by a majority of Parliament, because we are elected and senators are not. They are people appointed by the Prime Minister. Most of the time, they are friends of the Prime Minister or of a political party. That is not democracy.

[English]

Mr. James Bezan (Selkirk—Interlake, CPC): Madam Speaker, the member for Acadie—Bathurst is a veteran of this place, so I am sure he realizes the hard work that takes place in the Senate. Great reports come out of its committees. Great dedication is shown by so many senators. It is the place of sober second thought when it comes to legislation from here. Often some errors have been made in drafting bills, especially private members' bills, but the senators have been able to pick up on those errors as a result of their experience and expertise in looking at the law. Despite the member's comments that the current Senate is a patronage-laden place, it still does some great work.

We also have to remember that a lot of the legislation we deal with in the House actually starts over in the Senate and comes this way. Senators bring forward some great ideas on their own private members' bills. We need to look at Parliament as a whole.

We are trying to bring democracy and reform to the senate by allowing people to elect senators. If the member is so opposed to patronage and the existing Senate the way it stands, why does he want to bring proportional representation into the House where members will be appointed through patronage off party lists?

• (1215)

Mr. Yvon Godin (Acadie—Bathurst, NDP): Madam Speaker, I have been to many countries that have proportional representation. The people are appointed through a convention, not by a leader of a party. Their appointment is not done through one person.

I am not degrading people in the other place. I am not saying that the senators do not do any work. I am asking if we need the Senate.

The member says that senate is the place of sober second thought, but that is why we have committees. If the government were to stop putting time allocation on debate in the House of Commons and let us do our jobs, if it did not stop debate in committees and let us do our jobs, then maybe we would not need that other place to do the second thought. We could do our own sober second thought. Right now the government is stopping us from doing our jobs, yet it is telling us that we need the Senate to repair things. We could do the repair work right here. Leave us to do our work.

The Conservative government has stopped debate in the House 11 times. We are allowed to debate a bill for two hours and that is it. That is not democracy; that is anti-democracy. The member should think about that too.

Mr. Jean Rousseau (Compton—Stanstead, NDP): Madam Speaker, that is a tough act to follow, as always.

Government Orders

[*Translation*]

I would like to congratulate my colleague from Acadie—Bathurst as well as my colleague from Newton—North Delta. Both of them are very passionate, and they are models in both their bearing and their ethics. I really admire their work.

On this day, December 8, I only have one thought in mind: “Give peace a chance”. Why is it so important to give peace a chance? It is important because peace is synonymous with discussions, with communication among peoples, among people and among parties, whether they agree or not. Dialogue should always be at the forefront of a democracy. It is extremely important.

The message of my idol, John Lennon, who was assassinated on December 8, was about communication and the way in which we can together discuss topics that are extremely important to society and to the population in general. Today, we are debating a bill that affects more people than we realize and may cause a chill among some provincial elected members. First and foremost, we have to respect democracy, which is a sincere and cordial dialogue. Exchanges between the members of the opposition and the members of the government should be courteous.

It appears to me that Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits, reflects a somewhat cavalier attitude and shows indifference to the real issues that are of concern to the population.

The role of this institution is no longer required and this has been the case for decades, as was very well explained by my colleague, the member for Acadie—Bathurst. Historically, the role of that institution has always been that of a watchdog. Personally, I think this role has evolved into a ghost's role, and I am being polite in saying that. One wonders what could have led the Conservatives to table a bill on this topic for the third time. Basically, this legislative effort contains absolutely nothing that would truly legitimize the existence and relevance of the Senate chamber, especially given the fact that at no time since the beginning of this 41st Parliament have the Prime Minister and his merry band given us any opportunity for real debate in a sound democracy. Never have they done so. And believe me, this government does not seem anywhere near doing that in the course of this exercise.

In the first paragraph of the preamble to Bill C-7, we can see the ambiguity and paradox of the Conservatives' position, especially when they claim that the Senate must continue to evolve in keeping with the principles of modern democracy and the expectations of Canadians. I would be curious to know the opinion of Canadians on that topic.

In the second paragraph of that preamble, we read:

Whereas the Government of Canada has undertaken to explore means to enable the Senate better to reflect the democratic values of Canadians and respond to the needs of Canada's regions;

As for the regions, we will get to that in due course.

How can that be called democratic if the provinces' choice is not even respected by the Prime Minister?

Part 1, clause 3, on senatorial selection, states that “the Prime Minister...must consider”. There is no obligation. The Prime

Minister does not even respect the choice of senators elected democratically by the provinces. Welcome to the Conservatives' world where even evolution runs backwards. The upshot is that we will again and again be faced with partisan appointments of the kind the Liberals had us accustomed to; now it is the Conservatives' turn.

Why reform the Senate if the provinces' decisions are not going to be taken into account and if the Canadian government is under no obligation whatsoever?

Moreover, there is a schedule in Bill C-7 that contains a whole slew of clauses that impose a legislative framework for the selection of senators. Did I not just say that the Prime Minister has no obligation whatsoever to respect the selection process? Once again, he shows no interest in listening to voters, 61% of whom, I should point out, voted against the government.

It makes no sense and it is a waste of public money: over \$100 million a year is spent on the Senate.

Once again, they have found a way to spend a fortune on an exercise in which all Canadians will have participated without their decision being respected.

• (1220)

In the end, Canadians will not have participated. Basically, whether it is 100% of Canadians who speak out or vote, or the 61% who voted against this government on May 2, the Conservatives do not give a damn.

The NDP's position is certainly clearer and more precise than the government's. From the early days of this 41st Parliament, the Conservatives have been very vague regarding the number of subjects up for discussion, which has left us with a great deal of doubt and uncertainty.

For many years, the NDP has called for the complete abolition of this outdated institution, which in no way serves the interests of a modern country and instead caters to the cronies of whichever party is in power. I challenge the government to hold a Canada-wide consultation on the future of the Senate or even a vote on its abolition. I would respect the outcome of such exercises because I am a democrat and I care about Canadians' opinions and what they have to say regarding the issues affecting their country, my country: Canada.

Democracy is at the very core of the British parliamentary system and yet the Conservatives show day in and day out just how much a doctrine based on the private and individual interests of a party's leaders has a negative impact on ethics and the civic-mindedness of a people.

Government Orders

The premiers of Ontario and Nova Scotia have publicly expressed their support for abolishing the Senate. The premier of British Columbia said that the Senate no longer has its place in our Confederation. Manitoba remains in favour of abolishing the Senate. As for Quebec, it has said repeatedly that this bill is unconstitutional. Does the government really want to alienate these provinces? Is this a voluntary move by the Conservatives, or else a strategy aimed at dividing the country to better control it? To ask these questions is to answer them, as someone famous once said. To divide Canadians on an issue on which we should seek a consensus is really perverse. What will the next step be? Withdrawing from the Kyoto protocol, so as not to respect our targets? I almost forgot that it is already done, if I am not mistaken.

I am speaking like many citizens have done to vent their frustration in recent weeks, either in our offices, or through public forums and social media in Quebec and Canada. This way of doing things without taking into consideration the real needs of Canadians does not make sense. Instead of being concerned about the health of seniors, veterans and aboriginals, the government shocks the conscience of the public to shine light on the inefficiency of public services. I am sorry, but since the Senate does not provide a service to Canadians, let us get rid of it! During the past century, 13 attempts were made to reform the Senate and they all failed. Let us get it over with!

Let us get back to the legitimacy of the appointments made under this bill. There is no legitimacy at all. The Prime Minister does not even have to accept the decision made by voters in the provinces. As I said, he is only bound by clause 3 of the first part of the bill. Does this mean he could wait until the list includes the names of people he really wants to see in the Senate?

Section 44 of the Constitution Act, 1982 does allow the Canadian Parliament to amend the Senate without complying with the normal but very elaborate amending procedures in the Canadian Constitution. Is this a reason good enough to not consult the provinces? After all, we are talking about what is a sensitive issue for several Canadian provinces, given the number of representatives in the Senate which, in itself, imposes a minimum number of members in the House for some provinces.

We are getting into a more concrete area, namely the democratic representation in the House of Commons. Since the government refuses to debate any issue in the House, what will happen to the provinces that do not agree with this reform? What means will they have to put an end to this unbelievable travesty by the Conservatives, who are afraid of any public debate?

It is unacceptable to try to divide a population that needs its elected representatives to work instead to create jobs and improve economic security in the country. As we all know, the gap between the rich and the poor in Canada is growing exponentially. Statistics released in recent days confirm it. Can we deal with the real issues and show leadership by simply abolishing this outdated institution in the 21st century?

•(1225)

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Madam Speaker, I would like my colleague, who is very close to the people in his riding, to say a few words about what he is

hearing back home about this bill or the Senate in general. The government can no longer hide the fact that it appoints its friends, former candidates and whomever it wants to the Senate. It is starting to become embarrassing. Apparently, the Conservatives' solution is to propose making senators elected members. Are they going to consult anyone? We are not so sure. Sometimes they say it is not necessary to consult experts and scientists. Sometimes they also say there is no need for wide-scale consultation since they already have police officers or their father is a farmer. What comments has the hon. member for Compton—Stanstead heard people in his riding make about this topic?

Mr. Jean Rousseau: Madam Speaker, I want to thank the hon. member for Pierrefonds—Dollard for her question.

In my riding, people are very attached to Canada's Parliament. The Compton—Stanstead and Eastern Townships area of my riding is made up of wonderful anglophone towns. People are wondering why we are wasting so much money on a chamber that, for all intents and purposes, is useless. A tremendous amount of resources are given to us to correct the wording of legislation. My constituents say that if we abolish the Senate, our work will finally be legitimate and that we are the elected members and it is up to us to get this work done.

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Madam Speaker, I would like to thank the hon. member for his speech, which focused a great deal on dialogue and discussion.

He also spoke about Canadian democratic values. We live in a very democratic country and we should be very proud of that. During the last election, the Conservative candidate in a neighbouring riding was not elected. Then, the day after the election, he was appointed as a senator. Many people in my riding asked me questions about that. I would like to know what the hon. member thinks of the process for selecting senators. How does he think it should be changed?

Mr. Jean Rousseau: Madam Speaker, I would like to thank the hon. member for that question.

The schedule of the bill contains all kinds of processes and procedures for selecting senators that the provinces must follow in order to propose Senate candidates. However, the Prime Minister has no obligation to respect their choices. This is a process that will once again cost millions of dollars to implement but will not be legitimate because the Prime Minister is in no way obliged to follow this procedure. The government is imposing a procedure but does not even want to follow it. I really do not understand the idea behind this bill.

•(1230)

Mr. Matthew Dubé (Chambly—Borduas, NDP): Madam Speaker, I would like to thank the hon. member for his comments.

One of the arguments that we have heard about the Senate pertains to how it was conceived. I think one of the reasons, in theory, that the Senate exists is to represent the different regions more fairly, given that some provinces are bigger than others.

Government Orders

Recently, we debated Bill C-10. Despite the very clear will of the Quebec National Assembly and Quebecers, one senator became the government's puppet to a certain extent. He said that Quebecers and the National Assembly were wrong not to support the bill. So, clearly, the Senate does not really represent the regions. Would the hon. member care to comment further on this issue?

Mr. Jean Rousseau: Madam Speaker, I have an enormous amount of respect for the individuals in the Senate. They are all noble individuals who have led fantastic lives, but this is just a reward they have been given. These people have no legitimate reason for being in those seats. Although their suggestions to the government are very noble, we will first have to make them appropriately legitimate through an election; otherwise it shows no respect for democracy.

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, my first thought, as I came into the chamber today to enter into the debate on the bill, was that here we go again, tinkering with an outdated, obsolete vestige of colonialism, something that is unworthy in its makeup and in the institution itself of any legitimate western democracy.

We are wasting the time of Parliament debating, tinkering with the Senate when, as per the policy of the NDP since the 1930s, the Senate should be abolished. It has outlived any usefulness and now it is just an instrument of abuse, pure, political and partisan pork.

There has never been a prime minister who has so abused the Senate and taken partisan advantage as the current Prime Minister, with 32 appointments. After being the one who agreed that the Senate was an outdated and obsolete institution, he has been stacking the Senate for purely partisan reasons.

Let me give an example of this. The president of the Conservative Party, the campaign manager of the Conservative Party, the chief fundraiser of the Conservative Party, the director of communications for the Conservative Party, the entire Conservative war room is now sitting in the Senate, pulling down \$130,000 a year of taxpayers money, with staff, travel privileges and resources.

Who was the campaign manager in the last provincial election in my home province of Manitoba? The Conservative Senator from Manitoba, and I do not know if I am allowed to use his name. The former president of the Conservative Party was power shot into Manitoba on the taxpayer nickel to work full time in partisan activities. He never has to stand for an election because he is there for life to act as an agent of the Conservative Party, not as the chamber of sober second thought, and is salaried, staffed and paid for in a direct subsidy by the taxpayers of Canada. It is appalling and it is atrocious. The senate should be abolished. It is a disgrace that we are using up time in our chamber to even re-arrange the deckchairs on that ridiculous institution.

There must be some old Reformers who have a hard time looking at themselves in the mirror, considering the things they used to say about the Senate. Now they are one. They have become what they used to most criticize. They have tossed overboard every principle on which they were founded in the interest of political expediency. They have been jettisoned over side. It is a disgrace.

Even as we speak, the Senate is sabotaging the Canadian Wheat Board bill with extra sittings. Because the courts have ruled against it, and it is against the rule of law, it is, lickety split, ramming this through. How could the Senate, in all good conscience, pass a bill that the courts have ruled against? It is one of its very functions, or used to be at least, to catch and correct any time that this chamber somehow passes a law that offends the Charter of Rights, the Constitution or the rule of law. That bill offends the rule of law, yet those senators are ramming it through.

It is possible that the Governor General, at least, will refuse to grant royal assent to a bill that the courts have struck down. As another vestige of colonialism, we have to ask permission of the Crown. When there is a runaway freight train of political expediency, like the current gang, like a bunch of six-year-old bullies who take advantage of their power to ram things through and run roughshod over everything that is good and decent about our parliamentary democracy, without even taking into account the rule of law, maybe those guys, if they are worth anything, will intercept the bill at the Senate stage, as will the Governor General at that stage, so the Conservatives cannot ram that bill through.

The other thing I want to speak about, in the brief time that we have, is this. It offends me to the core of my being that we end up having to deal with bills that originate in the Senate. In fact, those bills have primacy over the work of the chamber to which we members of Parliament have been elected.

● (1235)

We wait and wait our turn patiently to have our private members' bills heard. If our bill is lucky enough to get on the order of precedence, maybe we will be able to fulfill a dream of having our particular hobby horse heard in the House of Commons. The unelected chamber, senators generate bills, never mind reviewing legislation that we put together, and their bills come to this chamber and go to the top of the list, bumping the bills of members of Parliament. It is appalling. It makes my blood boil just thinking of it. I cannot believe there are people who call themselves democrats on that side of the House who put up with this ridiculous, almost embarrassing situation.

What Conservatives have proposed in the interests of democratic reform actually causes such a mess it will be pandemonium. There will be two and three different tiers of senators. We would have the elected senators and the senators who are there for life. Which ones have primacy then? Which ones have more weight? If we ever did go to a fully elected Senate, would that be the upper chamber? Would that be the senior chamber and how would the political dynamics work?

Every province in the federation of Canada wrestled with this issue and every province came to the same conclusion. They abolished their upper chamber and ensured there was adequate representation within the structure of their legislatures. We do not need a Senate.

Government Orders

There is an old joke about the radical diet. If one wants to lose 40 pounds of ugly fat, just cut off one's head. In this case, we could lose \$200 million of utter waste just by chopping off the head of the Senate and eliminating it. We would keep the building. The chamber itself is a lovely place. I have no problem with the chamber. It is an architectural delight and it should be preserved and maintained, but the maintenance budget of the Senate chamber might be a couple of grand a year. The maintenance budget of each one of those political appointees, and I use that word in the politest way I could phrase it, costs us a fortune.

In actual fact, senators are hacks, flacks and bagmen and I do not just accuse the Conservatives. I am thinking of the most famous Liberal bagman in Manitoba who wound up in the Senate, and I will not mention his name. The most infamous Conservative bagman went right into the Senate so he could continue his partisan fundraising paid for by the taxpayer. While there, they were the architects of the biggest political election fraud in the history of Canada. Charged, tried, convicted, found guilty and they are sitting in the chamber as we speak, scheming their next election tricks.

I wish somebody watched these debates. If people only knew what we put up with by the other chamber, they would be appalled and would demand true reform in the form of abolishing that wasteful, archaic, outdated, obsolete relic of colonialism, that last vestige of colonialism that we wear around our necks like an albatross. It is like having an anchor dragging behind a boat, having the Canadian Senate as an obstacle to democracy. Senators do not enhance democracy. They sabotage and undermine democracy. Twice in the history of Canada—

• (1240)

Mr. James Bezan: Madam Speaker, I rise on a point of order. The member for Winnipeg Centre is in violation of Standing Order 18. It says that:

No member shall speak disrespectfully of the Sovereign, nor of any of the Royal Family, nor of the Governor General or the person administering the Government of Canada; nor use offensive words against either House, or against any Member thereof. No Member may reflect upon any vote of the House...

The member has really slandered senators and the other chamber and I ask that you call him to order.

The Deputy Speaker: I thank the member for citing the order and he is quite right. I did not hear the last comment that was made, however, there are 30 seconds left.

The hon. member will take note and ensure that all his comments are respectful. Certainly the debate is about the Senate so there is some latitude to express opinions or facts as the members see it, however, while maintaining a tone of respect.

The hon. member for Winnipeg Centre.

Mr. Pat Martin: Madam Speaker, the senators are wading into and are actively engaged in partisan politics. It offends me that they are allowed to be members of boards of directors. They are not only sabotaging bills that come through the House, such as the climate change bill, they are sitting on the boards of directors of the big oil companies and sabotaging the climate change bill.

How can a senator be allowed to sit on a board of directors when it is a clear conflict of interest for any of us to do it? Some senators sit

on 10 or 12 boards. It is appalling. It is another good reason to abolish the Senate.

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Madam Speaker, I thank my hon. colleague for his, as usual, entertaining remarks.

I will first make a comment and then ask a brief question.

The hon. member noted that Senate bills can get precedence in many situations in the House. However, he failed to mention that he and his party voted against a motion brought by the member for Beauce, who is now the Minister of State for Small Business, to change that. Perhaps the hon. member should not criticize issues that he was previously on the other side of. It would be more appropriate that he remember how he voted before he talks about issues.

The Conservative Party and its predecessor parties have believed in Senate reform. The hon. member's party would prefer abolition.

If the best proposals from each side were put forward before the Canadian population in a referendum, a plebiscite or the like, and if Senate reform were chosen for a democratically elected regional Senate, would the hon. member then support the election?

Mr. Pat Martin: Madam Speaker, before I share one of the most appalling things that the Senate has done to date, which is the only time in Canadian history that we know the Senate has done this, I will tell the member a secret that not many people know. I used to be in favour of the Senate. I used to be about the only New Democrat in the country who was not in favour of abolishing it. I even sat with the current Conservative Prime Minister when he introduced the first bill to reform the Senate. Since then, I have realized how wrong I was and how right my party is.

What has turned me into an anti-Senate activist are the stunts that the Conservatives have pulled. Two bills that were passed democratically by this chamber were killed by the Senate. I wish the country could hear this. One is the climate change bill, the only environmental bill passed since 2006 when the Conservatives took power. It passed all stages in the House and was killed by the Senate without a single day of debate or a single witness being heard. The other bill that it arbitrarily, unilaterally killed without debate was the bill that would have made generic drugs available to Africa to fight the HIV-AIDS and tuberculosis pandemics.

Can members believe the bills that the Senate chose to intervene and squash with its undemocratic, unelected, obsolete vestige of colonialism? It is appalling.

• (1245)

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Madam Speaker, once again, I would like to commend my colleague for Winnipeg-Centre. I greatly admire his very colourful choice of words from time to time. We really appreciate it on this side of the House.

Government Orders

I would like my colleague to speak more about the amount of money that could be saved if we abolished the Senate, as proposed by the NDP. What could be done with that money and how would abolishing the Senate be useful for the Canadian economy?

[English]

Mr. Pat Martin: Madam Speaker, Canadians should remind us that we are broke. We borrow money every year just to make payroll, to pay our bills and to keep the Government of Canada running. We are in a severe deficit situation. We should be looking under every rock and turning over every stone to find efficiencies and ways to save money.

Hundreds of millions of dollars are spent in the other chamber, not to augment, complement and enhance democracy but to sabotage and undermine democracy and to thwart the democratic will of this chamber.

A great deal of the money that we spend in the Senate is to fly senators around the world like a bunch of Harlem Globetrotters. Have members ever seen a parliamentary junket where every Senate position was not filled? We take a pass on most trips that we are offered. Senators never turn down a trip. They gallivant around the world like some high-flying globe-trotting emissary of Canada, which is of no material benefit or value to us. It is a waste of money. It is a waste of hundreds of millions of dollars that could be better spent enhancing our democracy instead of sabotaging it.

[Translation]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Madam Speaker, like my colleagues who rose before me, I am very proud to speak to this bill, which interests me greatly. We care about our democracy, which is what is at stake here today, as my colleague from Winnipeg Centre so eloquently pointed out.

A lot is being said about the purpose of the Senate, and what it seeks to achieve. I was a political science student, so I will take this opportunity to provide an overview of the governing bodies of other nations, particularly the United States. Their experience, as it compares to ours, serves as a justification as to why the Senate must be abolished.

One of the things that the Founding Fathers said about the Senate in the United States was that it was important to have a division in government to protect against the tyranny of the majority. Like us, they have a system where the person with the majority of votes is elected. And yet, we know all too well from our experience here in Canada that there is a percentage of the population that votes for other parties. This is the case in the current Parliament, where 60% of Canadians voted for parties other than the governing party. The principle is, therefore, that with a Senate, the executive—the President, in the case of the United States—and the Supreme Court, it becomes possible to protect against what is known as the tyranny of the majority.

In the United States, they determined that the best way of using the Senate in this instance was to provide regional protection. We are well aware of our history here in Canada and the same principle applies. Essentially, the Senate was created to protect the distinctive features of the regions. Of course, certain provinces are huge, such as Ontario—not necessarily in terms of land mass, but population—contrary to territories or provinces such as Prince Edward Island,

which may be smaller, but which, like any other province or territory, are entitled to be democratically protected, in the sense that the opinions of their people are expressed through elected representatives—in an ideal world of course.

The same thing is apparent here. It was true of the United States, where the states, which vary enormously as far as size is concerned—in terms of both population and land mass—each had two senators. And yet the United States learned something far quicker than we did. Unless I am mistaken, it was in the 1950s that the U.S. decided that in order to benefit from this equitable regional representation, and to fulfill the mandate of the Senate, senators had to be elected. The U.S. moved forward by overhauling the constitution, which led to an elected Senate. That was 60 years ago and, of course, we are terrible laggards in this area.

The difference, however, with Canada is that in the United States it was the governors of the states who appointed senators and not the President. The comparison can therefore be drawn with Canada, where the Prime Minister appoints senators, which is very different. How do you achieve regional representation when the Prime Minister of the federal government chooses the senators? It is quite difficult and, in some ways, is a conflict of interest.

So we see that this is the first lesson that has not been learned, and this is something that is still going on today in spite of the intentions of this Prime Minister, who stated that he would never appoint senators. And yet we have people who were defeated in elections who have been appointed to the Senate. This is a huge problem. They are talking about electing senators; they say it will be democratic, that they will respect democracy. It is one thing not to elect senators, but what is worse is to appoint someone whom the public refused to elect. Appointing someone who was not elected is a problem, but it is a more serious problem when the people have said no to those representatives. They have flatly refused to be represented by those individuals, and yet they are appointed nonetheless, and they expect that those individuals will provide the same representation as a person who was elected. That is essentially very illogical logic.

I recall a Liberal member who was just saying that we had a very simplistic position.

• (1250)

I take that as a compliment, because what we are saying is very simple: abolish the Senate. There is nothing complicated about that. There is no point in embarking on debates about very complex bills with huge flaws, like the main flaw that allows the Prime Minister to choose not to appoint elected senators, which is completely contrary to what is supposed to be the nub of this bill. Our position is very simple, and I agree that it is a simplistic proposal, but in the positive sense of the word. It is a solution that will enable us to solve all these problems of patronage and lack of representation, particularly as they relate to the various regions, once and for all.

Government Orders

I also want to talk about a few points that have already been raised by my colleagues, but I want to say more about Bill C-311 in particular, which my colleague from Winnipeg Centre and other colleagues have addressed, and which deals with climate change. We introduced an opposition motion concerning climate change earlier this week. It refers to the withdrawal from Kyoto and this government's lack of vision in that regard. In fact, this House, by a vote of all parties, had passed a bill that was going to strengthen our principles and our fundamental values in that regard, so we could take concrete action on climate change. But that bill was killed by the Senate. The very problematic thing here is that we are not just talking about a bill passed by the House of Commons, a chamber composed of elected representatives, we are also talking about a bill that many ordinary people worked hard to get passed.

I was an activist at the time myself and I worked hard to communicate with members of Parliament about the importance of that bill, and I was by no means alone. People from all across the country worked to make members of Parliament understand the inherent merits of that bill. The organization was very successful because the House passed the bill. The Senate, unfortunately, disregarding the will of the people entirely and with no justification, killed the bill. That is one of the basic problems that Bill C-7, which we have before us today, is not going to solve. The problem will be solved by abolishing the Senate. It is not complicated.

I am going to make an important connection with a debate we had earlier this week on democratic representation. The connection is important because we are talking about democracy again. I am referring to Bill C-20, which deals with redistributing the seats in this House. We know that the Liberal Party's concern was about the costs that would be incurred. But I spoke on the bill and I raised the same point today. Let us talk about reducing costs and about how to pay for that bill so that we can have more democratically elected representation. I repeat once more: it is not complicated. Let us abolish the Senate; we will save millions of dollars that we can use to pay not only for better representation for all provinces, Quebec included, but representation that will take its place in this elected House.

Since I am running out of time, I will conclude my remarks by saying that the Senate was conceived as a way to represent and protect the unique regional features of our country. I can state, specifically as a representative of Quebec, a province that is very aware of the importance of protecting those unique features, such as our language and culture, that I have seen no evidence, especially in recent years, that the Senate is doing its job of protecting that uniqueness. That is one more reason for abolishing it, and one more reason for us, as true elected members of this House, to protect the unique features of our various regions with our actions and our legislation.

• (1255)

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Madam Speaker, I would like to put a question to my New Democrat colleague. I would like to know what he thinks about the fact that this Conservative bill is going to give a single term to elected senators, who will thus not have to be accountable to the public for their election promises. They could very well not keep any promises

and remain in the Senate for nine years, in addition to receiving a large salary and a pension.

Personally, as a Canadian, I find the double standard inconceivable. I am very happy that the terms of the members of the House of Commons are short and renewable. In that way, we are accountable to the public, which judges us. With this bill, senators may make whatever promises they like without having to be accountable to the public, in addition to receiving a large salary and a pension.

I would like to know what my New Democrat colleague thinks about that.

Mr. Matthew Dubé: Madam Speaker, I thank my colleague for his question, which is in fact a very good one. In the time I have, I am going to try to discuss several points that I consider relevant.

First of all, I find it interesting that some people are saying that limiting the terms of senators will make them more accountable. However, as my colleague said so well, they will not have any election promises to keep. So this will not make them more accountable to the public.

In addition, there is another problem we do not hear much about, which is that setting term limits will mean that when the party in power changes, the new party will simply have another opportunity to appoint senators who will support it.

For instance, there used to be a Liberal majority in the Senate. When the Conservative government came to power, as soon as it could do so it took the opportunity of appointing Conservative senators. Shorter terms would simply have facilitated what happened, and appointing senators from his own party would be easier for the Prime Minister to do. In the Senate, this is very problematic. All of the points my colleague mentioned, including the related costs, are indeed shameful and are yet more reasons to abolish the Senate.

• (1300)

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Madam Speaker, I would like to ask my colleague what he thinks of the fact that the bill is undemocratic because senators will be appointed by the Prime Minister. Furthermore, even if the provinces do hold elections—and at their own expense—the Prime Minister is under no obligation to consider the senators elected by the provinces.

It is undemocratic, not to mention unconstitutional, because the provinces must be consulted—which has not at all been the case—anytime there is a proposal to change key elements of the Constitution.

I would like to hear my colleague's thoughts on that.

Mr. Matthew Dubé: Madam Speaker, I thank my hon. colleague for the question.

Indeed, that is where the problem lies. As I said in my speech, the goal of the Senate, its *raison d'être*, is supposed to be to protect the regions and to ensure proper representation of the various regional differences that exist in Canada.

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Yet the provinces are not being consulted; they are simply being told that they will be able to elect senators. The caveat, however, is that the Prime Minister will still have the final say, which effectively takes away that power. It is indeed a big problem.

That is another reason to abolish the Senate. We must ensure that, as elected members who are perfectly capable of representing our regions, that that is what we do.

The provinces do not want this bill. Despite what we heard earlier this week from a member opposite, the provinces are more than just administrative regions. They provide a framework for the very specific differences that exist, which is another reason to understand this reality and take action accordingly.

Ms. Annick Papillon (Québec, NDP): Madam Speaker, I am pleased to rise in this House today to debate Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

The Senate was established in 1867 under an agreement between federal and provincial authorities. That agreement covered a number of aspects that still define the Senate as we know it today. At the outset, the Senate of Canada, like the British House of Lords, was an institution that was to provide sober second thought to any ill-informed decisions that legislators in the House of Commons might make. But Canada has changed a great deal, and in the past 100 years, there have been 13 attempts at Senate reform. Unfortunately, all have failed.

Under Bill C-7, now before the House of Commons, the terms of members of the upper house would be limited to nine years. The bill also contains a framework under which elections for the Senate could be held in the provinces. Those elections would provide a list of candidates from which the Prime Minister could make appointments to the Senate. Perhaps this is Senate reform, but it is not democratic reform that this government is offering, especially since the Prime Minister will still be able to choose senators himself, as he sees fit.

In fact, the bill proposes that senators be elected by a complex and ill-conceived system of elections. The elections will have no democratic value, because holding them is optional. In the provinces, the elections will probably favour candidates from the large urban centres at the expense of the regions. Bill C-7 also invites provinces to conduct elections at their own expense and under their own rules. Do we not find it strange that elections for the Senate, a federal institution, will be set up by the provinces?

Furthermore, the bill is not at all well regarded by the provinces, especially Quebec. Premier Jean Charest has already indicated that he is willing to contest it in court. Ontario, British Columbia and Nova Scotia go so far as to directly suggest abolishing the upper house.

Wanting to have the upper house made up of elected representatives also does away with the main difference between senators and members of Parliament. If senators are elected, they too will have political responsibilities to their constituents. So the one aspect that sets the Senate apart from the House of Commons, its independence, will be lost. Elected senators will be useless additions to elected members of Parliament.

The NDP is also opposed to this Senate reform because, within the next generation of senators, it would create a complicated system with half the senators being appointed and the other half being elected. The Senate, which is already discredited, would become even less functional, if not completely non-functional. There would be a division between a new category of senators elected for a nine-year term and the former category of senators appointed until age 75. The elected senators would have to follow the same party lines as the members.

We must not fool ourselves. It would be difficult to be elected to the Senate without the active support of a political party. The Senate will therefore be even more politicized than it currently is. A senator elected provincially could say that his mandate is stronger than that of a member because he would have more voters and a longer term.

This reform that the Conservative government is proposing could also lead to the same kind of legislative deadlocks that we are seeing in the United States, where Congress is composed of two elected bodies—the Senate and the House of Representatives. The situation could even be worse than in the United States, because our Constitution does not include a mechanism for conflict resolution that would make it possible to resolve the differences that are very likely to arise between the two elected chambers.

These days, the only reason for keeping the Senate is to provide lawmakers with the intellectual support of an assembly of outstanding people with various backgrounds who would have a non-partisan look at bills introduced in the House of Commons. Unfortunately, this is not the case. The Senate has never really played its role as a chamber of sober second thought. Although some senators take their role seriously, the Senate is filled mainly with party cronies and has largely served as a comfortable retirement home for former politicians where many vote blindly along party lines.

Canadians increasingly think that the Senate should purely and simply be abolished. A little over a third think that the House of Commons should be the only federal legislative entity. Angus Reid has released a new poll on what Canadians think of the Senate. This is the fourth poll on this topic that this company has done since February 2010.

● (1305)

Poll after poll, one idea seems to be growing in the minds of Canadians: abolishing the upper chamber. Based on the latest poll, 36% of respondents agree with the statement that Canada does not need a Senate. All legislation should be studied and passed by the House of Commons. This percentage has been constantly going up since February 2010. Meanwhile, the statement that Canada needs a Senate and that Canadians should be allowed to participate in selecting senators is less popular than before. Support has gone down to 40% from 44% last November and 50% in July 2010.

The Angus Reid poll shows that the rejection of the status quo has been a constant. Only 5% of Canadians would be happy with the current rules governing the Senate, and 71% of Canadians would support a national referendum on the topic. So there you go. That is the NDP's position exactly.

Government Orders

Clearly, Canadians want a referendum to determine the Senate's future. And they are not alone. Senator Murray, who has held his position for 32 years, says that the Senate reform put forward by this government is a fiasco. In his view, this will lead to a real debate on the issue.

That is why the NDP thinks that Canadians must be asked whether they need a Senate, and if so, what type of Senate. If Canadians could have the right to vote on the best way to allocate \$100 million in public spending, it is very likely that the majority of taxpayers would opt for something other than funding the Senate.

The Senate has lost its credibility in the eyes of many Canadians. Many of them are wondering what is the advantage of keeping an institution that is too often a country club for government members.

Those who doubt senators' loyalty towards their parties would only have to read the letter of Conservative Senator Bert Brown to be convinced:

Every Senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple; our loyalty is to the man who brought us here...

The Conservative government, just like the Liberal government before it, takes pleasure in appointing senators based on their political affiliation. Despite repeated criticism of the appointment process in the past, this government, right after the May 2 election, sent three failed candidates, including Josée Verner, to the Senate, when it already had the majority in that chamber. This type of attitude is what has led Canadians to call the Prime Minister a hypocrite on the issue. Actually, an Angus Reid poll showed that 57% of respondents think Stephen Harper is a hypocrite in the way he handles Senate appointments.

• (1310)

The Deputy Speaker: I remind the hon. member that members are not to name other members in the House.

Ms. Annick Papillon: I apologize, Madam Speaker. I wanted to say that the Prime Minister is a hypocrite in the way he handles Senate appointments.

Why waste time—

The Deputy Speaker: Order. I also remind the member that she must not use derogatory words in reference to a member of Parliament or the Prime Minister.

Ms. Annick Papillon: Madam Speaker, I simply encourage people to look at this Angus Reid poll. They will come to the same conclusions.

Why waste time going through with a reform that no one wants and no one needs and that will likely be declared unconstitutional?

In 2007, in a speech before the Australian Parliament, the Prime Minister talked about the possibility of simply abolishing the Senate. In this speech, the Prime Minister said that Canadians understood that our Senate, as it stands today, must either change or, like the old upper houses of our provinces, vanish. Before his untimely death, Jack Layton said that the solution was to ask Canadians whether they want a Senate.

I repeat that, before wasting money and time, as we are currently doing for completely useless reforms and bills that make no sense,

we could talk to the Canadian people and the provinces to simply ask them what they think.

That is what the NDP is proposing.

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Madam Speaker, I thank the hon. member for her fiery remarks that shed some light on the Conservative government's anti-democratic and unconstitutional practices.

Bill C-7 clearly has flaws. Despite the fact that this bill has been introduced three times by the Conservatives, it still has flaws. That shows there is no democracy in the government's will. In addition, the Senate has voted at least twice against the interests of Canadians. For example, it killed a bill on climate change and another bill allowing Canada to send generic drugs to Africa to fight AIDS. Those bills were passed in the House of Commons, but were defeated by the Senate. Meanwhile, a lot of Canadians were in favour of that bill.

Where is the legitimacy? Where is the democracy? How is keeping the Senate relevant, if it goes against the interests, the values and the democracy that Canadians cherish?

Ms. Annick Papillon: Madam Speaker, I would like to thank the hon. member for her question. When we look at Bill C-7, we certainly wonder where the government is heading. We all agree that things are currently not going well with the Senate; Canadians do not value the Senate as an institution. This Senate reform bill would make the situation even more disastrous. I am stressing this point because it is true. It will make the Senate's situation worse and that institution will be even more inadequate than it already is.

Various reform plans are proposed here and there, but they get us nowhere. They do not allow for a real chamber of sober second thought, an upper house independent from the House of Commons, that would enable us to represent the public and to pass bills. The Senate is really an institution that Canadians cannot identify with, and this bill has added no value to it.

• (1315)

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Madam Speaker, I thank the member for Quebec for her speech. This Senate reform worries me because it gives the Prime Minister the power to appoint whomever he pleases. Even after these elections, he could still choose whomever he liked. Did the Conservatives not promise not to do what previous governments did before them? And in spite of that, have there not been some particularly partisan appointments to the Senate?

Ms. Annick Papillon: Madam Speaker, I thank my colleague from Charlesbourg—Haute-Saint-Charles for her question. Canadians are very concerned about the need for transparency and independence. It is something that seems to be important to everyone, but clearly, it is not important to this government. Indeed, its Bill C-7 will not ensure the independence of senators and will not guarantee that they can do their work of sober second thought. That is precisely the point my colleague was raising. No, the government is not keeping the promises it made, nor is it respecting the wishes of Canadian citizens for real control over their institutions.

*Government Orders**[English]*

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Madam Speaker, it is my pleasure to speak about Bill C-7 today.

The Senate was never originally intended to be a career for the prime minister's cronies. In debate on the bill today, many of my colleagues have brought up great points about the government's Senate reform legislation. They have discussed how the so-called election of senators would still leave Senate appointments up to the Prime Minister as he sees fit. The Prime Minister would be under no obligation to follow voters' wishes or to follow any convention at all.

This is important, because our current Prime Minister has shown no hesitation in ignoring our parliamentary conventions when it suits him politically, and we still have no answer to the question of what is to stop the Prime Minister, or any future prime minister, from ignoring non-binding elections.

Members have also brought up the fact that these optional elections would not go to the root of the matter. They would not make senators any more accountable than they are today. Senators would be appointed to a non-renewable nine-year term and would never have to face the electorate more than once. They would not be accountable for anything they did or did not do while in office.

As well, NDP members have touched on the fact that under Bill C-7, anyone who wants to be a senator would have to be chosen by a political party. This leaves little or no room for independent candidates or committed Canadians who do not have political affiliations. These points about the bill are all very valid, and I thank my fellow NDP members for them.

I would like to especially focus on one basic unavoidable fact, which is that any real reform of the upper chamber would require constitutional change. All members in the House should know that. The government knows it, and anyone who has studied the history of Confederation and of our Constitution in high school knows it. The Prime Minister certainly knows it.

Reforming the Senate would require amending the Constitution with the approval of seven out of 10 provinces representing the majority of Canadians. That means Bill C-7 is nothing but a colossal red herring. It may pass in the House and it may even pass in the Senate, but as soon as it is challenged in court by any province—and provinces are already lining up to mount legal challenges—it will be struck down as unconstitutional. Our high school history students could have told us that.

The Prime Minister thinks he can pass this totally symbolic legislation to finally reform our dysfunctional upper chamber, thereby fulfilling a long-term promise to his supporters, and when it is struck down the very next day, he thinks he will be able to throw up his hands, cry crocodile tears and say he tried, and no one will be the wiser.

However, Canadians are not stupid. Bill C-7 is nothing more than a massive waste of time and a waste of taxpayers' money. The only ones who will benefit from this exercise are constitutional lawyers, who will get rich on the taxpayer's dime arguing both sides in court for years. At the end of the day, no real reform will have been done.

Maybe that would suit our Prime Minister just fine, because, as we all know, he now has majority control of the Senate; 39% of the votes cast for the House gave him over 55% of the seats, and he has 100% control in both houses. He has it because he broke his own long-term promise never to appoint an unelected senator. Do members remember that?

Instead, he has appointed more unelected and unelectable party bagmen, Conservative fundraisers and political insiders to the upper chamber than any other prime minister in the history of Canada. He has traded his purported principles for power. Now the other place does his bidding, so would it really be in his best interests to change that situation?

A stranglehold on the Senate, both in numbers and through the use of the whip, is just another way an unprecedented amount of power has been concentrated in the office and the person of one man. The current Prime Minister has fallen a long way from his touted reform ideals.

● (1320)

I would like to add a personal note. Members in this House will know that I, of all people, have special reason to be unhappy with the Senate. After introducing and shepherding the country's only federal climate change legislation, Bill C-311, through all stages in this House in the last Parliament, the Senate was ordered to kill that important legislation before hearing any witnesses, before studying it in committee, before having full debate, or even any debate, on its merits.

This is the first and only time in Canadian history that a bill was summarily killed by the Senate just like that, when political appointees snuffed out important legislation passed by this elected House without even giving it the consideration it was due.

It is hard for me or for anyone to see how killing legislation before it is even studied can be considered sober second thought, as the purpose of the Senate has been alleged to be. If this continues, the red chamber is in danger of becoming the single best advocate for its own abolition.

However, I am under no illusion that it will be a long time before we abolish or reform that dysfunctional chamber. It is with no disrespect to the people who work in that place that I say the upper chamber is dysfunctional. I have had the pleasure of working with some of the very hard-working and knowledgeable senators, senators who are committed to making Canada better; however, they are constrained by our system itself and by our Prime Minister, as are we in this chamber, which could also use some reforms.

That brings me to my final point. Any true reform of our democratic institutions in this country will take much more than just smokescreens and red herrings.

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Unfortunately Bill C-7 distracts everyone from real reforms that could be made today, improvements that would not even require constitutional amendments. I am talking about reforming the way this chamber, and potentially that chamber, is elected. A system of electing either of our chambers by proportional representation would finally make every vote count. There would be no more wasted votes, no more pitting one region of the country against another. More women and more minorities would be elected. A fairer and more accurate reflection of the will of Canadians in our elected Parliament would take place. It would be a real democracy, as practised by the vast majority of our world's elected governments.

However, that is something many politicians here, including government members, are desperate to avoid doing anything about, so they and the Prime Minister will do anything, including distractions like Bill C-7, to turn attention away from much more effective reforms that could be accomplished much more easily. It makes me think that the government is not really interested in changing things in our Senate at all.

• (1325)

Mr. Sean Casey (Charlottetown, Lib.): Madam Speaker, the Liberal Party certainly shares some of the concerns with respect to the constitutionality of this legislation. I found it very interesting that the member laid it out as a bit of ruse in saying that the Conservatives probably expect this legislation will never see the light of day once it is put through the constitutional scrutiny that it must undergo.

It strikes me that there is a troubling pattern in terms of passing legislation through this House that is likely to be found unconstitutional. We have seen recent examples in Bill C-4 and Bill C-10 .

For the benefit of those in the House and those watching, I would invite the member to expand a bit on the constitutional arguments that would likely be upheld once the bill is subject to the scrutiny of the Supreme Court of Canada.

Mr. Bruce Hyer: Madam Speaker, even though I am a former judge, I am not a former lawyer and I am certainly not a constitutional lawyer. I will leave it to the constitutional lawyers to worry about the fine points of how we are going to run Canada, fix Canada, and work within our constitutional framework now or in the future.

However, I am deeply disturbed, as are many journalists, many lawyers, many judges and many political watchers across Canada. Many of the citizens in my riding of Thunder Bay—Superior North are concerned about the anti-democratic nature of our current Prime Minister and his desire to control not only the opposition but also the hearts and minds of the 61% of the voters who did not vote for him and even the majority of the members on his side of the House.

[*Translation*]

Mr. Justin Trudeau (Papineau, Lib.): Madam Speaker, the NDP has long maintained the importance of abolishing the Senate, quite simply. I would be interested to know what my honourable colleague has to say about it now. Since half of the NDP caucus comes from Quebec and since the Quebec National Assembly has repeatedly defended the Senate and its capacity to respond to and represent Quebec, is the NDP's desire to abolish an institution Quebecers recognize as defending their interests in Canada as fervent as ever?

[*English*]

Mr. Bruce Hyer: Madam Speaker, I am not going to speak for our party on this issue, I will only speak for myself. On most days I tend to agree that the Senate is useless, unaccountable, unelected, so let us scrap it. However, once in a while I get a wild idea. As I have already said here today and alluded to, maybe the Senate is the place where we could start, if we are going to elect it, to elect it proportionately. That way, at least in one of our Houses, when the purple party gets 20% of the votes, it will get 20% of the seats.

• (1330)

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Madam Speaker, why does the hon. member really think that this is not the time to stir up discord between the provinces and the federal government, but a time when we should really be dealing with other issues?

Why would it be more important to focus the government's actions on the economy and job creation rather than to once again sow discord between the provinces and the federal government on this hoary old topic?

[*English*]

Mr. Bruce Hyer: Madam Speaker, as I said in my comments earlier, this is a deliberate red herring. It is one more attempt by the Prime Minister to do what he has gotten away with quite a bit, although both the media and the public are starting to figure out that this is a prime minister that specializes in distractions and divisiveness. This happens not only on jobs and the economy but the environment, pensions, and the list of matters of substance goes on and on. When I came here to Parliament, I wanted to work on those issues of importance, not work on smokescreens and the kind of thing we are faced with here today.

Mr. Jasbir Sandhu (Surrey North, NDP): Madam Speaker, I rise to speak to Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

If only we could be so fortunate as to have the government amend the bill so that the Senate would be abolished, then this could be our last time to rise and speak about Senate reform. My NDP colleagues and I believe that the Senate needs to be abolished. Any attempt to reform the Senate would simply be window dressing to this very seriously undemocratic institution. As things currently stand, Bill C-7 introduces ineffective measures that will do nothing to fix the Senate.

What is currently wrong with the Senate? We often describe the Senate as a romantic place of sober second thought. However, we know the Senate is no such a place. Last year, rather than respecting the will of this House, as my colleagues have pointed out, the Senate killed Bill C-311, the climate change accountability act. The bill was passed in the House of Commons and voted for by elected members of this House. The Senate killed it and the government called a snap election.

In the words of our former leader, the hon. Jack Layton:

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This was one of the most undemocratic acts that we have ever seen in the Parliament of Canada. To take power that doesn't rightfully belong to them to kill a bill that has been adopted by a majority of the House of Commons representing a majority of Canadians is as wrong as it gets when it comes to democracy in this country.

This spring the Senate killed another bill which was very important. Bill C-393 would have made it easier for people in developing countries to obtain more affordable life-saving medicines. It was a bill that would have saved lives. It was voted for by members of this House and killed by an unelected Senate.

To suggest amendments and return a bill to the House is one thing, but to kill a bill in this way, using sneaky tactics, is just plain wrong. It is disrespectful to the decision-making power of this democratically elected House.

Right now the Senate is basically full of political appointments, friends and failed candidates. That is what the Senate is right now. For instance, our Prime Minister appointed to the Senate three failed Conservative candidates from the last federal election. All three failed to win a seat in the election. Canadians decided on May 2 that they did not want to have these people representing them. Yet, here they are; they are in the Senate.

There are a number of things in the bill that do not fix anything at all. For example, the Conservatives make excuses for their appointments saying that they will use them to reform the Senate. This is clearly laughable.

Every day in this House the Conservatives trample on democracy. They ram bills through the House and committees without debate or examination, sometimes without even costing these bills. Then the Conservatives want members to believe that they actually want a more democratic Senate. They do not.

The reforms the Conservatives are proposing in this bill are completely inadequate.

First, under the proposed legislation, the Senate would become a two-tiered system with some elected senators and some unelected senators.

Second, the limit of one nine-year term means that senators, even elected ones, would not be held accountable for their actions in a subsequent democratic race.

Third, because the actual appointment process would not change at all, despite talk of increased democratic accountability, the bill does not actually introduce any check on the Prime Minister in the appointment process. Basically, it could be business as usual.

● (1335)

Fourth, because the bill would do nothing to address the distribution of seats in the Senate, the increase in power of an elected Senate would mean an unbalanced increase in the power in Quebec and Ontario. I come from British Columbia and that is not fair.

Fifth, perhaps the most important intended role of the Senate is its ability to represent women and minority interests. By making it an elected Senate and forcing any candidate that runs to do so under a party banner would only tighten the partisan stranglehold on the legislative process. Parties will drown out minority representation,

like we have seen in Australia. There are examples in Australia where this has happened.

Sixth, the introduction of increased democratic legitimacy would give the Senate even more leeway to assert its own decision-making power, which could result in gridlock. We have seen that in the United States. This is counter to the productivity Canadians expect from their government.

There are solutions, and New Democrats and others have proposed them. The best solution to this democratic black hole, that is the Senate, is to basically abolish it. The Conservatives have been wishy-washy in the past and unable to decide what they want when it comes to the Senate. For instance, previous Conservative bills have called for a federally regulated electoral process while another bill called for eight year term limits. We can see clearly that what the Conservatives want is the appearance of reforming the Senate when, in reality, they stack it with their cronies and use it to kill legislation passed by democratically elected members of the House.

Unlike the Conservatives, New Democrats have unwaveringly supported the abolition of the Senate since the 1930s, and many Canadians agree that we need to abolish it and move on from this undemocratically elected institution. At the provincial level, both Liberal Premier Dalton McGuinty in Ontario and NDP provincial Premier Darrell Dexter have called for the abolition of the Senate. In my province, Premier Christy Clark has said that the Senate no longer plays a role in Confederation.

We have seen from history that all provincial legislatures have abolished their provincial senates. The last one was done in 1968. Even the Prime Minister himself once said that the unelected Senate is a relic of the 19th century.

Unlike the Conservatives who have not consulted the provinces, New Democrats believe it is the responsibility of the government to consult all Canadians. To that end, New Democrats believe that the issue of Senate reform cannot be solved by this piecemeal bill. The issue of Senate reform needs to be put in a referendum, so Canadians themselves can decide how they want to deal with it.

The majority of Canadians support New Democrats in this proposal as well. There have been a number of polls done and I will mention one that was done in July 2001 by Angus Reid, which said that 71% of Canadians supported having a referendum on this issue.

In closing, I would therefore urge my Conservative colleagues to heed their small conservative roots. We know how the House of Commons works, but we have no idea what would happen with an elected Senate. It would no doubt completely change the Canadian political system, but to what end we cannot be sure. The best solution to Senate reform is abolition.

● (1340)

Mr. Justin Trudeau (Papineau, Lib.): Madam Speaker, a couple of days ago in the House we debated the merits of Bill C-20, which was all about rearranging the distribution within the House. The NDP very clearly said Quebec needed to be better represented with even arbitrary limits and that it could not go beneath 24% so that it would be properly recognized.

The one place that Quebec is properly recognized historically is in the Senate, where 24 senators are guaranteed to be from Quebec. It is the place in our parliamentary system where regional interests get to speak most loudly. Quebeckers, whether politicians or public opinion, have repeatedly said that they want to keep the Senate, maybe improve it a bit but keep it, not abolish it.

The fact that the member is speaking about abolition of the Senate, when over half of his caucus is from Quebec, is something I would like him to address. Does he still have the agreement of half of his caucus that abolishing something that is important for Quebeckers is a good thing?

Mr. Jasbir Sandhu: Madam Speaker, I am very proud of the team from Quebec, my NDP colleagues who were elected on May 2. I want to thank Quebeckers for electing them to this House of Commons.

I basically disagree with the premise of that question. The senators do not have a voice. It is an undemocratic, unelected institution. The Prime Minister is the one controlling everything. As we have seen in this House, bills have been rammed through. My Conservative colleagues are limited to their speaking notes, so basically the Senate is duly unelected. The true voice of Quebec is being represented by my NDP colleagues in this House.

[Translation]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Madam Speaker, I am one of those New Democrat members from Quebec. Since the start of my term, and even during the preceding election campaigns, not a single citizen came to see me to talk about the Senate. So, to say that the Senate is an institution that Quebeckers are deeply attached to is nonsense, in my opinion.

To respond to the concerns of the hon. member for Papineau and to ask a question of my colleague from British Columbia, I would like to know what he would think of resolving the matter once and for all. Let us put the question to all Canadians and Quebeckers. Let us ask ourselves whether a referendum would be the way to resolve this issue once and for all, rather than blowing smoke.

[English]

Mr. Jasbir Sandhu: Madam Speaker, I want to point out that the true voice of Quebec is being represented in this House by my colleagues who were elected on May 2.

The other house is undemocratic and unelected. The only voice that is being represented there is that of the Prime Minister.

In response to my colleague's question, the only way we can truly listen to Canadians on whether to reform or abolish the Senate is to have a referendum. The sooner we do that, the sooner we can get on with the reform or the abolition of that undemocratic, unelected institution.

• (1345)

[Translation]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Madam Speaker, I am also one of those 59 members, and I am proud to be one. The only time I heard anyone speak about Senate reform was after the election, when there were three partisan appointments of candidates who had just lost the election. Otherwise, it is of no concern to my constituents.

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Many countries have abolished their senates, including Finland, Germany and Japan. Does my colleague think that these countries put themselves in difficulty by abolishing the Senate?

[English]

Mr. Jasbir Sandhu: Madam Speaker, the second house has been abolished at the provincial level, and it has worked. I believe it is time to have a referendum so that Canadians can decide whether we want to keep that house or not. That would be a true democracy.

ROYAL ASSENT

[English]

The Deputy Speaker: Order, please. I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa

December 8th, 2011

Mr. Speaker,

I have the honour to inform you that the Honourable Marie Deschamps, Puisne Judge of the Supreme Court of Canada, in her capacity as Deputy of the Governor General, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 8th day of December, 2011 at 8:30 a.m.

Yours sincerely,

For Stephen Wallace.

The schedule indicates the bill assented to was Bill S-1002, An Act to authorize the Industrial Alliance Pacific General Insurance Corporation to apply to be continued as a body corporate under the laws of Quebec

GOVERNMENT ORDERS

[Translation]

SENATE REFORM ACT

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

Mr. Robert Aubin (Trois-Rivières, NDP): Madam Speaker, what a passionate debate on Senate reform. When I was elected on May 2, if someone had told me that I would be starting a speech in this House by saying that I agree with the Right Hon. Prime Minister on something, I never would have believed them.

But I must admit that I agree with what the Prime Minister said when he described the Senate as, and I quote, “a relic of the 19th century”. I think that “relic” is an appropriate word choice, since we all dream of having a sacred relic for all the virtues it is supposed to represent. But it rarely has any benefits.

In light of this statement, I see two choices, since the status quo is no longer acceptable. The first choice is to simply abolish the institution of the Senate. I assure the Prime Minister that he would have my support and my party's support if that was what he wanted to do.

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In addition, as all provincial senates have been abolished since 1968, we can draw the logical conclusions: the provinces manage very well without senates and there is no reason to believe that it would be otherwise for the Government of Canada.

More and more Canadians believe that we should be able to express our opinions on the matter in a national referendum. According to an Angus Reid poll conducted in July 2011, 71% of Canadians expect a referendum of that kind. That is what you call a strong mandate.

In more than a century, the 13 attempts at Senate reform have failed. Perhaps it is time to draw the logical conclusions. But, once again, the government is proposing a convoluted bill whose purpose is to make us think that the Senate is being reformed, whereas what we will see is something even more questionable.

The government is moving forward with fake Senate reform since holding a constitutional debate and dealing with the provinces and territories on the form, the function, the representative nature and even the legitimacy of that chamber are out of the question. So, welcome, everyone, to the world of mystery and illusion. Let me give you some examples of how comical, or how ridiculous, the situation really is.

First of all, the Senate would be made up of elected representatives. Those who want to keep the institution may find that principle appealing. But it becomes at the very least questionable when we realize that the provinces could choose to hold Senate elections—of course, at their own expense. I draw your attention to those words: once again, financial responsibility is being transferred to the provinces. The federal government is going to download that responsibility onto the provinces without consulting them beforehand.

But the best of it is that the provinces could choose to hold elections using whichever method seems best to them. Perhaps the method would be the cheapest, the most politically expedient; who knows what considerations could go into choosing a method of holding an election. They could also choose not to hold one. On that point alone, it is difficult to imagine anything more nonsensical.

The incoherence of the proposal seems clear to me already. But if that were not enough, after all is said and done, the Prime Minister of Canada would have no obligation to appoint a person who had been previously elected by a province or territory. Heaven knows that, since this session opened, we have lost count of the times when we have realized that the government is not listening to Canadians. So why should the provinces and territories invest time and money in a process that may ultimately serve no purpose?

I also smiled rather broadly when I read in Bill C-7 that candidates for election to the Senate must be nominated by a political party that is registered in the province.

• (1350)

It was amusing to imagine for a few moments the list of potential candidates elected by a Parti Québécois government or the list that would be drawn up by Québec solidaire. It seems to me that here as well, we have obvious proof of the impossibility of reconciling eventual senatorial election results in Quebec with appointments by a Canadian Prime Minister, whoever that might be.

Now, I need to underscore the unilateral process in this bill. Consultations with the provinces and territories are also glaringly absent from this bill. This government is making it a habit to act entirely on its own. The strong mandate pretext cannot possibly justify making such major changes without consulting the main partners, and—why not—the whole population, as I was saying earlier.

I feel as though I am watching an old episode of *Father Knows Best*. The cartoonists back home chose that image for their caricatures of the government and the Prime Minister, and I think they are on to something.

The Canadian public was deeply affected by the NDP message that they were going to do politics differently and wanted all of the elected members of this House to work together in a manner marked by attentiveness, openness to others and respect. It is not enough to say “Vote as we do so that we can work together”.

If the government goes forward with this bill, it already knows that there are going to be challenges, since Quebec has already said that it considers Bill C-7 unconstitutional and intends to prove that if necessary.

There is another incongruity in this bill, and it concerns accountability. After an election, elected members are generally held accountable to the electorate. Well, think again. Once again, we are dealing with smoke and mirrors. With a single nine-year, non-renewable term—by the way, nine years is equivalent to two terms in the House of Commons, and even a bit more—the pseudo-elected members of the Senate would go directly from election promises to retirement, in recognition of their good and faithful services to Her Majesty. The only way of trying to lengthen your political career would be to temporarily leave the comfort of the Senate to try to get elected to the House of Commons, knowing that if you lost, you could return and finish your term in the comfort of the red chamber. And I could also say a few words about that retirement. One term, followed by a pension. Now there is an approach that is rather difficult to support in an economy where Canadians are having trouble making ends meet.

Now, what of the potential conflicts between the two chambers? It also makes sense that a Senate that has practically the same powers as the House, filled with the false sense of legitimacy that sham elections would bring, could end up bringing us one step closer to the same kind of impasse that is seen in the United States, where the two chambers paralyze one another.

In this House, we have already seen bills passed at third reading be blocked in the Senate by a partisan onslaught. Imagine the power that a Senate could wield if it deemed itself elected and representative.

In closing, the problems with this Senate reform are so great in number that we are automatically brought back to option A—the NDP proposal that the Prime Minister has already toyed with, I might add—namely the out-and-out abolition of the Senate.

I should say in passing that all my attacks are directed against the institution and not its sitting senators. In many cases, I have tremendous respect for their service to the nation.

While some premiers openly favour abolishing the Senate and others find it pointless, why not have the political gumption to ask Canadians, who foot the bill, to decide? It could end up being an extremely positive decision. In one fell swoop, there could potentially be a rapid return to a balanced budget without the need for cuts to services for Canadians.

Madam Speaker, thank you for having given me the floor. I would like to thank my colleagues in this House for their attention.

• (1355)

The Deputy Speaker: The hon. member for Trois-Rivières will have five minutes for questions and comments after oral question period.

STATEMENTS BY MEMBERS

[English]

STREETSVILLE ROTARY CLUB

Mr. Brad Butt (Mississauga—Streetsville, CPC): Madam Speaker, the Streetsville Rotary Club is celebrating its 50th anniversary in 2011 and has been the Rotary home for many of Streetsville's leading citizens since its inception. Its motto is "Service above Self" and its nickname is "The Good Fellowship Club".

Streetsville Rotary has about 30 dedicated members with one charter member who has a perfect attendance record, Mr. Maurice Foster. They are business, professional and community leaders who are organized for humanitarian service, encouraging high ethical standards and helping build goodwill and peace.

This club supports programs in my community such as Easter Seals kids, Dreams Take Flight, Adventure in Citizenship, the Rotary Youth Exchange and Rotary Camp Enterprise. The members are active supporters of the Streetsville Bread and Honey Festival where they hold the annual pancake breakfast. As a Rotary member myself and a recipient of the Paul Harris Fellowship, I know the important work service clubs do in our community.

I wish the Streetsville Rotary Club a happy 50th anniversary, and all the best for the future.

* * *

• (1400)

COMMUNITY CENTRE 55

Mr. Matthew Kellway (Beaches—East York, NDP): Madam Speaker, as Christmas fast approaches, Community Centre 55 in my riding of Beaches—East York is gearing up for its 30th Share a Christmas program. Last year, over 700 volunteers came out on winter nights to sort, pack and deliver presents and food to over 4,000 people. This year the need is expected to be greater.

These numbers point to the desperate circumstances of so many families in these economic times, and to the continuing deterioration of social and economic supports for Canadian families in need. These numbers also speak to the generosity of so many constituents and businesses in the riding, as well as to the tremendous organizational capacity of Community Centre 55 and its staff, all

Statements by Members

of whom have hearts of gold and are moved by the spirit of Christmas.

In Beaches—East York we are blessed to have Community Centre 55, its management, staff and volunteers not just at Christmas time but year round.

* * *

EMPLOYEE OF THE YEAR AWARD

Mr. Dean Del Mastro (Peterborough, CPC): Madam Speaker, I rise today to extend my warmest congratulations to Wilma Anderson from my riding of Peterborough for winning employee of the year at the Canadian Tourism Awards. This award is presented to a front-line employee who best exemplifies excellence in the tourism industry. The Tourism Industry Association of Canada recognized Wilma on November 24 for her stellar work at Elmhirst's Resort near Peterborough.

Wilma joined Elmhirst's Resort in 1985 as a dishwasher, later moving to housekeeping and eventually managing the department. In 1990, Wilma was promoted to guest services manager. As a single parent struggling to balance home and work, she was able to take over the department and without any formal training excel at supervision, staff motivation, budgeting and time management. Her caring attitude and willingness to provide a hug when needed has helped Elmhirst's Resort become the successful small business it is today.

I congratulate Wilma for her hard work and her perseverance. I congratulate everyone at Elmhirst's Resort for winning this prestigious award.

* * *

EXPERIENCE GENIE AWARD

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Madam Speaker, I rise today to recognize William Breon, a young man from Grand Bank in my riding of Random—Burin—St. George's.

At 12 years of age, he has proven to be a prolific fundraiser in the fight against multiple sclerosis, a disease his father Frank has been battling for more than a decade. Over the past five years, William has raised approximately \$15,000 to help combat this dreaded disease. His commitment is exemplary. At the MS walk in St. John's last year, William was the top fundraiser, collecting over \$5,000. He has received the Grand Bank outstanding youth volunteer award and the MS Society non-merit award and has been nominated for an Experience Genie award.

To win the Experience Genie award, William needs our support. I encourage everyone to visit experiencegenie.com and vote for William so he can have a wish granted by the experience genie.

I ask all members of the House to join me in saluting 12-year-old William Breon who has proven that people are never too young to make a difference.

Statements by Members

INFRASTRUCTURE

Ms. Lois Brown (Newmarket—Aurora, CPC): Madam Speaker, our government continues to stay focused on what is important to my constituents in Newmarket—Aurora and to all Canadians, jobs and economic growth.

Our government's actions through Canada's economic action plan have led to the creation of nearly 600,000 net new jobs since July 2009.

This Saturday in Newmarket I will be celebrating the completion of a major investment in our town, the Newmarket Riverwalk Commons. I am proud to be part of a government that committed more than \$2 million to help revitalize Newmarket's downtown urban space, while creating local jobs in our community. Thanks to this economic action plan investment, Newmarket will enjoy accessible, modern, indoor and outdoor recreational facilities, having a tremendous positive impact on the health of our community for years to come.

I congratulate everyone involved in the planning and development of this long-anticipated community asset and look forward to a wonderful opening this Saturday.

* * *

● (1405)

[Translation]

CHRISTMAS CHARITY ORGANIZATION

Mr. Jean-François Larose (Repentigny, NDP): Madam Speaker, I have always said that volunteers are the heart and soul of our communities. I am pleased to rise in the House today to recognize an organization in my community, Un Noël pour les enfants oubliés, which, for the 18th consecutive year, will distribute gifts to underprivileged children. For most of those children, this will be the only gift they receive all year. The organization was founded in 1993 by Monique Lemay and, in its first year, it distributed about 35 gifts. Times have changed and this year, about 1,000 children will have a present to unwrap. An organization like Un Noël pour les enfants oubliés could never survive without the remarkable work done by its volunteers.

For all their hard work this year and in years to come, I would like to thank the volunteers of that organization, as well as all volunteers across Canada and around the world, for allowing more children to enjoy the magic of Christmas and not be forgotten.

* * *

[English]

LEEDS—GRENVILLE UNITED WAY

Mr. Gordon Brown (Leeds—Grenville, CPC): Madam Speaker, on November 20, in my hometown of Gananoque, I and the United Way of Leeds—Grenville hosted the fifth annual Hockey Night in Leeds—Grenville. This game has been an annual charity event for the United Way.

The game featured former NHL stars, local dignitaries and Conservative members of Parliament, facing off for the enjoyment of hockey fans throughout my riding of Leeds—Grenville.

This year's game featured local NHL star Alyn McCauley of Gananoque as the honorary chair and other players included Olympic women's gold medallist and crowd favourite Jayna Hefford, who scored the most goals in the game.

However, the big winner was the United Way of Leeds—Grenville that received \$105,000 as a result of the game.

I would like to take this opportunity to thank Alyn McCauley, the town of Gananoque and Mayor Erika Demchuk for donating the ice, as well as all the sponsors and all the players and officials who came out to make this such a huge success for the United Way of Leeds—Grenville.

* * *

KING OF THAILAND

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, I want to take this opportunity to recognize the 84th birthday of the current monarch of Thailand, His Majesty King Adulyadej. The king's birthday was this past Monday, December 5. He spoke at the ceremonial Grand Palace in Bangkok for about five minutes after being driven from a nearby hospital, where he has been staying for more than two years.

As he spoke to a cheering crowd of well-wishers, the king called for his country to unite in response to the areas worst floods in half a century. He said:

The most important thing is you should not be split or fighting each other. We need to inspire and give each other confidence so that the work we do will be fruitful for the well-being of the people and the stability and security of the country.

Year 2011 marks the 50th anniversary of formal diplomatic relations between Canada and Thailand. Canada is home to approximately 10,000 people from Thailand.

The king has reigned since June 9, 1946, making him the world's longest reigning current monarch and the world's longest serving head of state.

* * *

GRAHAM DENNIS

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the outpouring of praise and admiration upon the recent passing of Graham Dennis should come as no surprise, as he was a man held in the highest esteem in Nova Scotia.

Mr. Dennis was the publisher of the *Chronicle Herald* based in Halifax and serving our province. The *Chronicle Herald* remains Canada's largest independently owned newspaper, a fact that serves as a testament to Mr. Dennis' personal style of business leadership.

Every morning we see the physical proof of Mr. Dennis' passion for his home province and his commitment to family owned business, as on our doorsteps we find a newspaper that is entirely based in the community it serves.

Mr. Dennis ran the *Chronicle Herald* from the age of 26 until he died at 84. His six decades at the helm of this paper helped cement it as a central part of the cultural fabric of our community.

Statements by Members

Graham Dennis' legacy is truly impressive, and it is clear that Haligonians and Nova Scotians have lost a true ambassador and a much beloved friend.

On behalf of the riding of Halifax, I offer my sincerest condolences to his family and loved ones.

* * *

VIOLENCE AGAINST WOMEN

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, Canada and the world are now marking 16 Days of Activism Against Gender Violence.

Violence against women or girls can happen to anyone, anywhere, regardless of age or income. It could happen in family settings, intimate relationships, with friends or acquaintances, at work or at home. It happens in large cities as well as rural, remote and northern communities. It can happen to a senior, a young woman, a spouse, a mother or a daughter.

A large number of women and girls are affected, taking an enormous toll on families, communities and our economy. Because this toll is so great, let us take these 16 days of activism and be reminded that we need to take action now and throughout the year to end violence against women and girls in all its forms.

* * *

● (1410)

CANADIAN WHEAT BOARD

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the Federal Court has ruled that the federal government's actions and the Minister of Agriculture and Agri-Food's conduct on Bill C-18, the Canadian Wheat Board Act were an affront to the rule of law.

The court accepted arguments from the applicants that the rule of law embodied the principle that law was supreme over officials of the government as well as over private individuals. It is worth recording some of the reasoning behind this ruling.

Under the rule of law, citizens have the right to come to the courts to enforce the law against the executive branch. And the courts have the right to review actions by the executive branch to determine whether they are in compliance with the law and, where warranted, to declare a government action unlawful. This right in the hands of the people is not a threat to democratic governance but its very assertion. Accordingly, the executive branch of government is not its own exclusive arbiter on whether it or its delegate is acting within the limits of the law. The detrimental consequences of the executive branch of government defining for itself...the scope of its lawful power have been revealed, often bloodily, in the tumult of history.

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[Translation]

BALLAST WATER

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, our strict and effective ballast water regulations recognize the environmental and economic importance of the Great Lakes and the St. Lawrence Seaway. Since these regulations came into force in 2006, no new exotic species entering from ballast water has been detected in the Great Lakes.

What is more, Canada recently ratified an international agreement on ballast water. However, New York State's unrealistic requirements would have severe economic consequences. A recent study found

that closing the St. Lawrence Seaway at the locks within New York's waters could put over 72,000 jobs in jeopardy.

Our Minister of Transport will work hard to protect jobs and the environment in the St. Lawrence.

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[English]

HERON EMERGENCY FOOD CENTRE

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the Christmas season is upon us. It is a time of great joy, a celebration of family and of concern for one another.

The Heron Emergency Food Centre has been fighting hunger in my riding of Ottawa South for over 23 years. Working with the Ottawa Food Bank, supported by the city of Ottawa and assisted by the generosity of churches and local residents, the Heron Emergency Food Centre is crucial to our community, distributing over \$325,000 worth of food to over 13,000 neighbours each and every year.

I want to recognize and sincerely thank its dedicated team of volunteers, who generously donate their time to meet the needs of so many individuals and families in our area.

I would like to encourage residents of Ottawa South to join me in making a donation of either non-perishable food or money to the Heron Emergency Food Centre this holiday season. I encourage all of my colleagues in the House to do the same to the food centres and distribution centres in their ridings.

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CANADA-U.S. BORDER

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, yesterday the Prime Minister announced our action plan on perimeter security and economic competitiveness. Billions of dollars worth of goods and hundreds of thousands of people cross our shared border with the U.S. every day. The action plan is good news for workers and good news for business, especially in border communities like Windsor-Essex. It is good news because it would protect jobs and grow our economy and auto industry.

However, the NDP trade critic, the member for Windsor West, sadly out of step with residents of our region, continues to fearmonger and oppose this deal.

Listen to what Windsor's mayor, Eddie Francis, had to say, "We are all very very pleased with the results that have been announced... because it means now we can get down to business. Now we can allow the economy to grow".

I could not agree more. It is too bad the NDP does not get it. Its rigid, ideological opposition to trade is yet another example that the NDP is unfit to govern.

*Oral Questions***CANADIAN WHEAT BOARD**

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, as Chief Justice of Alberta Catherine Fraser said in a ruling earlier this year, “When government does not comply with the law, this is not merely non-compliance with a particular law, it is an affront to the rule of law itself”.

We saw this yesterday when Justice Campbell said in the Wheat Board ruling that the Minister of Agriculture “be held accountable for his disregard for the rule of law”.

•(1415)

[*Translation*]

This is just the latest in a long list of similar incidents.

In 2006, the Conservatives exceeded their election budget in violation of the Canada Elections Act. They destroyed government files in violation of the Access to Information Act. They gave out private information about veterans in violation of the Privacy Act.

[*English*]

Now the Conservatives have refused to consult with western grain and barley farmers on the future of their livelihood in direct violation of the Canadian Wheat Board Act.

With this arrogant and defensive Conservative government, it is one set of rules for it and one set of rules for everybody else.

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JOHN GEORGE DIEFENBAKER

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, I rise to pay tribute to one of my predecessors from Prince Albert, a man who was strongly pro-Canadian, a Canadian who was criticized with being concerned too much with the average Canadian, but said “I can’t help that, I’m one of them”. He said of this land, “I have one love — Canada; one purpose — Canada’s greatness; one aim — Canadian unity from the Atlantic to the Pacific”.

He built upon the legacy of Sir John A. He saw a new Canada, a Canada of the north. In word and deed, he did make us true north, strong and free. At a convention where he became party leader, he said the words that would serve any great Canadian leader, “It is my intention to unite all Canadians from the Atlantic to the Pacific, under the banner of patriotism”.

I am proud that Prince Albert can claim Canada’s tenth and longest serving prime minister, the Right Honourable John George Diefenbaker, as our own.

ORAL QUESTIONS

[*English*]

CANADA-U.S. RELATIONS

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, yesterday we asked the government simple questions about the new border deal with the United States. We got no answers. Since Parliament will not get to review or debate this agreement, can we at least get some answers about the border deal? For starters, will

the government tell Canadians how much it will cost and where the money will come from?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, there has been a lot of detail given out on this very material. For example, it is estimated the costs at the border today cost the Canadian economy somewhere around \$50 billion a year. I think we have been clear that the costs of implementation of this deal would be less than 1% of that on an ongoing basis.

I understand the NDP has, from day one, always been opposed to free trade with the United States, but this is vital to the Canadian economy, improves our access to the American market and will be good for Canadian jobs, Canadian workers and Canadian families.

[*Translation*]

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, it is always interesting to get incomplete answers to certain questions on issues that were not even debated in the House.

I will give another example. A lot of personal information will be collected by authorities when people enter and leave the country at the border crossings.

Do Canadians have the right to know how long their personal information will be stored in American databases? Will it be a week? A month? Six months? A year? Five years? Ten years?

Can we have an answer?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the American authorities already have the jurisdiction to collect information when Canadians enter and leave the United States. We are trying to do things that will increase our own accountability, as the Auditor General called for.

Once again, I know full well that the NDP is opposed to international trade with the United States and that it has been opposed to NAFTA from the outset. However, on this side of the House, we are in favour of creating jobs for Canadian families and Canadian workers.

* * *

CANADIAN WHEAT BOARD

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, what a transparent answer to a question that we need answered.

Let us move on to another issue. The Canadian Wheat Board Act states that the Minister of Agriculture and Agri-Food cannot introduce a bill without first consulting the board and, in particular, without farmers voting in a referendum about these changes. The Canadian Wheat Board asked for this referendum.

Yesterday, the Federal Court handed down its ruling: the Conservatives broke the law. The government is acting illegally. That is what the ruling states.

If they are so certain they are right, why do the Conservatives not consult the farmers? The law is the law.

Oral Questions

●(1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government always has the authority to change the law. [English]

It is always the authority of the government, acting through Parliament, to change law. That is of course precisely what we are doing in this case, which we have the clear legal right to do, and not only the clear legal right, but the clear mandate from western Canadian farmers.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the Federal Court has ruled that our Minister of Agriculture is a scofflaw.

More serious than a gazebo in Muskoka or a search and rescue joyride or something, this minister's disregard for the law has serious consequences, because farmers need to know, before they put seed in the ground, how they will market their 20 million tonnes of grain this year. When that bill has been struck down by the courts, it will create pandemonium on the Prairies.

Will this minister agree now to put the brakes on Bill C-18, allow farmers to have their vote, and if they want to change the Canadian Wheat Board Act, do it with the mandate from the very producers who are subject to—

Some hon. members: Oh, oh!

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, we have exactly that. We have three of the four provinces involved in the Canadian Wheat Board jurisdiction and the vast majority of all the farm groups in the Prairies, other than the NFU, supporting us in moving forward.

In fact, Justice Campbell said:

The Applicants

—that is, the Canadian Wheat Board—

confirm that the validity of Bill C-18, and the validity and effects of any legislation which might become law as a result of Bill C-18 are not in issue in the present Applications.

We will continue. We will pass Bill C-18. We will give market freedom to western Canadian farmers.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, Justice Campbell also said that the minister will be held accountable for his disregard for the law. Now that the courts have ruled that Conservatives are in contempt of the rule of law, how can the Conservative-dominated Senate give approval and pass a bill that it knows will be struck down by the courts?

Conservatives are making a mockery of themselves even more than they usually do. I believe that they cannot pass the bill. Bill C-18 is toast in that respect. It will be overturned, and it is irresponsible and reckless to throw the entire rural prairie farm economy upside down and on its head when the 2012 crop year has to—

The Speaker: Order. The hon. Minister of Agriculture.

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, fortunately, farmers in western Canada know how to market their

crop in 2012. They will have the option of marketing through a voluntary Canadian wheat board at the same address, using the same people they have always done, or they will have the opportunity to market individually. They can go to their best bottom line for their industry and market accordingly.

The member opposite also said at one point:

When the government is intending to change legislation, I honestly don't see the grounds for going to court. The government has the right to change the legislation... I don't see the case for taking it to court.

That is from the member for Winnipeg Centre.

We agree with that. Farmers agree with that, and we are moving on.

Hon. Bob Rae (Toronto Centre, Lib.): To the Prime Minister through you, Mr. Speaker, could I ask how it is that the government's intention is to proceed with the Wheat Board law and to ask the Governor General to give royal assent to the law when the court in question has said that the minister's conduct is an affront to the rule of law? Would the Prime Minister not agree that the government should at the very least wait royal assent until such time as all appeals have been exhausted with respect to the ruling of Mr. Justice Campbell?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I said earlier, nothing in the ruling contradicts the government's fundamental right to change the law. It is a very fundamental constitutional principle that a previous government cannot bind the actions of a future government. This government has the power to act. This body, the House of Commons, has already approved that legislation. I look forward to the Senate approving it and I look forward to western Canadian farmers getting the marketing freedom they have so long demanded.

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ABORIGINAL AFFAIRS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the government has the right to change the law, but the government does not have the right to break the law. That seems to be the critical question that the Prime Minister has lost.

Let me ask the Prime Minister a question with respect to Attawapiskat. Without consultation with the band council, the government itself decided to set up a third party management; does the government think it is reasonable and fair that the band itself now has to pay the \$1,300-a-day fee being charged by that individual, which could cost up to \$300,000? Does the government not realize what kind of a burden that places on the band council itself?

●(1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, not only is the government already spending tens of millions of dollars in this particular community, it is also spending additional moneys on particular emergency needs because of mismanagement. It is the absolute responsibility of the government to ensure that those needs are met and to ensure the management steps are taken to make sure those needs are met.

Oral Questions

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, if we look at the report of the Auditor General, it is the government's own mismanagement that is at stake in this question. It is the government's own failure to provide appropriate housing and education, not only in Attawapiskat but right across the board.

[Translation]

How can the government continue to talk about the management problems in Attawapiskat and elsewhere when it is clear that the government is responsible for the mismanagement resulting in the human and moral condition on these reserves? That is entirely the responsibility of the Government of Canada.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is not a question of blaming someone, but of taking action and finding solutions.

[English]

Once again, the government's responsibility is clear. We are investing not just millions of dollars, but hundreds of thousands of additional dollars in emergency services to make sure people are taken care of. The people of that community and the wider taxpayers of this country have an absolute right to ensure that the money is being used and being used effectively, and that is what we are doing.

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CANADA-U.S. RELATIONS

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, yesterday's border deal raises many questions, and many Canadians are concerned.

How long will U.S. Homeland Security keep fingerprints of visitors to Canada? Will our Privacy Act be violated? What biometrics processes will be used, and why are such important rights being discussed in secret?

We do not know the answers, because the Prime Minister sidestepped Parliament to hold a photo op in Washington. Will the Conservatives bring this deal before Parliament for a full debate, and will they commit to protecting the privacy rights of Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I think it is important to correct the misstatements that were made. There is, of course, no plan to collect biometrics of Canadian citizens.

Once again, this is the NDP's ideological opposition to trade with the United States, to the point of actually going down to argue against Canadian jobs in Washington. When I went down to Washington, it was to argue for Canadian jobs.

[Translation]

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, all these answers are not reassuring to Canadian families. We are talking about an agreement that may cost billions of dollars, in addition to having enormous repercussions on Canadian travellers and an impact on individuals' right to privacy. However, we do not know what the repercussions will be because the government decided, once again, to bypass Parliament.

Why will the Prime Minister not allow Parliament and members to do their job and examine this agreement?

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, in short order we will be tabling this fantastic news for the Canadian economy and job creation right here in this House. We are debating it right now.

We are not planning on changing any privacy laws. The privacy of Canadians is particularly important. As for the suggestion from the member opposite that this is going to cost billions of dollars, I would be surprised if it cost a small fraction of that per year.

Our priority is protecting Canadian jobs, whether it is the auto worker in southern Ontario or the person working in a port in Montreal or Vancouver. We are fighting for jobs. We are fighting for the economy. This is fantastic news and great leadership from the Prime Minister.

* * *

[Translation]

MINISTER OF NATIONAL DEFENCE

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, my question to the Associate Minister of National Defence is simple.

I will be brief in the hope that, for once, he will listen to the question. Using a search and rescue helicopter for one hour costs \$32,000. Therefore, how much did the transportation of the Minister of National Defence cost on July 9, 2010?

• (1430)

[English]

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, one more time, as has been said many times in previous discussions, the minister was called back from a personal vacation to go to work. That is the bottom line.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, why is it so difficult to get an answer to a simple question?

My colleague asked the associate minister a simple question, and he either knows the answer to that question or he does not. If he does not know the cost of the trip, then at least he owes this House that admission.

Again, how much did the transportation of the Minister of National Defence cost on July 9, 2010? Can the associate minister please answer that question, and can he tell us how many times the minister has used this aircraft?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, I am glad to once again reinforce the fact that the minister did in fact use the helicopter, as was stated, for purposes of work. That is in fact what happened.

I cannot give the member the exact cost. Nonetheless, it was for work purposes and it was a very routine endeavour indeed.

NATIONAL DEFENCE

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, perhaps I will have better luck with another topic.

In a speech on the U.S. Senate floor this week, Senator John McCain called the F-35 program “a scandal and a tragedy”. He said:

In fact, flight testing sufficient to demonstrate the full mission systems and weapons delivery capability of the F-35 aircraft has not even started.

Canada is the last country still clinging to cost estimates made 10 years ago, and clinging to talking points that no one believes.

As another simple question, does the minister agree or disagree with Senator McCain's comments?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, I am pleased to quote the U.S. defense secretary, Mr. Panetta, who indicated and reaffirmed the commitment of the United States to the F-35 program, along with the other eight partners. All of us, the nine partners in the program, are continuing to stay on track. The program is working fine, and as we stand, the U.S. is totally committed to this project.

[Translation]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, Senator McCain asked for accountability and transparency on the part of Lockheed Martin. We know that the government will never make such a request. Moreover, the Associate Minister of National Defence got his lines mixed up again. Senators McCain and Levin asked that test flights be postponed, because there are too many safety issues. I assume the government's only source of information is the senior management at Lockheed Martin. All the facts contradict the Conservatives' position.

Why do the Conservatives keep saying that everything is fine?

[English]

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, this is a program that is in development. There will be issues ongoing until the final product is delivered to Canada, which is years hence, at which point all these issues will be rectified. That is what Lockheed Martin is working on. That is what we are all working on.

* * *

[Translation]

THE ENVIRONMENT

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, since the start of the Durban summit, Canada has been the laughingstock of the world. The Minister of the Environment must have had enough because he is changing his tune. He is saying that Canada wants a binding agreement on climate change by 2015. To do that, the Conservatives will have to do a major about-face.

Are they finally going to commit to doing their part for the environment or are they going to continue improvising a strategy to avoid being accountable to Canadians?

[English]

Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, Canada is a nation of 33 million people that emits less than 2% of the world's

Oral Questions

global greenhouse gas emissions. In spite of this, Canada is not a laughingstock. It is a world leader in saying we need domestic action at home. We have done that. We have also committed to coming to the table and saying all major emitters need to be part of this agreement.

This is not a laughingstock matter. This is something our nation should be proud of. I would ask my colleague opposite to respect our country.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, it is not surprising that the parliamentary secretary may not have speaking notes to the minister's announcement because he is making up policy on the fly.

Yesterday he changed his tune. He is now lecturing countries, saying that they have to join a binding climate deal for 2015. The government has no credibility after doing its best to sabotage the Durban talks. Now I think it is just trying to save face.

Instead of its job killing approach or its members lecturing by themselves, alone in the corner, why will the government not try co-operating with the world community to work toward an energy economy future for Canada and the world instead of making up climate change policy on the fly?

• (1435)

Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, when we are talking about lecturing, my colleague opposite travelled to the United States and lectured the United States, lobbying against our jobs here in Canada.

What we are doing with regard to climate change is asking all major emitters to come to the table.

Some 2.5 billion people are not represented under the Kyoto agreement. We need a new agreement. This is what we are asking for. We are committed to it. We are very happy with this process.

* * *

AGRICULTURE

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, when consumers buy organic, they expect these products to be actually pesticide-free. Organic farmers want customers to be confident the food they buy has not been cross-contaminated. This undermines the confidence of consumers and puts organic farmers and the industry seriously at risk.

What is the government doing to protect organic produce from cross-contamination and to ensure consumers have confidence in this great organic industry?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the Canadian organic industry is world-class. We have new organic standards that this government put in place that, of course, protect the integrity of the organic sector moving forward. There is constant testing being done to ensure the efficacy of the organic label is intact. We will continue to do just that.

*Oral Questions***ABORIGINAL AFFAIRS**

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, Attawapiskat is not alone. Sadly, housing conditions on many reserves in the province of Manitoba are deplorable. Whether it is vulnerable children or vulnerable seniors alike, something needs to be done.

I often wonder whether or not the minister has a comprehensive understanding of the housing conditions and the stock on the reserves across our country. I look to the minister and ask the minister today to share with this House the actual condition of housing on our reserves in Canada.

Does he have any sense of the severity of the problem? Will he table those—

The Speaker: The hon. Minister of Aboriginal Affairs.

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, I have a good sense of housing across Canada. I have been on many reserves across Canada.

That is why we have been working with willing partners and making major investments to improve the quality of life for our aboriginal people. We have made targeted investments in priorities, like education, water and housing. We build over 2,000 homes and renovate over 3,000 more every year on reserves. We continue to work in collaboration to invest in practical and innovative solutions.

* * *

SEARCH AND RESCUE

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, the minister's story on the search and rescue taxi keeps changing. First, the Minister of National Defence told the House it was a pre-planned demonstration. Not true.

Then he said the flight was needed to get him to an urgent announcement, or more accurately a re-announcement, which the Minister of Public Works and the member for London West were apparently not fit to do by themselves. Also not true.

Four days is plenty of time to arrange for a boat and a car to an airport. Will the government be dispatching a search and rescue mission to Brussels to find yet another story or will it just let the lawsuits fly?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, we are very pleased that the Minister of National Defence will be representing Canada at this very important NATO meeting. He has a lot of skills, expertise and experience in this regard, and he will do an honourable job representing the country.

[*Translation*]

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, there are two inaccurate versions of the same helicopter search and rescue story. The first, a preplanned exercise. No.

The second, a last-minute trip to get to an urgent announcement. No.

The travel request was made in time to arrange transportation by boat and car to get to the airport.

Is the government going to dispatch another search and rescue mission to come up with a third version for the minister or will it finally admit the truth?

[*English*]

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, the truth is that we are going around and around, and people are piling on, but the story has not changed.

One more time and as has been said many times, the minister was—

Some hon. members: Oh, oh!

The Speaker: Order, order. The hon. associate minister has the floor.

Hon. Julian Fantino: Mr. Speaker, it is ironic that Liberals ask the question and then they are hypocritical about hearing an answer.

Some hon. members: Oh, oh!

The Speaker: Order, order. I would encourage the minister to avoid using words such as that, which obviously cause disorder.

The hon. associate minister has the floor.

• (1440)

Hon. Julian Fantino: Mr. Speaker, one more time and as has been said many times, the minister was called back from a personal vacation to go to work.

* * *

[*Translation*]

ABORIGINAL AFFAIRS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, last week, the government sent a third party manager to Attawapiskat, but it did not say that the manager would cost \$300,000 a year. That is what the Prime Minister gets paid.

How can this small community pick up the bill? How can the government justify forcing such an impoverished community to pay this unreasonable salary when it can barely pay for its own basic services?

[*English*]

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, our government has a plan and we are taking concrete actions. We are committed to ensuring the residents of Attawapiskat, especially the children, have warm, dry and safe shelter.

It is clear that significant investments in the community have not resulted in an adequate standard of living for the residents. We believe that we need to be accountable to taxpayers and that is precisely why we have put in place a third party manager.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, on the question of accountability, Conservatives sent in a bean-counter with a box of doughnuts to take control of Attawapiskat, but they did not tell anybody that the community is now on the hook for over \$300,000-a-year, which is what the Prime Minister gets paid, just so this guy can cut cheques in an impoverished community. No wonder they put the run on him in Attawapiskat.

Oral Questions

Now we are hearing in the community that key support services are going to have to be drained to pay for this guy. How, in God's name, is that value for money?

Will the minister advise the House how long this man will be forced on this community and how long this impoverished community will have to keep paying his salary?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we make no apologies for wanting to get value for taxpayers' money. Unlike the NDP, we are determined to get results for first nations.

* * *

INFRASTRUCTURE

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, they did it again. Trust the Conservatives to not learn a lesson.

A few short years ago, they misled all of us about the border infrastructure fund. The Auditor General called this action non-transparent and they agreed.

Now we find out that another fund has been used as a back door piggy bank. The government has quietly transferred \$170 million from the green infrastructure fund to other federal departments.

Will the President of the Treasury Board stand and explain why he just cannot get it right?

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, the hon. member is wrong. Parliament has approved the transfers of these moneys. This includes estimates, the 2011-12 report on plans and priorities, and the 2010-11 departmental performance reports.

Just because the member opposite did not read the estimates, does not mean Parliament did not approve them.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, let me greet the new spokesperson for the President of the Treasury Board.

The Conservatives keep reminding us that they spent \$1 billion on the green infrastructure fund, but only 10% of that has been spent in three years.

In committee, the Parliamentary Secretary to the President of the Treasury Board told us that it takes time to develop projects, but that the Conservatives plan to spend all the money. He never mentioned transfers.

Publishing a report on a website, but failing to include it in the budget on which parliamentarians vote is anything but transparent.

Why does this government refuse to treat parliamentarians with respect? Why this lack of transparency?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, why this lack of research on the NDP's part?

I have before me the parliamentary documents authorizing those transfers. They were tabled in the House on June 3, 2011, June 9, 2011, November 3, 2011, and November 17, 2011.

There was also a vote last Monday. I would imagine that the hon. member was at the vote. He should have read the documents he was voting on before voting and before complaining.

* * *

● (1445)
[*English*]

CANADA-U.S. RELATIONS

Mr. Bryan Hayes (Sault Ste. Marie, CPC): Mr. Speaker, yesterday marked a historic day in Canada-U.S. relations. Canada shares the most successful relationship in the world. More than \$1.5 billion worth of goods crosses the border each day. Millions of jobs in both countries depend on the trade and investment that flow daily across our borders.

Could the Minister of Foreign Affairs please update this House on the announcement yesterday by the President of the United States and the Prime Minister?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, what we saw yesterday was the leadership of the Prime Minister and the leadership of the President of the United States doing everything they can to help create jobs and have more economic growth.

Over recent years we have seen the border become thicker and thicker, and this has hurt Canadian competitiveness and cost Canadian jobs.

Yesterday's announcement will make the job of an auto worker in Windsor more secure. Yesterday's announcement will make someone who works in a port in Montreal or on a railway in western Canada secure. This will lead to more jobs and more economic benefits for the Canadian economy.

This is good news for the country and we should all be celebrating that.

* * *

RURAL AIRPORTS

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, just released secret documents reveal the Minister of Transport and his department are planning to sell off airports and other assets across this country. This fire sale would mean higher fees and airport closures.

Rural Canadians rely on these airports to deliver their mail, visit their families, or see their doctors. Loss of airports would isolate these communities.

Could the Conservatives tell us which Canadian communities will lose their airports just for a quick buck?

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, as announced in budget 2009, a review of corporate assets has been led by the greatest finance minister in the world in collaboration with other ministers whose portfolios have also been identified for the review.

Oral Questions

This review includes selected assets of the Department of Transport. Our government is committed to ensuring that hard-earned tax dollars are used in a prudent and responsible manner.

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, I disagree with the premise of that answer.

[*Translation*]

The worst part of all this is that by hiding the documents, the government is once again being secretive. Several pages were even censored.

The sale of small airports could mean the end of air services for communities that need them, not to mention increased costs for passengers, if these airports are run by the private sector.

Can the minister tell us which airports are going to be sold and what the impact will be on Canadian families?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, as was announced in the 2009 budget, a review of the government's assets will be conducted by the Minister of Finance. Incidentally, he is the best Minister of Finance in the world. He is going to work with the ministers whose portfolios were identified for the purpose of this review, including our own portfolio. Our government is committed to using Canadians' hard-earned money prudently and responsibly.

* * *

[*English*]

JUSTICE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, yet another study supports what we have been saying all along about the Conservatives' prison agenda.

According to Quebec's Institut de recherche et d'informations socio-économiques, the Conservatives' out-of-touch agenda would make the cost of prisons skyrocket, while the government launches cuts to all public services. The provinces would foot the bill for these costly Conservative choices.

How many independent studies will it take for the government to admit that it is wrong?

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, we have been very clear in the House about working with our provincial and territorial partners with respect to the implementation of our crime legislation. We have many supporters. Attorneys general from across the country are saying they asked us for this legislation. They thank us for bringing it in. They are looking forward to working with us.

We are committed to standing up for victims in Canada, and that is exactly what we are going to do.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, since the government answers any old thing, I am going to provide numbers which show how much this bill will cost.

The budget of Correctional Service Canada will have doubled between the time the Conservatives came to office and 2014. As for Quebec, the costs will total at least half a billion dollars annually. The government is forcing the provinces to double their budget for jails, because of a bill that is rejected by all the experts.

Would the government go forward with its legislation if it had to foot the bill itself? I doubt it, but I will be pleased to listen to the same old tune again.

● (1450)

[*English*]

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, we have something called a division of powers in this country. The federal government brings forward legislation on crime and crime initiatives and the provincial governments administer it. They do a very good job of administering it. We work with them on a daily, weekly, monthly and yearly basis to make sure that we are doing the right things by Canadians.

We have increased transfers to the provinces by 30% since we took government. We transferred \$54 billion last year, up \$2.4 billion from the year before. We are doing what we need to do.

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THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, we have known for years that the current Prime Minister and his government do not believe the science of climate change.

Just this week, the environment minister went to Durban with no credible plan. He intended to withdraw from our international commitments and obstruct negotiations. Now, the minister wants us to believe he is changing his position again.

How can Canadians trust the government and its eleventh-hour conversion when it has been a denier and an obstructionist for two decades?

Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, when the member opposite talks about no credible plan, I sure hope she is referring to her party's inability to have a plan when it signed the Kyoto protocol.

Furthermore, the member referred to the Kyoto protocol as an important symbol for climate change. We are not about symbols. We are about real action. That is why we are committed to ensuring an international agreement which has all major emitters at the table.

[*Translation*]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, it is clear that this government is acting in bad faith and is once again bringing shame on us on the world stage. It does and says anything to try to save face in Durban. I do not believe it when it claims to look forward to the future. The only will it has shown for years is not the will to reduce emissions but, rather, its emission targets.

Oral Questions

For years, when they sat on the opposition benches, the Conservatives prevented concrete measures under the Kyoto protocol. Now that they form the government, they are turning inaction into a virtue.

Do they really think people will listen and believe what they say?
[*English*]

Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I would like to remind my colleague opposite of a few things with regard to environment policy and energy policy. First, emissions increased in this country under his government. A policy that he should be especially familiar with, the national energy policy, lost thousands of jobs across the country.

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. parliamentary secretary has the floor. The member has asked the question and she will give the response.

Ms. Michelle Rempel: I am getting such a response to these inconvenient truths, Mr. Speaker.

We have a real plan and we are implementing it. We have a sector-by-sector regulatory approach that balances economic sustainability with environmental stewardship. That is what this government stands for.

* * *

SENIORS

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, this government's record on seniors is shameful. Many seniors are struggling to pay for food, housing and medication. This is putting them into situations of dependence and making them more vulnerable to elder abuse. The Conservatives' out-of-touch plan has left hundreds of thousands of Canadian seniors living in poverty. That is what New Democrats voted against.

Conservative policy is insulting and abusive to seniors. Why will the government not take seniors' poverty seriously with a plan to protect the most vulnerable?

Hon. Alice Wong (Minister of State (Seniors), CPC): Mr. Speaker, any form of abuse is unacceptable. Following the introduction of a very successful awareness campaign, which will continue through 2012, we also increased funding for elder abuse awareness programs including new horizons.

Furthermore, the Minister of Justice and I have met with stakeholders across Canada. We look forward to fulfilling our commitment to further protect vulnerable seniors.

• (1455)

[*Translation*]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, to "further protect" does not necessarily mean the government is doing enough.

Even though this government is boasting about its achievements, the reality is that today an increasing number of seniors rely on food banks or charities to make ends meet. To tell seniors living in poverty that they will not have to pay taxes is not going to solve the

issue of poverty. All Canadians have the right to age with dignity, not just those who had more luck.

When will this government stop repeating the same old tune and finally provide real security to our seniors?

[*English*]

Hon. Alice Wong (Minister of State (Seniors), CPC): Mr. Speaker, our government continues to take strong action to support seniors. This includes providing billions in annual tax relief for seniors and pensioners, removing hundreds of thousands of seniors from the tax rolls completely, increasing the GIS exemption and introducing the largest GIS increase in a quarter century.

We have also made significant investments in affordable housing for low-income seniors and introduced pension income splitting. We will keep working hard to deliver for seniors.

* * *

JUSTICE

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, Canadians are rightfully concerned that in 2010 child pornography offences were up by more than 30%. The sexual exploitation of children by Internet sexual predators is a very serious crime.

The government recently introduced and passed through the House the safe streets and communities act. This act would increase penalties for sexual offences against children. Could the parliamentary secretary please update the House as to further measures the government has implemented to crack down on child pornography?

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, it is truly a happy and good-news day for justice. I am happy to report that today Bill C-22, the government's legislation to make the reporting of child pornography by Internet service providers mandatory, has come into force.

Police forces across Canada make every effort to combat the creation and distribution of child pornography. They cannot eliminate online sexual exploitation by working alone. Our government is providing police with the tools they need. Our government makes it clear that we all have a role to play in protecting our children from this unspeakable—

The Speaker: The hon. parliamentary secretary is out of time.

The hon. member for Random—Burin—St. George's.

* * *

FISHERIES AND OCEANS

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, the Minister of Fisheries and Oceans has said that the fishery in Newfoundland and Labrador is broken. Well, with the stroke of a pen he can help fix it. Sitting on his desk, waiting for his signature, are permits needed to fish sea cucumber for the Asian market.

Oral Questions

Studies done by his department show that there is a healthy sea cucumber supply that can sustain a viable fishery in Newfoundland and Labrador. Will the minister stop procrastinating, sign these permits and agree to a commercial sea cucumber fishery for Newfoundland and Labrador?

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC): Mr. Speaker, I want to assure my colleague that Fisheries and Oceans Canada does support the emergence of a sustainable commercial sea cucumber fishery. Sustainability of the resource will be the primary consideration as we move forward on this. Economic prosperity, as well as current and potential markets, will also be considered. The department is committed to undertaking allocation decisions related to the new emerging fisheries policy. That is the direction in which we are going. We are taking this very carefully.

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[Translation]

INTERNATIONAL TRADE

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, as part of the European Union free trade negotiations, talks have been under way since 2009 to get Canada to agree to extend patent protection for prescription drugs by at least three years, which would increase their price by close to \$3 billion. An independent report published this summer and commissioned by the European Commission indicates that this agreement could have a negative impact on consumers of pharmaceutical products in Canada.

In light of this report, will the government finally protect the interests of Canadians and our health care system?

• (1500)

[English]

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, I would remind the member that this government always protects and advances Canada's interests during international negotiations. We will only enter into an agreement that is in the best interests of Canada. We continue to consult closely with Canadians, stakeholders, and provincial and territorial governments. The member opposite should not prejudge the outcome of these negotiations. She should know that this government will always stand up for the interests of Canadians. We will only sign an agreement that represents those interests.

* * *

VETERANS

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, on Christmas Day 70 years ago, the Allies had no choice but to surrender. During seventeen and a half days of heavy fighting, 290 Canadians were killed and 493 were wounded while trying to defend Hong Kong. Those who survived spent the duration of the war facing inhumane conditions in prisoner of war camps in Hong Kong and Japan. After 70 years, the Japanese government has now apologized to Canadian veterans.

Could the Parliamentary Secretary to the Minister of Veterans Affairs please comment on the importance of this apology?

Ms. Eve Adams (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, I am delighted to inform the House that earlier today, Canadian prisoners of war received an apology from the Government of Japan for the suffering they endured during World War II. For nearly four years, our prisoners of war endured systematic and continued abuse. They were frequently starved and they were forced into back-breaking labour. Of those who were able to return, many of them were disabled and many died prematurely.

This apology is an important step in reconciliation and healing. It recognizes the suffering of our prisoners of war while honouring their courage and sacrifice. I appreciate being allowed to share the story.

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HOUSING

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, 70,000 people are on a waiting list for affordable housing in Toronto alone. The government really does not get it. Low-income and middle-income Canadians right across the country are facing an affordable housing crisis. The government refuses to act, yet it could. It could work with New Democrats on a national affordable housing strategy but it does not.

Is building more prisons the only kind of housing program and strategy we are going to see from the government?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we do believe that every Canadian deserves a warm, safe place to put his or her head at night. We have made unprecedented investments in affordable housing for Canadians. Some 14,000 projects are under way, through construction or renovation. None of these things would have happened if the situation had been left to the NDP. As usual, although the NDP talks a good line, it votes against helping those who really need it.

* * *

[Translation]

INTERNATIONAL TRADE

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, through leaks we have learned details on the negotiation of the Canada-European Union free trade agreement, such as the discussions about the supply management system that the Conservative government deliberately left on the table, the price of drugs and the protection of culture. Since these matters particularly affect Quebecers, they would like to be informed of the content and the potential impacts of the negotiations.

Will the government finally be open with Parliament and Canadians and stop negotiating behind closed doors?

[English]

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, as I mentioned earlier, this government has consulted broadly across the country on the EU free trade agreement, and we continue to consult. I want to assure the member that this government will only sign an agreement that is in the best interests of Canadians.

In fact, these consultations have been the most broad and most effective consultations we have ever had. We have had the provinces at the table. We have consulted broadly with stakeholders. All the feedback we are getting is that we are doing it right.

The Speaker: That concludes question period for today.

I understand there is an agreement between the parties to have some brief statements at this time regarding the Parliamentary Librarian's upcoming retirement.

[Translation]

I therefore recognize the hon. member for Ottawa—Orléans.

* * *

[English]

PARLIAMENTARY LIBRARIAN

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, today we honour the seventh Parliamentary Librarian.

William Young, Bill to most of us, is the incarnation of quiet wisdom.

• (1505)

[Translation]

As co-chair of the Standing Joint Committee on the Library of Parliament, I had the pleasure of working closely with Bill, as we tried to come up with innovative ways to promote the programs and services the library offers to parliamentarians.

[English]

It was as a plain member of Parliament that I met him 2,146 days ago to offer my support and to thank him for the above-the-call professionalism of his dedicated staff.

Many members know that I spend a considerable amount of time in the library. I have a deep appreciation for the vital and trusted work that the library staff provides to support my insatiable curiosity as a legislator and as a servant. I most certainly appreciate that this library does not charge fines for late books.

For some reason that I do not quite understand, particularly since we are all such nice people, I have been told that reporting to a parliamentary committee is not always a bowl of cherries. While I may doubt that statement, I will acknowledge that the last couple of years have brought their challenges as we have dealt with successive minority parliaments and the reality of a global recession, and the fiscal restraint measures that have gone along with it.

Tributes

[Translation]

Bill always managed to overcome these challenges with ease, grace and humour. This definitely made our committee work much more enjoyable. I am sure that his management team, and all Library of Parliament employees for that matter, really appreciate his style.

[English]

Style notwithstanding, he and his team have also delivered on their promises. Each year our committee has seen measurable progress on the broad-based plan of renewal that Bill initiated when he took over the role of Parliamentary Librarian six years ago. These are things that, by and large, may go unnoticed by other parliamentarians, such as the extensive managerial reforms that have taken place to ensure modern controllership and innovation in services.

[Translation]

Pass(e)port is a selection of articles about Canada or current issues of interest to parliamentarians. The articles are gathered from online international news sources every week. It was developed in committee by my friend and colleague, the hon. member for Ottawa—Vanier, in order to better connect parliamentarians to the rest of the world.

Given that Bill devoted most of his career to Parliament, I do not think it would be an exaggeration to say that much of the Library of Parliament's effectiveness today can be attributed to Bill.

[English]

The former prime minister, the Right Hon. Paul Martin, was inspired when he appointed Bill as Parliamentary Librarian. The current Prime Minister displayed his legendary wisdom when he extended that appointment.

Last summer I undertook to read Bill's doctoral thesis, but it took me a week to read the title, "Making the Truth Graphic: The Canadian Government's Home-Front Information Structure and Programs During World War II". I will finish reading the thesis in time for the book report.

In conclusion, I would like to say a few words to Bill's prospective successors and give them a bit of perspective about working at the Library of Parliament.

Since Confederation, we have had 43 leaders of the opposition, 35 speakers, 22 prime ministers, 18 members for the district that I represent, and 12 clerks of the House of Commons. Against all this, the Library of Parliament is a model of stability. We have had only seven Parliamentary Librarians. They get to keep their job. On average, they have each served two decades.

[Translation]

As many of you know, I count every day that I am here. This is to ensure that every day counts. Psalm 90:12 says, "Teach us to number our days aright, that we may gain a heart of wisdom".

Tributes

[English]

And as we count our service here in days, parliamentary librarians count theirs in decades. William Shakespeare was right when he wrote, “The better part of valour is discretion”. William Young is blessed to live by those wise words.

● (1510)

[Translation]

In closing, on behalf of the Standing Joint Committee on the Library of Parliament and on behalf of every member of this House, I would like to commend Bill on all of his excellent work and extend our best wishes for his retirement.

[English]

On behalf of the Standing Joint Committee of the Library of Parliament, and on behalf of every member of this House, I want to close with a heartfelt bravo and our best wishes to Bill and to his family on his retirement.

Like that of his predecessor and my esteemed friend, Erik Spicer, may Bill's retirement be long, fruitful and filled with serenity and delight.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am very pleased to rise in the House today to pay tribute to Bill Young. I have had the pleasure to know Bill Young since 1997, when I was first elected as a new member of Parliament.

I first encountered Bill at the human resources committee where he served as an analyst. As the lone NDP member, I was trying to figure out how committees worked and what we were meant to do.

I had many chats with Bill and because of him, I came to appreciate what an amazing resource the Library of Parliament is, and also appreciate the role of the analysts. Their superb ability to help committee members and MPs generally in such a non-partisan way is something on which all of us rely.

His career at the Library of Parliament, where he also occupied the positions of principal and senior research officer, spans 18 years. Bill Young was also deputy team leader, Social Security Reform — Coordination Group for Human Resources Development Canada, from 1994 to 1995.

As we know, he was appointed as the Parliamentary Librarian in 2005. I would like to read from when he appeared as a witness before the Standing Joint Committee on the Library of Parliament, because I think it gives us a flavour of his passion and his dedication. He said before that committee:

I'm very honoured to have my name go forward for the position of the Parliamentary Librarian, because for a political historian like I am, it's a job that brings both my passions and interests but also my training and experience. As I have mentioned, it's almost twenty years that I have worked with parliamentarians from all parties at the parliamentary research branch.

He went on to say:

For nearly 150 years, the Library of Parliament has been a shining light on our country's political and historical landscape. It is an architectural gem, a historical landmark and a unique institution that serves Parliament as well as the general public...While the library remains a repository of books and other printed information, it has moved into the technological era in its collections and reference services. Over 30 years ago it added a research and analysis function. During the past

decade, it has been the public face of Parliament by providing information to citizens about how our Parliament works.

That is what Bill said to the standing joint committee.

As a trained historian, academic and then as a researcher, Bill has spent most of his career at the Library of Parliament. Shortly after he took the reins as the seventh Parliamentary Librarian in 2005, he set in place a broad-based plan for renewal of the institution to ensure that the library remained relevant for parliamentarians well into the 21st century.

Bill took on the big task of modernizing this honoured institution. This meant figuring out what it was that the users wanted and needed, and also how they wanted it to be delivered to them at a time when shifts to information technology and social networking seemed to be happening almost every day.

Bill has been with the library so long it is almost like he is part of the permanent collection. If he were a book in the library's collection, I think his staff would have a very difficult time deciding where to store him. He is certainly rare and valuable, so they would want to keep him under lock and key, but I am also sure that many people would be constantly referencing him that the tendency would be to leave him on a table by the main doors, just to save time.

I do not think it is too much of a stretch to say that he is the reason the library remains relevant to parliamentarians today. Not only is it relevant, but it is vital to our work. On behalf of the NDP, we extend our heartfelt congratulations and thanks for his dedicated public service to us and all Canadians over so many years. We wish him all the best in his retirement.

I have just one word of caution. We do not want him to watch CPAC too often. We do not want him to worry about committee reports anymore. Because of his stellar work, we know it is all being left in good hands. I extend our congratulations to Bill.

● (1515)

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, it is indeed a pleasure for me to rise on behalf of the Liberal Party to pay tribute to not only a remarkable parliamentary librarian, but an inspirational servant of Parliament and of Canadians for over 20 years.

As my colleague, the co-chair of the Joint Standing Committee on the Library of Parliament, said, there have only been six previous parliamentary librarians: Alpheus Todd, came in with the country, Martin Joseph Griffin, Martin Burrell, Francis Aubrey Hardy, Erik John Spicer and Richard Paré. Each of these distinguished Canadians evolved the role of librarian to something way more than its traditional interpretation. This was not only about resources, but about the analysis and eventually, under Bill's watch, to the most trusted source of information that parliamentarians could receive. It means that each of us in the House performs to our best possible ability.

As Bill said in his interview in the *Canadian Parliamentary Review* on his appointment:

Most parliamentarians are here because they have a sense of purpose and public life—they are here to accomplish something. The Library's job is to help them succeed and to nurture the deliberative process for the benefit of all Canadians,

I first met Bill Young when he was the researcher on the HRDC committee in 1997 when I was first elected. I was pretty impressed then that he seemed to be able to have a relationship with almost every member of the committee. When Wendy Lill, the NDP member of Parliament, had pointed out that the issues of persons with disabilities had not really been discussed for over two years at committee, it became quite clear that Bill would help us form a subcommittee that I had the honour to chair.

That subcommittee became known as the tiny perfect committee. It ended up with Wendy Lill, Madeleine Dalphond-Guiral and Deb Grey. We all worked together to really fight for persons with disabilities, the disability tax credit, the Canadian pension plan disabilities. Under Bill's guidance, we were able to call ministers from all departments and commissioners. We were able to design one of the most interactive tools in terms of e-consultation that a parliamentary committee had ever done.

My love for Bill Young came, having him sit at my right shoulder for those five years, not only because of the institutional memory he carried for this place, but also the fact that when officials would come before our committee, he would whisper in my ear and said, "They said that last year". It was only because of his coaching that we were able to get on and later understand his real understanding of the citizens of our country.

In 2000 I asked for help from the Library of Parliament, as I was concerned about the role of the citizen in our representative democracy and whether it was evolving over time. Bill wrote the most beautiful paper called "The Citizen Engagement and the Elected Representative" in which it began in his beautiful writing:

The social contract in our democracy is founded on the consent of the governed. This implies not just that voters select their governments, but also that there is more or less continuous contact between citizens and their elected representatives in order to exchange knowledge and opinions. It also implies the expression of preferences on the part of the citizen as well as a certain level of attentiveness and consciousness of what government is doing, or wants to do.

He helped us put together a conference in which Robert Putnam came from Harvard, Ted White, the Reform member of Parliament, Audrey O'Brien, Charles Pascal, Carol Goar, Monique Bégin and the hon. member for Toronto Centre. After that conference, we began to start to refer to this concept of democracy between elections, which is truly what the parliamentary librarian is able to provide us with.

Later in 2002, as co-chair of the Joint Standing Committee on the Library of Parliament, I was able, with our co-chair Yves Morin, as well as Deb Grey, working with Graham Fox, to work on the consultations 2002 called "The Parliament we Want".

● (1520)

It is very interesting that in the conclusion of that document, again a lot with the leadership of Bill, said:

Our message, based on our consultations, is this. In weighing the many options we have before us, and in making decisions on the future role of Parliamentarians, we should keep in mind that the reforms should aim to:

- lead to more meaningful work;
- look to the future, not the past;
- enhance Parliament's oversight of government activity;
- enhance Parliament's contribution to policy debates;
- strike a balance between the adversarial and the consensual aspects of our democratic system;

Tributes

focus on committees as an immediate priority;

make Parliamentarians knowledge-brokers;

and strike a new bargain between Parliament and the public service.

That is, in short, the Parliament we want. Parliamentarians ask, and Canadians deserve, nothing less.

[*Translation*]

When Mr. Young was appointed in 2005, his biography indicated that he had a Ph.D. in history and was a professional historian. Mr. Young is the author of a number of books as well as academic and popular papers. He has also written many parliamentary reports.

[*English*]

It is, indeed, the case of Bill Young, from his Ph.D thesis on the role of the National Film Board and propaganda in World War II to the many reports he wrote on disability issues, with Dr. Halliday and Andy Scott, to the London diaries of Paul Martin Sr., to *Sacred Trust*, a book he wrote with David Bercuson and Jack Granatstein on Brian Mulroney and the Conservative Party.

Since his nomination, he has continued to embark, as we have heard already, on a significant renewal of the Library, with the modern controllership of its resources and the redesign of numbers of products for parliamentarians better suited to their needs in the time and format they need.

As well as the historian, he reconstituted debates of early years of Parliament for future generations with the digitalization project. He also worked with his posse of parliamentary librarians from around the world, like John Pullinger from the U.K. parliament of Westminster, Soledad Ferreiro in Chile, to commission Nick Nanos and others on the parliament of 2020 and what the future of Parliament would be like using the kind of evolving communication technologies and how that could support a more effective Parliament and a more engaged public in the future.

He was seconded to the Department of Social Development for two years, where he was the departmental assistant to the deputy minister. His minister, who Bill lovingly referred to as number 29, asked me to send Bill this message. It states:

Bill is the good civil servant. He embodies why doing a government's work matters. He believes good can be done, that better is possible, but he also knows that bad and worse are much easier to deliver. So he looks—every day—to do the good and the better and expose the bad and the worse.

He has a joy about him. A joy that comes from knowing why he does what he does, from a pride, but also from always putting people at the centre. He knows that it's with people that he does things, and for people that he does them, people with all their—and his own—wonderful strengths and wonderful foibles. So to Bill nothing is ever old and dry and boring.

He has a curiosity, this fascination, with life. He wants to know - everything. About everyone. Every delicious fact; every delicious insight; and every delicious morsel of gossip. Always, of course, delivered with that twinkle, and that laugh.

Business of the House

As Ken Dryden has said, Bill Young is more than an institutional memory. To me, Bill Young is the ultimate leader of vision, values and risk taking. He imparts that to his team and his team knows, as the best of every team leader, that it will be allowed to do its very best performance, but when it stumbles, he will be there for it.

Parliament is not only losing a great friend, a great defender of this institution, but also a great believer in the role of citizens in their democracy and the need to build better mechanisms between citizens and their Parliament and their parliamentarians to ensure that their voices are heard.

The eighth parliamentary librarian will have a tough act to follow, big shoes to fill, but the most important qualification will be the love of this place and the understanding of the good it can do.

We wish Bill and Philippe some well-earned time, but I cannot wait until the next chapter when he is back actually inspiring us all to just do better.

● (1525)

[Translation]

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, it is a pleasure and an honour to speak to the excellent character of Mr. Young. I have met him on a number of occasions. The first time was in 2006, just after he was appointed.

Mr. Young is a dedicated, caring and competent person. He cares about the important role of parliamentarians. Those who have made his acquaintance also know that he uses humour intelligently. He is a good person and a good boss. I have it from a reliable source that many of his employees consider him to be an exceptional man. Involved and respected by everyone, Mr. Young is personally committed to causes dear to him and I would like to take off my hat to him.

I had the opportunity to work with him through the Library of Parliament's programs for teachers. I attended the Teachers Institute on Canadian Parliamentary Democracy. Mr. Young was committed to providing teachers with the tools they needed to teach about parliamentary democracy in Canada and Quebec.

In his role, Mr. Young supported teachers in what they did on a daily basis. He did so especially in programs for the public. The Library of Parliament's educational programs serve all Canadian youth, whether they live in Alberta, British Columbia or Quebec. These young people can learn about Parliament by using the Library of Parliament's tools, thanks to Mr. Young's efforts to promote all these tools. This allows young people to embrace democracy and the parliamentary system in a non-partisan way.

I sincerely hope that Mr. Young will have some wonderful challenges after he leaves us. He is always steadfast and looks to the future. On behalf of the Bloc Québécois, I wish him all the best in the future. I take off my hat to him again for all his wonderful accomplishments as parliamentary librarian.

[English]

The Speaker: Mr. Young, on my own part, I would like, on behalf of all members of Parliament, to thank you and add my best wishes

and offer you our heartfelt best wishes for a long and happy retirement.

I would like to also thank the hon. member for Windsor—Tecumseh for allowing the tributes to proceed. Now he might like to ask his Thursday question.

* * *

● (1530)

[Translation]

BUSINESS OF THE HOUSE

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I have been thinking about the importance of leading by example. I think that the Leader of the Government in the House of Commons should do the same. Last week, he said that we would conclude law-abiding Canadians week and that this week would be democratic reform week. That is very ironic.

[English]

It is ironic because of what happened this week. We saw the passing of Bill C-10 on Monday, a bill that has been almost universally panned as being ineffective, not even knowing how much it is going to cost the Canadian public at both the provincial and federal levels. It is probably going to increase crime in this country at the end of the day. Yet, that was supposed to be part of the week when the Conservatives were having their crime agenda.

Then we saw this spectacle yesterday at the Federal Court, slamming a minister, berating a minister actually, in the written judgment for breaking the Canadian Wheat Board Act. It was to the extent, and this is quite unusual, that the federal court judge actually awarded costs to all the applicants against the government for the breach of that act. So that was the Conservatives' crime agenda.

Then, democratic reform is supposed to be this week. What did we see this week? We saw the Conservatives, once again, set the all-time record for closure and time allocation motions by doing so for the 12th time in less than 70 sitting days. The Conservatives beat the Liberal record by almost 40%, if my math is correct. That is what we saw.

In all honesty, after what we have just seen go on, I am almost afraid to ask the question of what is coming this week not knowing the consequences. However, I will close with the question, since that is my duty here, to the House leader of the Government and it is with substantial trepidation that I do this.

I would like to know, and I think Parliament and Canadians would like to know, what is going to happen in the House the rest of this week and the week coming up to next Friday, which is when the House will rise for the winter break? In part, we need to know that Parliament and Canadians need to know, so they can get ready for what may be some of the consequences if we see the same kind of experience we have seen this week.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, one of the most important things we are looking forward to in the next week or so is the passage of the major priority pieces of legislation we have been advancing this fall, for which we have been seeking to set timetables to ensure they could pass to be in effect for next year. They are our budget implementation act to ensure that important tax measures are in place like a tax credit for job creation and accelerated capital cost allowance to create jobs; our bill to ensure fair representation, to have that in place in time for the redistribution that is going to unfold next year; and in addition to that another bill which again is a time priority, the crime bill, and I do not think we are going to be able to make that objective.

However, we are looking to get those in place and, having done that, we look forward to, in the next 10 days or so, the very first of those bills we have been working on all fall to actually becoming law. That will be a very exciting time for us when we finally achieve Royal Assent, having spent that time.

I should advise members that next week will be free trade and jobs week. We will begin Monday morning with second reading of Bill C-24, the Canada–Panama free trade act. This free trade agreement was signed on May 14, 2010. It is now time for Parliament to put it into effect, so that Canadians can benefit from the jobs and economic growth it will deliver.

[Translation]

It being free trade and jobs week, we will begin second reading debate on Wednesday of another bill to implement a job-creating free trade agreement. In this case, we will discuss Bill C-23, the Canada–Jordan Free Trade Act, which will implement Canada's first free trade agreement with an Arab country.

This will be the last week before the House adjourns for the holidays. And it is with the Christmas spirit in mind that we hope to have the co-operation of all members in making great progress on a number of important bills with a focus on job creation and economic growth.

● (1535)

[English]

On Monday, if we are able to pass Bill C-24, the Canada–Panama free trade bill, we would call Bill C-11, the copyright modernization act. Bill C-11 is another bill that would lead to more jobs in Canada, and our world-leading digital and cultural sectors. Earlier this week, the Liberal motion to block further debate on this important bill was defeated in this House. That means we can get back to second reading debate and I would hope that after being debated for over one sitting week, the opposition will finally allow this bill to get to committee.

[Translation]

If we continue to make the progress I am hoping for, we will then call Bill C-14, the Improving Trade Within Canada Act, for further second reading debate. This is a fairly straightforward bill that will benefit the economy by implementing amendments to the Agreement on Internal Trade agreed by the provinces. I expect all parties will allow it to move swiftly to committee.

Privilege

[English]

In addition to passing these job creating bills, on Monday, ideally, we would then call C-26, the citizen's arrest and self-defence act for further debate.

For the balance of free trade and jobs week, we will continue to debate any of those bills which have not yet been referred to committee. We would also look to begin second reading debate on Bill C-28, the financial literacy leader act. This bill will create a new position in the government dedicated to encouraging financial literacy for Canadians.

As for the balance of this week, which is democratic reform week, Bill C-20, the fair representation act, will be debated tomorrow at report stage, further to the motion adopted yesterday. Third reading in the House on this bill will be Tuesday. This will be followed by a vote Tuesday night, a vote that will give all members in this place an opportunity to vote on the important democratic principle of representation by population.

* * *

PRIVILEGE

LEGISLATION TO REORGANIZE THE CANADIAN WHEAT BOARD

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, I rise today on this question of privilege to request, in recognition of the decision made yesterday by Mr. Justice Campbell of the Federal Court, and the need that this House be in compliance with the rule of law and be seen by all Canadians to actively demonstrate its willingness to accept and defer to the rule of law, that you reconsider the basis of your earlier ruling stemming from the question of privilege raised by my colleague, the member for Malpeque, on October 18 of this year.

It is now unambiguous that as members of Parliament our privileges have been violated as a result of our participation in the Minister of Agriculture's single-minded mission to dismantle the Wheat Board without first consulting with and determining the will of western Canadian wheat and barley farmers, as he remains required to do.

In light of the ruling of the Federal Court, dated December 7, 2011, in the case of the Friends of the Canadian Wheat Board et al. v. The Attorney General of Canada and the Minister of Agriculture and Agri-food, it is now apparent that this honourable House was forced to participate in a debate that is now, and was then, contrary to the rule of law.

In his ruling yesterday, Mr. Justice Campbell ordered the following declaration be made:

—the Minister failed to comply with his statutory duty pursuant to section 47.1 of the Act, to consult with the Board and to hold a producer vote, prior to the causing to be introduced in Parliament Bill C-18,—

The very same argument was made at that juncture by the member for Malpeque, the member for Winnipeg North, and me on October 18. In fact, it has been the position put forward by this party from the very beginning of the Minister of Agriculture's quest to fulfill his ideological obsession.

Privilege

Let farmers decide. It is a simple enough precept.

Indeed, prior to our last general election on May 2, 2011, a then keen Minister of Agriculture assured farmers in Minnedosa, Manitoba, and in mid-March 2011 that he would not act arbitrarily and that the wishes of farmers would be respected.

Meanwhile, in the wake of the May 2 election, having finally won the majority it coveted for so many years, the Conservative government no longer felt it necessary to grant western grain farmers the very vote on the issue they were guaranteed by statute and was assured them by the minister.

Instead, the government spoke at length about the mandate given by Canadians. Which mandate? There is no mandate that enables the government to trample on the rights of western Canadian grain farmers, or any other Canadians, with impunity. What is the evidence of this complete lack of regard for the law by the government?

In the face of the words of Mr. Justice Campbell where he said, "The second and most important effect is that the minister will be held accountable for his disregard for the rule of law", the Minister of Agriculture replied, "I can tell you that, at the end of the day, this declaration will have no effect on continuing to move forward. Bill C-18 will pass".

This is important. The minister does not understand that while the Conservatives can change the law, they cannot break the law while changing it any more than they can ignore procedure within this very House when we make new laws.

Why is it that Parliament or government should be any less bound to laws than they are to the procedures in the House when passing those laws?

Many prairie farmers no doubt voted Conservative, but they did not vote for Conservative candidates only to see their democratic rights stripped from them as soon as the ballots were counted.

Mr. Speaker, I draw your attention to Chief Justice Fraser's comments in *Reece v. the City of Edmonton*, 2011, cited at paragraph 3 of Mr. Justice Campbell's ruling, where the Chief Justice states:

When government does not comply with the law, this is not merely non-compliance with a particular law, it is an affront to the rule of law itself.

Moreover, in Justice Campbell's decision at paragraph 27, he makes reference to a memorandum of fact and law of an intervenor in the case before the Federal Court, which states:

● (1540)

As the Applicants note, western farmers relied on the fact that the government would have to conduct a plebiscite under section 47.1 before introducing legislation to change the marketing mandate of the CWB. Disregarding the requirements of s. 47.1 deprives farmers of the most important vehicle they have for expressing their views on the fundamental question of the single desk. Furthermore the opportunity to vote in a federal election is no answer to the loss of this particular democratic franchise. Until the sudden introduction of Bill C-18, Canadian farmers would have expected the requirements of s. 47.1 to be respected.

When originally introduced by a Liberal government in 1997 and finally passed in 1998, the intention of the bill introducing section 47.1 was to empower farmers with the necessary self-determination before the government could unilaterally or fundamentally alter the Canadian Wheat Board.

At that time it was argued, and I quote:

Throughout its history the Canadian Wheat Board has been governed by a small group of up to five commissioners, all appointed by the Government of Canada without any requirement that anybody be consulted and legally responsible only to the Government of Canada. But in today's dynamic

—this was back in 1997—

and changing marketplace, producers have made it clear that they want the Canadian Wheat Board to be more accountable to them. They want more control....

...empowering producers, enshrining democratic authority which has never existed before, providing new accountability, new flexibility and responsiveness, and positioning farmers to shape the kind of wheat board they want for the future.

The institution of the Canadian Wheat Board is considered so sacrosanct that codified in the statute is a mechanism designed to protect farmers from a government arbitrarily removing the strength and clout of an agency that markets and sells wheat and barley at the best possible price on behalf of all western Canadian grain farmers.

It is for this very reason that in his ruling yesterday Mr. Justice Campbell stated, and I quote:

I accept the argument that the CWB's democratic marketing practices are "significant and fundamental" because they are long standing, and strongly supported by a large number of the some 17,000 grain producers in Western Canada.

On October 18, Mr. Speaker, you spoke to your inability to rule on the legality of a bill, as it was the responsibility of the courts to decide. Well, now the courts have spoken, and just as we argued then, without first having consulted with the Canada Wheat Board and conducting the required plebiscite pursuant to section 47.1, the bill is illegal. These are exactly the circumstances that the member for Malpeque was rightly trying to steer this House away from: a situation wherein this House and its process is in contravention of the law, as is the participation by each of its members in such process.

According to the *House of Commons Procedure and Practice*, second edition, at page 111:

A Member may also be obstructed or interfered with in the performance of his or her parliamentary functions by non-physical means.

Not only have we debated and voted on a bill that was not in the proper form, but our participation and the bill itself are illegal, as the bill did not respect the rule of law, let alone the farmers it affected most. Introducing a bill that was not in the proper form and was in violation of the rule of law for failure to follow the process dictated by section 47.1 has obstructed and interfered with our privileges by non-physical means.

Our Constitution, which we are all collectively responsible to uphold, maintain and protect, is so much more than just a written text; it is also an organism that is responsive to a number of underlying quintessential elements, foremost among them the rule of law.

The government continues to argue with impunity that it need not be bound by the legislation of a past government and that Parliament is supreme. While I agree that Parliament is indeed the paramount Canadian institution, it too is subject to the rule of law. In this case, the process that the minister ought to have followed as set out in section 47.1 of the Canada Wheat Board Act. Given this abuse and other abuses the Speaker is now considering, such as the case before us for the member for Mount Royal, what further abuses can we expect?

• (1545)

At paragraph 67 of the Quebec secession reference, the Supreme Court wrote the following:

The consent of the governed is a value that is basic to our understanding of a free and democratic society. Yet democracy in any real sense of the word cannot exist without the rule of law. It is the law that creates the framework within which the “sovereign will” is to be ascertained and implemented. To be accorded legitimacy, democratic institutions must rest, ultimately, on a legal foundation. That is, they must allow for the participation of, and accountability to, the people, through public institutions created under the Constitution. Equally, however, a system of government cannot survive through adherence to the law alone. A political system must also possess legitimacy, and in our particular culture, that requires an interaction between the rule of law and the democratic principle.

Through any number of actions, the government time and time again demonstrates its willingness to abuse, ignore and delegitimize democratic institutions, be it the Speaker's contempt ruling of spring 2011, the thoroughly outrageous deceit it has spread in the Mount Royal area about its member of Parliament, or its complete contempt of democracy and the rule of law in dealing with the outcome of the Canadian Wheat Board.

At the end of every week, I go home to my constituents, as every member in this place does. We are accountable to them. If anything must prevail, regardless of our party's affiliation, we must be able to say to them that we followed the legal process. This is what we have fought and died for in other lands.

It is not too late for the Minister of Agriculture to appeal to the Prime Minister to ask the Leader of the Government in the Senate to suspend deliberation on the bill at least until the end of the proceedings of the appeal, because if he fails to do so and the Federal Court ruling is upheld on appeal, we shall again find ourselves in the same embarrassing, unfortunate and antidemocratic circumstances in which we find ourselves now. Should the subsequent ruling favour the Canadian Wheat Board, the government could finally and rightfully hold the farmers' vote that is so richly deserved by western wheat farmers; if it does not, then the matter can proceed.

Parliament is supreme—not the Minister of Agriculture, not the Prime Minister, not any one of the members opposite, but Parliament as an institution. Barring an immediate decision by the government to reconsider its ill-conceived actions, I urge you, Mr. Speaker, to find that the actions of the minister and the government, which Mr. Justice Campbell declared to be conduct which is “an affront to the rule of law”, have violated our privilege as members and have sullied the honour of this venerable institution.

Accordingly, I therefore submit, Mr. Speaker, that you should find the matter a *prima facie* case of privilege. I would be prepared to move one of the following motions: that the matter be referred to the Standing Committee on Procedure and House Affairs for further study and recommendations to the House, that a message be sent to

Privilege

the Senate to acquaint senators of the Federal Court ruling and ask that in light of this ruling, all action on Bill C-18 be suspended.

• (1550)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I should start out by correcting the hon. member for Guelph.

He misrepresented from the outset what Bill C-18 is all about. He said it was about dismantling the Wheat Board; it is clearly not about doing that. It is in fact about maintaining the Wheat Board in existence while providing to western Canadian farmers the same choice that farmers in his part of Ontario have, which is to choose whether to market to the Wheat Board or to other entities. I think it should be clear that this is what the bill is about. His representation is inaccurate.

I am a little puzzled by what he is seeking to do here. You have already ruled on this matter. I see no reasonable challenge to that ruling here.

In terms of the remedy he is seeking, he is asking that you, Mr. Speaker, request the Leader of the Government in the Senate to suspend consideration of this matter. I suppose this House could, if it chose to, pass a resolution making such a request if it saw fit to do so. I do not think it is your place, as Speaker, to seek to apply your jurisdiction as Speaker into that other place and pretend to tell it how its affairs should be managed. That would be inappropriate for you in your role as Speaker and in your jurisdiction as Speaker.

In fact, what is truly fascinating is that this entire point of order is on a matter that is no longer before us. It is a matter on which we are *functus*, if you will. It is a matter on which this House has already made its decision, made its determination, and the jurisdiction with it lies right now entirely with the Senate. Should it seek changes and send the bill back to us, we will once again have a functional role, but at this point in time there is nothing before us to decide. As a House, we have no jurisdiction to deal with this matter at all.

In terms of the core questions at stake, the fundamental constitutional question that he is seeking to challenge is that of the ability of this Parliament to legislate and that we cannot change laws. He is saying that if a law purports to pose obligations in the future for the changing of a law, those obligations are valid. In the previous ruling that kind of fettering of discretion was canvassed extensively, and obviously this Parliament maintains that jurisdiction to legislate.

Let us examine whether there are any consequences that flow from the court decision that was rendered in this matter.

I think we have to look at the decision. I do not know that the hon. member for Guelph took you through what it actually determined. However, the justice, in his summary of the issues, did state the following:

“The Applicants

—those being the people who brought the matter to court—

Privilege

—confirm that the validity of Bill C-18, and the validity and effects of any legislation which might become law as a result of Bill C-18 are not in issue in the present Applications.

It did not contest the validity of the bill or the validity of it to be before this House. In fact, a further statement is:

The Applicants make it clear that their Applications are no threat to the Sovereignty of Parliament to pass legislation.

Therefore the question of whether or this House could deal with it and whether it was appropriate for this House to deal with it was not even before the courts. The applicants confessed or acknowledged that it was fully within the jurisdiction of this House to deal with those matters, and that was not a decision. Should there be any confusion on that, one can go to the end of the decision. It is at page 21 of the decision of Justice Campbell. In that conclusion, he poses the question of the effects of his declaration.

He issued a declaration; he did not issue an injunction prohibiting Parliament from dealing with the legislation at all. He said that the applicants acknowledged it was appropriate for Parliament to deal with the legislation, but they did not dispute the validity of the legislation.

That raises the question of what the effect of his decision is.

He makes it clear that there are two meaningful effects of granting the declarations. The first effect is that to provide a meaningful opportunity for dissenting voices to be heard was the purpose of the legislation. The ruling says:

Judicial review serves an important function; in the present Applications the voices have been heard, which, in my opinion, is fundamentally important because it is the message that s. 47.1 conveys.

He said the court proceeding allowed those voices to be heard, and that is an important effect.

“The second and most important effect”, he says, “is that the minister will be held accountable...”.

He himself says that there are only two effects, and neither of those effects limits the ability of this House of Commons or of the Senate or this Parliament to pass legislation.

●(1555)

The section in question, section 47.1, is actually one that is being sought to be changed, to be repealed, in fact. Obviously, that would have no effect should the legislation be successful. The justice has clearly said in his decision that there is no effect at all on anything we are doing in this place.

Based on that decision itself, there is nothing new that my friend has brought to you, Mr. Speaker. I listened closely to his arguments. I did not see any authorities that suggested otherwise. I did not see anything that he could glean out of the decision that said we had to cease our discussions, and the Senate had to cease its discussions. No injunctive relief was provided in that regard. As a result, Mr. Speaker, I think the decision that you rendered in the earlier arguments on this matter fully satisfies the questions, and we are re-plowing the same turf all over again quite unnecessarily.

Mr. Joe Comartin: Mr. Speaker, I want to correct the government House leader, because his government obviously does not under-

stand the nature of the decision that was made, and quite frankly, the nature of the law on this point.

The Conservatives are absolutely right that a parliament cannot pass legislation that would prevent a subsequent government administration from passing laws to change that law or do away with it completely, but it can restrict subsequent parliaments as to how they do it. That is exactly what was done in the Canadian Wheat Board Act, and that is exactly what was found as being proper by Justice Campbell of the Federal Court in his decision yesterday.

The position the Conservatives are taking obviously shows a significant lack of knowledge and understanding of that legislative constitutional principle. I hear from the government House leader that he thinks it is stupid. It may in fact be stupid, but it is the law of the land, and the Conservatives do not get the opportunity to unilaterally break the law of the land. I think this actually would require a constitutional change in order for that principle to be altered.

Mr. Speaker, I am, however, cognizant of his argument that he makes with regard to your status as Speaker to rule on this matter. Obviously the statute is no longer here; Bill C-18 has passed and has gone on to the other house, and so it should lie in the hands of the Speaker there. I have to admit ignorance in this regard in that I do not understand the rules of the other place. I am not sure anybody understands its rules, quite frankly, but I admit that I do not. Whether there is jurisdiction in the Speaker in that place, I simply cannot say.

At first blush one might wonder what jurisdiction and authority you have to rule on this, since this House has passed the bill. I want to say at this point, Mr. Speaker, and I am reserving my right to come back to you tomorrow if I can find more on this, that your jurisdiction may lie in the fact of being able to say to the minister of the day, “Your conduct has in fact breached our privilege. You should have known the law of the land. Every government is supposed to know that. Either out of incompetence that you did not know or out of refusal to acknowledge the law of the land, you went ahead, placed the bill before the House, voted it through the House by your majority government, and that has now clearly been determined by the courts of this land to have been improper conduct, to be illegal conduct on your part”.

Mr. Speaker, your order then would be, because you do have control over that member even though he is a minister, to in effect cease and desist, to find the prima facie case. I think anybody can argue clearly that our privileges have been breached. Our reputations as members of Parliament have been breached very clearly. We are a laughing stock in the general public. The bill went through this House clearly by that decision, and I will not give the government any hope at all that it will be successful on appeal. The government will lose that appeal, almost certainly.

It is a simple finding of fact. The bill reads this way. The existing law reads this way. It fits into the constitutional framework of our country. It is not a substantive issue of law. It is simply a form, how this law is to be changed. The Conservatives are bound by that. Parliament is bound by that. Our reputation has therefore been damaged, the reputation of all of us.

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I will leave it at that point, but I would reserve the right to come back to you one more time, at least by tomorrow, if I can find more on it, Mr. Speaker.

• (1600)

The Speaker: The hon. member for Guelph had quite a lot of time to make his original remarks, but given that he seems to be indicating that it will be less than a minute, I will hear him very briefly.

Mr. Frank Valeriote: Mr. Speaker, this is in response to the comments by the government House leader.

First, Justice Campbell did not comment on the validity of Bill C-18 because he was not asked to. He made no comment one way or the other. Therefore, Mr. Speaker, you should not give any weight to the suggestions by the government House leader on that point.

Second, no injunction was granted because no injunction was sought. Mr. Speaker, you can give no weight to that comment by the member opposite.

Third, and this is the point I made very briefly, the government has an obligation to follow the law if it is changing the law, just as surely as it has an obligation to follow the rules of this House and all procedures associated with it when we are making new laws.

Those are my three points and I thank you again for your indulgence, Mr. Speaker.

The Speaker: I suppose fair is fair so the hon. government House leader has a brief opportunity to speak.

Hon. Peter Van Loan: Mr. Speaker, I wanted to respond to two new points that were raised by the opposition House leader.

The first is simply with regard to the appeal of this matter. I tried not to re-litigate the appeal before us but I would say that we simply do not accept the notion that this Parliament's powers can be, as section 47.1 of the statute indicated, delegated to other parties, particularly parties that are so vague and open to interpretation. That is what, of course, section 47.1 seeks to do. I certainly part ways with the member on the prospects for success on appeal.

On the second issue, with regard to the question of the conduct of the minister, I would ask for an opportunity for him to come back and speak to that himself.

The Speaker: I thank hon. members for their interventions.

Orders of the day.

GOVERNMENT ORDERS

[*English*]

POLITICAL LOANS ACCOUNTABILITY ACT

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC) moved that Bill C-21, An Act to amend the Canada Elections Act (accountability with respect to political loans), be read the second time and referred to a committee.

He said: Mr. Speaker, I am pleased to have this opportunity to continue with our democratic reform week and begin the debate on Bill C-21, the political loans accountability act. The bill is another

one of our government's long-standing commitments and I am happy we are moving forward on it today.

As we have shown with previous bills, our government is pursuing a principled agenda to strengthen accountability and democracy in Canada. In this case, we are addressing the rules respecting loans to political entities.

Currently, there are no limits on loans that corporations, unions, or wealthy individuals can grant to political entities. It is unacceptable that the political loans regime does not meet the same standards of transparency, accountability and integrity expected of the average Canadian. Hard-working ordinary Canadians are expected to pay back loans under strict rules, whether it is for starting a business, going to school, or purchasing a home, and the same rigorous standards should also apply to politicians.

As it stands, there is a loophole in political financing legislation. We are addressing the loophole with this bill.

Our government, in its first bill in 2006, established strong standards for political contributions in the Federal Accountability Act. The act eliminated contributions by corporations and unions. It changed the rules to ensure that politicians would not be beholden to those with deep pockets and unions or corporations that give too much money. However, our law still allows those with deep pockets to lend too much money. The rules concerning political loans should be consistent with the rules for political contributions.

One major issue regarding the treatment of loans in the Canada Elections Act is the loophole in the current standards that fails to impose restrictions on the source and the amount of political loans in a way that is consistent with the rest of the rules for political financing.

A second important issue that our government seeks to address is the inconsistency in transparency requirements for political loans. As it stands, the inconsistencies on how political loans are treated unduly complicate the enforcement of the Canada Elections Act and do not provide for consistent transparency across the Canadian political finance regime.

This lack of rules may result in loans being used as de facto contributions. Clearly, it is a situation where politicians could be beholden to those who lend them large sums of money instead of being beholden to those who brought them into office with votes. This is unacceptable.

By limiting the amount of a loan a candidate or another individual can make to fund political activities, the political loans accountability act would increase integrity in the political loans process by ensuring that all candidates are on a level playing field, regardless of their personal wealth or their connections with elite interests.

The bill would also ensure that members of Parliament are accountable to their constituents first by removing the opportunity for undue influence by unions and corporations on elected representatives.

Government Orders

However, the bill would also ensure that parties, associations and candidates will continue to be able to secure sufficient financing for their electoral campaigns. Political entities will be able to borrow money from a wide range of financial institutions, including trust and loan companies, credit unions and insurers.

The bill is consistent with a recommendation from the Chief Electoral Officer of Canada. It reflects a legal approach to political loans already in place in several provinces, including Ontario, Quebec, Manitoba, Alberta, and Newfoundland and Labrador.

To fully highlight the practical benefit of our proposed measures, I would like to discuss some of them in more detail.

The Federal Accountability Act established fixed contribution limits for individuals and completely eliminated contributions from corporations, unions and associations.

Following the passage of our flagship Federal Accountability Act, the Standing Committee on Procedure and House Affairs asked the former chief electoral officer to prepare a report on political financing issues with recommendations respecting the use of loans.

● (1605)

The Chief Electoral Officer's report was submitted in January 2007 with respect to the existing rules on political loans. He acknowledged that:

While Parliament has imposed an extensive regime to control the source and extent of contributions, it has not done so with respect to that other source of funding constituted by loans.

The Chief Electoral Officer suggested that loans to political entities by lenders that were not in the business of lending ought to be restricted, because such loans granted at non-commercial rates at terms and conditions that were available to the general public and without expectation of repayment may lead to the perception of abuse and undue influence by those with the financial means to grant these loans.

To prevent such abuse or unfair influence by those wealthy entities with the ability to make large loans or any perception of it, the Chief Electoral Officer made the following recommendations: that the limit on loans be made by individuals should be to their contribution limit; that political entities may borrow money in excess of the contribution limit only from financial institutions; that all loans by financial institutions be at commercial rates of interest; and that a separate regime for the treatment and reporting of loans be established in the act.

In response to these recommendations, our government introduced the political loans accountability act, which had it been adopted would have regulated the use of loans by political entities to ensure full disclosure and greater accountability in the financing of political campaigns.

This legislation was passed by the House of Commons as Bill C-29 in 2008 and was awaiting second reading in the Senate when Parliament was dissolved for the 2008 election.

The legislation we are discussing today is substantively the same legislation as passed by the House in 2008 as Bill C-29. Our government worked collaboratively with opposition members to

pass Bill C-29, which was awaiting second reading in the Senate when Parliament was dissolved.

Some changes have been incorporated from its original version. For example, the bill now would exclude from the annual contribution limit any portion of a loan that was repaid to the lender and any unused loan guarantees, as proposed by our government during the committee's study period.

It would require the Chief Electoral Officer to hear representations from affected interests before making a determination about a deemed contribution, as proposed by the opposition.

It would establish contribution limits for leadership contestants on a per calendar year basis rather than a per contest basis.

These amendments demonstrate that our government developed the political loans accountability act in a collaborative spirit with opposition parties throughout the process. Indeed, when the political loans accountability act was introduced, with the amendments above during the last Parliament, in 2010, there was widespread support in the House, including among the NDP, for the updated bill.

We think these incorporated changes make the bill even better. The act we are discussing today is the reintroduction of this updated legislation from the last Parliament.

Here are some of the important changes brought by our bill to Canada's political financing regime.

The bill would establish a uniform and transparent reporting regime for all loans to political parties, associations and candidates, including the mandatory disclosure of terms, such as interest rates and the identity of lenders and loan guarantors.

Unions and corporations would be banned from making loans to political parties, associations, candidates and contestants, consistent with their inability to make contributions as set out in the Federal Accountability Act.

Total loans, loan guarantees and contributions by individuals cannot exceed the annual contribution limit for individuals established under the Federal Accountability Act, which is currently \$1,100 in 2011. Only financial institutions and other political entities can make loans beyond that amount. Loans from financial institutions must be at fair market rates of interest.

● (1610)

Rules for the treatment of unpaid loans will be tightened to ensure candidates cannot walk away from outstanding loans. Riding associations or parties will be held responsible for unpaid loans taken out by their candidates.

By prohibiting loans from unions and corporations and requiring that loans from financial institutions be granted at a market rate of interest, this bill would prevent corporations and unions from doing indirectly, through loans, what they are now prohibited from doing directly through contributions.

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Together with the Federal Accountability Act, this measure will no doubt yield more fairness for electors. Politicians will now have to seek financial support from voters, not corporate entities or special interest groups. Politicians will be entirely accountable to voters as opposed to corporations or union interests.

Requiring a fair market rate of interest will allow all parties and candidates to be on an equal playing field by no longer allowing situations whereby favourable or entirely unknown terms of loans are granted without transparency. This change will also serve parliamentarians, riding associations and parties by protecting them from perceptions that they might be indebted to unions or corporate interests.

In addition, our government believes it is unfair that a candidate can walk away from his or her campaign debts. Everyday Canadians are expected to pay back their loans under strict rules, and the same should apply to politicians. This is why our bill proposes to transfer a candidate's unpaid loans to riding associations. This will ensure that the money borrow will be repaid.

Another important impact of the proposed bill will be to subject loans made by individuals to their contribution limits. This measure will prevent the current ability to bypass a contribution limit by lending large amounts of money without any expectation of ever being reimbursed. This measure will ensure greater accountability to citizens and enhanced transparency and integrity in our political financing regime.

The last, but not least of these changes that I want to discuss today is the increased transparency requirements for loans to all political entities. From now on, all loans will need to be recorded in writing and reported to Elections Canada. This change will increase transparency, especially in the case of candidates and nomination contestants who currently have only limited disclosure requirements. Putting in place effective transparency standards for candidates and nomination contestants will allow Canadians to know who is financing their campaigns and under what terms. I think these measures will find wide support in the House of Commons and among Canadians.

I would like to emphasize how the bill, in conjunction with the Federal Accountability Act, democratizes the political financing regime by focusing on grassroots voters. Wealthy individuals will be unable to bankroll their own campaigns by making large loans to themselves. Candidates will be unable to rely on a small number of wealthy contributors to finance their campaigns. They will instead need to seek support from those they wish to represent in the House of Commons.

Lending will not be limited to banks. Indeed, there will be a wide range of financial institutions still able to provide loans. What the bill does is preserve the important role for small community lenders and financing grassroots political campaigns, such as families, friends, supporters, credit unions and caisses populaires. By making political parties and candidates dependent on their supporters for financial support, parties and candidates now have a greater incentive to be responsive to the average Canadian.

What I hear from my constituents, and indeed many more Canadians across the country, is that they do not want to see parties

and candidates using large loans from wealthy individuals, corporations, or unions to finance their campaigns. Large individual contributions are not permitted, so large individual loans should also not be permitted. Corporations and unions are not permitted to donate to federal political entities, so corporations and unions should be unable to loan large sums of money to political entities.

• (1615)

When our government was elected in 2006, we made the Federal Accountability Act our first priority, which among other things tightened the contribution limits to ensure corporate and union interests and wealthy individuals would not unduly influence politics.

With the introduction of the political loans accountability act, we are building on our flagship Federal Accountability Act by bringing greater transparency and integrity to political loans. The bill would strengthen Canada's political finance regime, already one of the strongest political finance regimes in the world. This is good news for Canadians and for the political process.

I encourage all parliamentarians to vote in favour of the bill.

• (1620)

Mr. David Christopherson (Hamilton Centre, NDP): Madam Speaker, for the most part, the official opposition is generally supportive of the general direction of this legislation. It is our intent at this point, unless we have reason to change our opinion, to support the bill at second reading and send it to committee. It is at committee where I would like to pose my question.

I do not know whether the minister knows or not from talking to his predecessor, but discussions were held in the last minority Parliament when the government was looking for our support to carry this legislation. One of the areas that was a problem in that draft legislation, and it remains a problem in the bill, was the treatment of loans for riding associations once they had a candidate, and I will use myself as an example.

Mine is not a rich riding in terms of demographics. We always have to borrow money through a line of credit and it always takes us the whole term to pay it back. We seem to pay it off just in time to get another line of credit for the next campaign. That is just the nature of my riding, because it is made up of mostly working people who do not have a lot of money to contribute to politicians. They contribute what they can but it is not a lot.

If I am interpreting Bill C-21 correctly, we will be in a situation where to get a \$20,000 line of credit, after a candidate has been chosen and the election is either about to be called or has been called, it will take 18 to 20 people at a contribution of \$1,100 each, because that is the maximum, to back it up. Given that it is a political loan, banks often want dollar for dollar collateral. Using the round number of 20 people, that is a lot in terms of contributions. That money is then tied up for the campaign and cannot be contributed.

Is the minister willing to roll up his sleeves and look at making some changes in this area?

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Hon. Tim Uppal: Madam Speaker, I thank the member for his support of the general principle of the legislation because it is important that we pass the bill and get it to committee. I would be happy to appear in front of committee to discuss the bill at that time as well.

In regard to his specific question, it is important that we limit the amount of the guarantee that can be given to a loan to the same amount as a contribution limit. The contribution limit in 2011 is \$1,100. Anything more than that, especially if it is not paid back, would be deemed to be a larger contribution, essentially a de facto contribution. This is an important principle of the bill. I would be happy to discuss it further, but it is important that we limit it to the amount that anybody is able to make.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, I hope the minister will be as precise in answering questions as he was in his speech.

I have two questions for the minister. What criteria will financial institutions use to decide if it will lend money or not? Is the minister saying that it is more moral for legitimate financial institutions to give a loan than it is for a citizen?

Hon. Tim Uppal: Madam Speaker, it is up to the banks to make that decision on how they will make the loan or if they will make that loan. We as a government cannot tell a bank what criteria to look at when it makes a loan to many different types of candidates. It could be a nomination contestant. It could be a contestant in an election who has already been nominated by the party. It could be a leadership contestant, possibly the front-runner or possibly a person who has no chance of winning at all in the minds of the bank. This decision needs to be made by the individual bank.

It is not just banks. It is also insurers and credit unions. A number of official institutions would make those loans as long as they were open and transparent about the terms and conditions and who the guarantors would be for that loan. One's family, friends and other individuals can guarantee the loan to the maximum contribution limit.

The bill is about bringing more accountability and transparency to the entire political financing regime.

• (1625)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Madam Speaker, just a comment on the whole question of the ability and the availability of candidates and their EDAs to get loans from financial institutions.

I have been in the same situation in my early political life as my colleague, my friend from Hamilton Centre was, inasmuch as we did not have a lot of money in my EDA. We found it very difficult to raise money, in the early days. However, I found quite quickly that banks and other financial institutions, quite frankly, feel a responsibility to help the democratic process.

That has also been bolstered by the fact that they know that 60% of a candidate's return could be assigned to the banks. In other words, as a candidate, if I received over 10% of the votes cast in my riding, I would receive 60% of my eligible expenses. That just

usually is assigned to financial institutions, which gives them quite a bit more confidence that the money can be repaid.

I ask my colleague, the Minister of State Democratic Reform, does he believe, because of the current situation on reimbursements to political parties and candidates, this would be an asset to candidates seeking loans from financial institutions?

Hon. Tim Uppal: Madam Speaker, I thank the parliamentary secretary for his question and insight into this issue.

Absolutely, the return for candidates who receive that level of voting, 60%, is some insurance to banks. However, at the end of the day, political parties can loan money to an electoral riding association or other EDAs can also loan money to another riding association. So, between political entities, loans can be made.

There is ample opportunity for Canadians to be a part of the political process where financing will not hinder them.

This bill would actually level the playing field and bring everybody down to the same level where corporations, big unions and wealthy individuals do not control the agenda. It is Canadians who have an opportunity to become part of the political process.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, it seems to me that the minister has just told us that he is going to give a lot of power to the financial institutions, varied as they are, to decide whether the campaign of somebody who is just starting out is viable or not. Let us say it is a \$20,000 loan and a candidate has lined up 20 people, each guaranteeing \$1,000. Even in that case, the financial institution is going to have to do a lot of paperwork. It is going to eat up any profit that the financial institution is going to make.

So, does the financial institution provide that loan or not? Maybe it wants to be nice to a candidate and will eat the clerical costs that would wipe out the profit of that loan. Frankly, it is clear to me that in these cases, the banks are given power to write off some expenses and make some candidates' campaigns financially viable right at the early, critical stages and to not support other candidates.

Do members know the kinds of candidates who will not be supported? Female candidates, I think, would be hurt by this kind of legislation, and it would hand power and discretion over to financial institutions.

Hon. Tim Uppal: Madam Speaker, the fact is that we as the government made a commitment to Canadians that we would close a loophole in our political financing regime. We were the government that brought in the Federal Accountability Act that cleaned up the political financing regime in Canada. Now we are building upon that by closing this loophole.

The fact is that it is not only banks but also insurance companies, credit unions and other institutions that can provide these loans. Also, these loans can be provided by another electoral district association, by the party, or by family and friends.

Government Orders

This bill would actually level the playing field for all Canadians to get involved in politics. It would take the power away from wealthy individuals, corporations and unions.

Mr. David Christopherson (Hamilton Centre, NDP): Madam Speaker, I appreciate the opportunity to enter the debate. Let me first of all say that the reason why we are supportive of this is because there is a problem. We see the problem and I am not going to make this any more partisan than it sounds, that is not my intent, but merely the reality.

The leadership race that the Liberal Party had left huge debts. It would seem that some of those debts are not going to be paid off. If that is the result and a candidate was backed by individuals, effectively right now those individuals bankrolled a big part of the candidate's campaign and by virtue of just never paying it off, put that money forward, and did exactly what we are trying to avoid which is single individuals, single corporations, and single unions from providing tens, possibly hundreds of thousands of dollars to one candidate.

I agree with the minister in acknowledging that there is a problem. We accept that the minister is going in the right direction. That is why again, as always, we say we need to see the details at committee. We do have some concerns. It has been raised once and it will be raised again by both opposition parties. The minister is saying that there is no need to put any regime around banks or credit unions in terms of who they will loan to and who they will not. That could create a serious problem. If we are only allowing the money to come from one or two places, and those places are not democratized in terms of what the rules are, in terms of who they will lend money to, one does not have to be a political scientist to see the problem.

I would hope there would be some room and latitude to talk at committee about what kind of regime might be in place, what kind of safeguards could be in place, and maybe there is a backup by the government, maybe there is a role there. But any possibility where we are narrowing how Canadian citizens can raise money to participate in our electoral process, we need to ensure that not only is it fair but that we can actually access the money regardless of our political platform.

For the most part the platforms here are not scary. Some might argue the point from our different perspectives. But in a world view, I think members know what I am saying when I use that phrase.

If there is a legitimate, legal party that might have policies that scare certain segments of the population and part of that segment of the population could be the banks. It does not take a whole lot of analysis to realize that if a bank can find a way to legally, legitimately and free from harm say "no", it is probably in the bank's interest to ensure that a party that has a platform that would hurt the bank would be helped by that bank to get more votes, and ultimately become the government that is then going to bring in rules and a regime that the bank thinks is not in its interest.

Hon. Stéphane Dion: I applaud.

Mr. David Christopherson: I am thrilled that the member is applauding. Really, it just warms my heart.

We want to have a look at that. We think that is a valid point. There may be other points coming from the third party since it is the

example we are using of why we need to have a loophole. That needs to be taken into account, but again, regardless of how many times he heckles me these days, I have the greatest respect for the democratic reform critic for the Liberal Party. I believe that when we get to committee and if the minister is open-minded, we can start to do something about this.

However, I say to the minister, leaving some potential political parties vulnerable to not being able to access enough capital to mount a campaign is as undemocratic as allowing people with tens of millions of dollars to bankroll their good buddy. We need to be talking about that.

• (1630)

There is another real problem and I am going to come back to it again. I heard the minister's response when I asked if the Conservatives wanted to make it fair and keep it on a level playing field, but, quite frankly, how fair is it in a riding like mine where there are not as many wealthy people? I know the difference. When I was an MPP, my boundary ridings changed for a while and my riding encapsulated a part of the city where the demographic income was much higher. Boy, did it make a difference. Now I am back to my old boundaries and the standard problem. I would not raise it as a complaint other than it is in the context of this debate.

Is it really fair for an individual candidate? For instance, I did this in the last campaign, and again I will use myself as an example so nobody will think I am playing any games. I bankrolled my campaign with my line of credit and my house. That was not an institution or an individual, that was me as the candidate putting up my house as collateral, whereas this bill would have me go out and line up 20 or 30 people, each one having to put out \$1,100 and my riding association would be denied that \$1,100 because it is tied up backing up the loan.

Our point at committee is going to be whether there is some way that individual candidates can back up their loans, as I did. Then, after the election, my books were cleared up and the loan was transferred over to the riding association, but still backed up by my home. We may have to talk about what would happen in the case where a candidate does not win the seat and may move away, but those are still issues dealt with in any kind of collateral arrangement with a financial institution. They should not be so overwhelming that we cannot get over it.

I am kind of arguing the opposite of where I am coming from, which is to stop money from having an influence, but is the democratic process really harmed in terms of the financing of elections by virtue of me backing up a \$20,000 or \$30,000 line of credit with my own home? Not everybody has a home. Granted, it still has problems, nothing is perfect. The circumstances may be different, but could a close relative do that? Is there a way that we can do this, so that it does not create an unfair disadvantage to those of us who do not have wealthy demographic ridings?

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This law does not matter much if someone has \$100,000 in the bank. I believe there are some Conservatives and Liberals that do. I would be shocked if any of my colleagues did. They may, I am not aware of it, but I do not think it is that unusual on that side of the House or for some of the Liberals to have that kind of money, and so it is not a problem. I bring that as an element of fairness for us to look at, to see whether we can come up with a regime that meets the standards that the minister has set out but still allows fairness for individuals running for office.

My last point on this is that it may sound like \$1,000 from 20 or 30 people is not a big deal. However, this is real world stuff. Does anyone know how difficult it is to find 20 or 30 people who have that kind of money to spare? Again, it may not sound like a lot to members in this place, but for many of my constituents, that could be all of their savings. Then a candidate has to co-ordinate the timing. Those 30 people have to go in and sign the documents before the candidate gets the money, which means time is lost, time when the campaign is going on. The candidate's opponents are already up and running and the candidate is still running around trying to get signatures 26, 27, 28, 29 and 30, so he or she can get a line of credit and get his or her campaign up and running.

Moving from a situation where I back up the loan with my home, and that is the way I have done it since I got here, versus the other way really is a huge disadvantage for some of us. I am hoping that we will be able to take the time to look at that.

• (1635)

I know my time for debate will expire, as it goes quickly. I do want to get my dibs in on the discussion about electoral reform. The minister used some very lofty language in his news release:

The current rules on political loans do not meet the high standards of accountability, integrity and transparency that Canadians expect in their political process.

That is all well and fine, but one of the most progressive steps, and government members should get ready to howl, that was ever taken in this place toward making elections fairer was providing the per-vote subsidy.

Some hon. members: Oh, oh!

Mr. David Christopherson: I told you, Madam Speaker. They are a little slow off the mark. They should have been quicker on that one.

I want to say to the hon. members across the way that I participated in an election observation mission in Morocco in the last few weeks. What is one of the most important things to the people of Morocco? It is a struggling, emerging democracy in northwest Africa. One of the most important components they felt they needed was subsidies for political parties from the public purse to level the playing field.

When the government talks about a level playing field, it is often like we all have the right to live under the bridge, that old example. When we stand back and look at the macro picture, at the end of the day, money will play a bigger role in Canadian politics after the government than it did before. That is wrong.

I have given, at every opportunity, former Prime Minister Jean Chrétien as much credit as possible. I think the president of his own party used the expression, that was about as dumb as a bag of hammers. Why? Because the Liberals used to get all their funding from corporations. That was to be set aside, in large part, and replaced with the subsidies.

That was a good thing to do. It did make our democracy better. I have had the chance to participate in six or seven election observation missions. Anyone who is involved in elections around the world either has that component, or the one thing they desperately want is to get private money out of their political system and replace it with public funding. They are either doing this because they know it is important, or they want to because they know the damage and corrosiveness that money can play in a democratic system like ours.

My next comment will be on the same quote, when the minister used the word “accountability”. I love this. When the Conservatives say that word a lot, I want to bring into the broader discussion, to put the context of Bill C-21 in a more enlightened form, that under their new elect-the-senator bill, there is no accountability.

In fact, the senators would be prohibited by law from being accountable because they would run on a platform of promises, as we all do. They would serve nine years, which we do not. If we look at the model all of us here live by, if we want to stay in office beyond our term, we go back to the people and say, “Here are the promises I made. Here is what I did, what I said, how I voted. Now I ask you, my boss, how did I do, and do I deserve to get rehired or re-elected for another term, yes or no?”

However, elected senators, and I use that term loosely, would be prohibited by law from running again after nine years. Where is the accountability? There would be no accountability at the beginning, only promises. There would be no accountability in the middle. They would not even have constituency offices so they would not even be meeting Canadians, never mind being accountable. At the point when they should go back at the end of their terms, they would be prohibited by law from running again. Where is the accountability?

The minister also said in that same quote, “integrity”. That is pretty rich, coming from the party that gives us the current Minister of National Defence.

• (1640)

The last point is on the Conservatives' use of “transparency”. We do not need to look any further than today's question period and the Canada-U.S. border plan. We do not even know what is in the plan. It may be taking away massive amounts of Canadians' rights.

I raise all of that because the minister sets all these standards and uses these lofty words in his news releases. When we start to analyze piece by piece what the government is doing, it is undemocratic reform on a whole host of files. The words “accountability, integrity and transparency” are the last ones that Canadians are thinking of when they look at the actions and the agenda of the Conservative government.

I will end there. We are in support of closing the loophole. However, we think that there is some improvement needed to make our system stronger.

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We have some serious concerns about having banks and other financial institutions as the only ones that can provide capital, with no requirement to actually provide it to all parties no matter what the circumstances. That is a huge problem, but it is solvable. I believe, if we wanted to, we could find ways to bring in conditions that would be acceptable to everyone concerned and make that aspect even fairer.

We hope that we can do something about the requirements for 20 or 30 people to get that initial line of credit. Here is one idea. One could be allowed to spend up to a certain percentage of the maximum. If one's limit were \$100,000, one might be allowed to borrow up to \$40,000 or \$50,000 on the signature or collateral of the candidate.

I am sure we could find a regime that would still meet the goals of the government to level the playing field in terms of money, but also to make sure that our election laws apply equally across the country. The laws should not give an advantage or disadvantage to one's opponents in a general election or byelection.

If these concerns are not resolved, then there is no guarantee what position we will take at third reading. However, with those caveats, we are prepared to support the bill going to committee.

I hope the minister will allow us the same flexibility and tone that we had when we reviewed the previous bill, which we are voting against. The process at that committee was certainly as fair as I could have hoped for. At no time did I feel that the government was using a hammer to shut down democracy. I hope that we can look forward to the same relationship at committee on this bill. I hope we can make the improvements we need as well as look at other improvements to make it even better.

I always say that on bills like this, the ideal would be if we could all be standing in support of it. Would that not say a lot about a good piece of election law?

That is our goal; that is our position. We will see what happens.

•(1645)

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Madam Speaker, it has been good to work with the hon. member. We will have good discussions on this bill.

The member raised the point about how some people have a house that they could possibly get collateral on, but others may not. He then said maybe a relative could provide a loan. Where does it stop? Where would those guidelines be?

The fact is, we are trying to stop wealthy individuals who have the ability to provide a loan but then have no real expectation of repayment.

For some established political parties, there is a possibility that the individuals could get 60% back on their cost. However, there are other political parties which do not have a chance of getting anywhere in an election. What if one of those candidates were to borrow money under the member's plan and then just walk away from the loan? Where does it stop?

At the end of the day, we need to have rules and guidelines. The bill that we presented has accountability and it is transparent. It says

that the maximum one could borrow is the amount one could contribute. Anything over that would be considered a contribution.

I ask the member, how would he solve that issue?

Mr. David Christopherson: Madam Speaker, I thank the minister for staying, listening to my remarks and asking a question.

I am disappointed to hear that answer. What I heard was a defence of the bill. That is not the attitude we are looking for.

I was doing, for a moment, the kind of work that we do at the committee where we deal with these laws. I see my colleague has been working on a couple of the pieces of legislation and projects now for two or more years.

I enjoy working with the hon. member. He is very tough, but he is very fair. He is an hon. member and a good parliamentarian. However, when I give an answer like I did on the floor just now, I expect a response that says, "Well, I hear you on that. Is there a way we could tie it all in?" I may not have a perfect answer right now, but if I had all the perfect answers, I would not be here. I would be somewhere else.

Collectively, we can tie it all in. I am just disappointed the minister was being so dismissive. If the smart minds who want to work together rather than score political points on each other would turn their minds to that, we could find a way to solve our problem.

I hope the minister does not become so entrenched with, "It is my bill. It has to be my way or no way." That does not get us anywhere. I really think there is an opportunity here, in talking about election laws, to come up with rules that are fair for everyone.

I was trying to suggest to the minister how we could approach that. I was disappointed in his response. I hope he will get back on his feet and indicate that that is not how he sees any kind of potential dialogue going on. I hope he will be a little more open-minded.

•(1650)

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, I want to tell my colleague that I agree with 95% of what he said.

I am puzzled by his conclusion, when he said that he has caveats with the bill. In fact, he is strongly questioning the core of the bill. For instance, he said that we should not give the financial institutions this kind of extraordinary power to pressure politicians and parties, but that is exactly the purpose of the bill.

The bill stipulates that citizens will not be allowed to give any loans, but financial institutions will. Why does he want to give this monopoly of power to financial institutions, big money in some ways, and ask them to have a political role they do not want?

Is it because the NDP is no longer socialist but social democrat? I expect the NDP will vote against this bill.

Mr. David Christopherson: Madam Speaker, the first thing I would say is that if my colleague wants to have that much influence on the NDP caucus, we could find him a seat here. Then he would be welcome to attend meetings.

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I do appreciate and respect that the hon. member has said he supports 95% of what I said. That is a good start. However, if the member wants to ratchet things up a little, I am game for that.

The fact of the matter is we do need change. The Liberals are more interested in leaving things the way they are because that has worked so well for them over the years. They have lots of rich friends who can bankroll their buddies. The reason we even have this bill in the first place is that in their leadership campaign, there is an issue of hundreds of thousands of dollars that have not been paid back. We in the NDP do not accept that.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Madam Speaker, it is always a pleasure to listen to comments from my colleague from Hamilton Centre.

I have to reciprocate. Not that this was supposed to turn into a lovefest here, but I do appreciate the work that the member for Hamilton Centre has produced at committee. In discussions, we are not always on the same page. We end up, from time to time, agreeing to disagree. I do believe that the member has the best interests of this bill at heart when he says that he believes there should be some changes.

I do not think I am going to end up agreeing with him on some of those points, but I do want to make a comment and ask the member to comment on one of the points he made that did not directly deal with Bill C-21.

The member talked about the need for public subsidies, public financing of political parties. I believe that we do not need that. We have so many other avenues through which the public can receive benefit. For example, as we all know, anyone who contributes \$400 gets a 75% tax credit. There are also rebates to political parties and candidates.

I believe one of the fundamental aspects of democracy is, if people are running for political office, they should find support from like-minded people who wish to provide financing because they believe in the candidates and the democratic process.

I would ask my colleague to comment on that, please.

•(1655)

Mr. David Christopherson: Madam Speaker, I would answer the member this way. If the government was all that concerned about not wanting tax subsidies to go in, why did it not go after the other tax credit part? Why did it not go all the purist way? Why? Because if we look at the numbers, I believe, and I stand to be corrected, it got more money back from that than it did from the subsidies and what it got back was more than all of our subsidies combined.

Conservatives want to have subsidies as long as they works for them. What they do not want to do is leave subsidies in place that help all democratic parties. They do not want to be that democratic.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Madam Speaker, I would like to thank the hon. member for his presentation. I thought it was very interesting.

The bill is interesting even though it has some shortcomings. Today, it seems that the government is focusing on opening the door

to major corporations so that they can have a rather considerable weight in the democratic process.

Clearly, we have to change the way representation can be done in our country. I am intrigued by what my colleague said in his presentation. He said that we should give some serious thought to the demographic issues raised in the bill. For example, women in Canada are disadvantaged if we compare their situation to that of men. Could he expand on how we could improve the participation of women and change this bill to make more room for women?

[*English*]

Mr. David Christopherson: Madam Speaker, my macro answer is this. Bring in proportional representation and we could correct a whole lot of problems that exist in our democracy right now. That is the cornerstone of where we ultimately think we need to go.

We know the other two parties do not agree, but proportional representation would do more to advance the interests of true democracy, to have every vote really matter, to have the voices and opinions that exist in our country reflected in the House, to have more women, more aboriginal members, more minority groups, more disabled groups. There are all kinds of people who are either not represented here or not represented sufficiently. Proportional representation is the answer to that.

I suspect this bill will not take us far enough to do that, which is why whatever we do to the bill, it has to be in the context of recognizing proportional representation and getting rid of the other place. These are the kinds of things that will bring real democratic reform to Canada and to the House of Commons. Those are the things that we will push when we get over there.

[*Translation*]

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, although the Liberal opposition agrees with a number of the aspects of Bill C-21—I am going to repeat my sentence from the beginning because the minister was not listening.

Although the Liberal opposition agrees with a number of the aspects of Bill C-21 to amend the Canada Elections Act in terms of accountability with respect to political loans, we cannot support the bill in its present form because it contains a major defect. It gives financial institutions exclusive political authority that they should not have, that they do not want, and that will have the effect of discriminating against a large number of people, especially women. I first want to highlight the aspects we support, then the ones we do not support, before I propose a constructive amendment.

We support any legislative measure that seeks to ban the hidden power of money in politics. We also support any legislative measure that provides greater fairness and greater transparency in making loans for political purposes.

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[*English*]

The Liberal Party strongly supports efforts to increase fairness, transparency and accountability in the electoral process. After all, we are the party that initially passed legislation limiting the role of corporations and unions in electoral financing and lowered contribution limits.

No loans should be made in secret and Canadians should not be kept in the dark. This is why under current legislation the details of all loans, including amounts and names of lenders and guarantors, must already be disclosed publicly.

We agree that all loans to political entities, including mandatory disclosure of terms and the identity of all lenders and loan guarantors, must be uniform and transparent. These rules should encompass loans, guarantees and suretyships with respect to registered parties, registered associations, candidates, leadership contestants and nomination contestants.

Thus we agree that financial reporting should be as transparent as possible, which is why we support clauses 5, 11, 25 and 32, which require disclosure of information regarding loan amounts, interest rates, lenders and dates of repayment.

However, we also favour transparent rules that guarantee the right and ability of all Canadians to run for office. It is a fundamental principle of democracy that all Canadians of voting age must have the opportunity to run for office.

In consequence, financial institutions should not be put in the position to decide who can run for office. Yet the bill would give financial institutions too much power to decide who would receive political loans, a power that would expose them to accusations of politicization and discrimination, real or perceived. Making banks the sole lending authority under clause 7 could potentially limit participation in federal politics to only those who would be able to gain credit from a financial institution, as defined under the Bank Act.

It would be a serious mistake to limit to financial institutions alone the ability to make loans beyond the annual contribution limit for individuals.

It would be a mistake to enable these companies to play a political role in deciding who would receive loans and the ability to marginalize certain applicants who did not fit particular criteria, or to discriminate against them.

• (1700)

[*Translation*]

Bill C-21 gives financial institutions a monopoly on decision-making that is completely contrary to the democratic values and principles of Canadians who do not want access to public services to be linked to a prospective candidate's financial status.

There is a fundamental difference between asking for donations or loans from people by appealing to their sympathy for the ideas or the qualities of a prospective candidate and lining up at a counter in a bank where strictly commercial lending policies are applied. You do not buy your way into a life of public service in the same way that you buy a washing machine or a snowmobile. We must not give

Canada's financial institutions a political weight that they should not have and that they do not want, an unprecedented role that is dangerous on several levels. The role is dangerous for the institutions themselves. They are at risk of being accused of political favouritism or of discrimination in one direction or in another, either by turning a candidate down for a loan, or by approving one. They are damned if they do and damned if they don't, as the saying goes.

That is indeed a risk that financial institutions cannot allow themselves to take in these troubled times, when the financial sector is under the glare of the media and the scrutiny of citizens and a whole host of political and socio-economic groups. The reputation, independence and freedom of action of these financial institutions are essential to the proper functioning of our economy, our society and our democracy. The exclusive power that Bill C-21 grants them thus presents a twofold problem, a problem of perception and a real risk, the danger of politicizing our financial institutions and a risk of discrimination involving these loans.

Let us for a moment look at the criteria the banks would use to determine which candidates they would or would not lend money to. They could use a purely financial criterion based on the personal solvency of the candidates, which would favour the rich to the detriment of everyone else; or they could do a risk assessment based on the political probability that the candidate would obtain sufficient support, which would translate into a sufficient number of yearly contributions of less than a \$1,000 in order to reimburse the loan. What this means is that we are asking financial institutions to make political judgments. Those institutions could even assess the probability of the candidate getting elected, and see that outcome as increasing his or her solvency. With all of this, we would be politicizing our financial institutions.

Let us now look at the problem of discrimination.

• (1705)

[*English*]

The bill would disadvantage lower income candidates who did not have the necessary credit history to receive loans. It would discriminate against people based on income and credit rating therefore favouring the rich and excluding many people from public service, notably many women, youth, newcomers and minorities in general.

Let me reiterate this. The lack of credit could potentially prevent not only low or middle-income Canadians, but also many women, aboriginal people and new immigrants from standing for office. The size of a wallet or bank account should not be an impediment to prospective candidates.

[*Translation*]

This is particularly worrisome as it applies to women.

[*English*]

This bill would disadvantage women candidates who had left the workforce for a period of time, resulting in a fluctuation of their financial status. The United Nations has stated that a critical mass of at least 30% women is needed in order for legislators around the world to produce public policy that represents women's concerns and for political institutions to begin changing the way they do business.

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According to Equal Voice, Canada falls behind this standard. Despite enjoying economic prosperity and political stability, Canada has fewer women in Parliament than most of Europe and many other countries in the world. In Canada's Parliament, just about 24% of MPs are women. This places Canada 40th in the world on the Inter-Parliamentary Union, "List of Women in National Parliaments". For Canada, 40th is not acceptable.

Further, Equal Voice notes that women encountered many barriers in seeking elected office at all levels, including lack of access to finances. This is the basic point. Restricting access to loans by financial institutions could disadvantage and create a new barrier to women entering politics.

[*Translation*]

This House should not do anything that would hinder women's success in politics. On the contrary, this House must do everything it can to promote women's successful participation in politics.

[*English*]

To conclude, the Liberal caucus strongly argues for full transparency and disclosure of political loans.

[*Translation*]

However, we are opposed to the idea of having financial institutions be the only ones that can grant loans in the political arena. That possibility must also be given to citizens, as long as transparency is made the hallmark of those loans. After all, it is much more legitimate for citizens than for banks to grant loans of a political nature, in keeping with their political convictions, and their confidence in the values or political credibility of a given candidate. We would be in favour of an amendment requiring that these individual loans only be granted at commercial interest rates.

I hope that this constructive proposal from the Liberal opposition will be well received by the government so that we can make our democracy more transparent and more open to everyone.

[*English*]

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Madam Speaker, I look forward to working with the member on this bill and having further discussion.

The fact is it is not only banks, but it is other financial institutions as well. Not just that, it is friends, family, supporters, the average Canadian who has the ability to make donations or to lend money, or even to guarantee money within the contribution limits.

Does the hon. member not think it is important to get out and engage Canadians and ask for that support? As members of Parliament, or as candidates, or as political parties, is it not important that we tell Canadians what we are about, tell them about our platform and ask for that support? Should we not ask them to be a part of the campaign and to donate money? It does not have to be \$1,100. It could be \$200, or it could be \$50. It is a matter of engaging Canadians and getting more of them to contribute to a member's campaign either in donations, or loans, or as a guarantee. Is it not important to engage with as many Canadians as possible and to get that financial support so they are more engaged?

●(1710)

Hon. Stéphane Dion: Madam Speaker, if the minister were to come in with a bill saying that the maximum is \$1,000 for everybody, we would discuss whether it was reasonable or not, and I would not have a problem with ethics. I have a problem with ethics on moral grounds when he tells me it is okay for a bank, an insurance company, or whatever, to give more than \$1,000, but it is not okay for a Canadian citizen. I do not understand what is the basic ground regarding the morality of the bill. I have a problem with that. My party has a problem with that.

If he were telling me that he does not want the amount to be more than \$1,000, maybe I would argue that it is too low and that it should be \$5,000 and we need to discuss it. However, he is telling me it is okay for a financial institution to give much more than that, but it is not okay for a Canadian citizen to do that. The problem is that a Canadian citizen has the right to have a political opinion, to have confidence in a candidate and to show it, while a bank is not supposed to have a political opinion.

I asked what the moral ground of the bill is. The minister did not answer. What would be the criteria for financial institutions to decide if a candidate were to receive money or not? Would it be that the bank sympathizes with the candidate's platform? What is it? It will politicize the banking institutions of this country and that is wrong.

Mr. David Christopherson (Hamilton Centre, NDP): Madam Speaker, does the member for Saint-Laurent—Cartierville believe that the only changes necessary to funding leadership campaigns is more accountability? Does the member believe that we should still allow wealthy Canadians to totally bankroll someone's leadership campaign, thereby allowing the person possibly to go right from the street all the way to the Prime Minister's Office in one move?

I will be very curious to hear especially on the second question just what the member believes in terms of the health of our democracy with leaving that in place. Is the member saying that we should still allow wealthy Canadians to bankroll single-handedly leadership campaigns? I have not even made the point that under the existing regime hundreds of thousands of dollars of that money may never be paid back.

Hon. Stéphane Dion: Madam Speaker, the Liberal Party fully agrees with everything that would provide accountability and transparency. Where we have a fundamental disagreement is when there is a bill before us which says that the financial institutions will have a monopoly and that Canadian citizens will lose. This I do not understand.

If my colleague was saying that we should cap the loans to a certain amount of money and we should strengthen the rules with respect to the obligation to pay back the money, I would be in full agreement. I have no problem with what is in the bill on that.

However, when he says that it is okay for the financial institutions to do so but not for Canadian citizens, I do not understand on which moral ground he is saying that.

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He should be the first one to say that he does not want the power of big money involved, but that is what will happen now. That kind of monopoly power will be given to these institutions with respect to who will vote, who will campaign, who will run and who will not run. It will be detrimental and discriminatory, especially for women.

• (1715)

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Madam Speaker, it is important that we reflect on what got us to this point in the first place. The 2006 Liberal Party leadership race ended on December 3 and the leadership contestants had until May 3, 2008 to pay their debts. Most contestants were not able to repay their debts by May 2008, so an extension was granted. Then in 2011 another extension was given until December 2011.

How long does my colleague think this should be allowed to be perpetuated until there is no hope of possibly repaying?

Hon. Stéphane Dion: Madam Speaker, I want to say to my colleague that the Prime Minister decided to change the rules retroactively. When we started the leadership race, the amount of money allowed was \$5,200 and we booked our budget accordingly. When he decreased it by \$1,100, it was very difficult for all the candidates, including myself, to adapt to this retroactive rule.

I am proud to say that I will completely pay my debt as a matter of honour; it is very important for me to do so, but it has not been easy because we did not plan for a limit that would be only \$1,100.

I want to add that my point with respect to this bill is not that I am against any limit. I am against a discriminatory situation that would give the financial institutions more power than Canadian citizens.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Madam Speaker, in my colleague's opinion, when does a loan turn into a contribution?

We have seen with a number of the Liberal Party leadership candidates that five years has gone by. There have been loans—purportedly they are loans—that have gone unpaid for five years. At what point does the member actually think they should be considered to be a contribution?

That is what we deal with in this bill. I would suggest to the House and my hon. colleague that by anyone's definition, five years is far too long to have an unpaid loan. It must be considered a contribution at that time. Does he not agree?

Hon. Stéphane Dion: Madam Speaker, as I said, we agree with a lot in this bill. I identified what we disagree with.

I have not received an answer from my NDP colleagues or my Conservative colleagues on what is the basic moral ground to give financial institutions more power than Canadian citizens.

We agree that the loans are transparent, that there are clear rules that the money must be paid back. We are open to an amendment stating that the loan must be at commercial interest rates. Why? Canadian citizens would not have the same rights as financial institutions.

That is the basic problem we have with this bill and it is at the core of the bill. If my NDP colleagues want to propose a limit, it must be the same for individuals and the financial institutions. Otherwise, I

do not understand on which grounds they say that financial institutions are more acceptable in political life than Canadian citizens.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Madam Speaker, I think we have had a meaningful debate this afternoon. I know that we will end up agreeing to disagree on a number of points.

I am completely supportive of Bill C-21 and the elements contained therein. In the limited time that I have, I want to point out a few of the reasons, but I also want to use my time to try and refute some of the arguments that I heard from members opposite as to why they seem to disagree. Perhaps I will start there, because we only have about 10 minutes left before the debate has to end.

I have heard from a couple of members opposite that they believe individuals should also have the right to lend money and that moneylending should not be restricted to financial institutions. The bill came into play because of the situation where wealthy individuals could lend money. We have seen many times in the past where supposed loans have been given to political candidates and were never repaid. That is simply unacceptable. The potential and probability for abuse under the current situation without Bill C-21 is extremely high.

The situation, quite frankly, is simply this. As it stands now, any individual could be in a position where he or she knowingly lent money to a political candidate with no expectations of repayment. It is quite conceivable that individuals could have consulted with a candidate and agreed upon a mechanism by which they could circumvent the rules, by lending a certain amount of money with very favourable interest rates, as low as 0%, and basically nudge, nudge, wink, wink, told a candidate not to worry about ever repaying it because it is a loan and the lender will end up writing it off or forgiving it. That is not a loan. That is a contribution. That is a donation.

As a government we need to step in to ensure that the potential for that abuse is completely eliminated. Bill C-21 would do exactly that. It would put provisions in place which would prevent anyone from trying to circumvent the rules again.

We have heard many times before, in committee and in debate this afternoon, some of the problems with the 2006 Liberal leadership campaign. Like my colleague from Hamilton Centre I will try to be as non-partisan as possible, but it was because of the abuse that we saw and still see as a result of unpaid loans from that leadership campaign that our government felt that some bill had to be introduced to prevent that type of situation from occurring again. Bill C-21 would do that.

Private Members' Business

I also want to point out that despite the protestations of members opposite, borrowing money from financial institutions does not empower those financial institutions. It does not give them a monopoly over political financing. It does not give them any untoward power to influence political parties or candidates. It is simply a commercial transaction that we as Canadians deal with on a daily basis. Whether Canadians secure a mortgage for the purchase of a house, whether they secure a loan to purchase a car or a heavy appliance and so on, they have been using financial institutions to secure loans for generations.

I do not believe that any financial institution, by lending money, whether it be \$10,000, \$20,000, \$30,000 or \$40,000 to a political candidate or a political party, would feel that it had some undue influence over that candidate because it entered into a commercial transaction. It is simply not true. In my view it is silly. This is a normal daily activity that most Canadians perform and have performed for the last 200 years, as long as there have been chartered banks in the world. We need to discount the argument completely that suggests financial institutions would have more influence over political candidates and therefore we should allow citizens to make loans.

• (1720)

What we are trying to achieve with Bill C-21 is to ensure that there is accountability and that there can be no circumvention of election financing rules by disguising contributions as political loans. The financial institutions would be obliged, as they are obliged in daily transactions with Canadians, to provide clear terms for both the rate of interest charged on the loan and for its repayment, something that we saw sorely lacking in the 2006 leadership campaign for the Liberal Party. Five years have gone by, and some of those loans still have not been repaid. That is not a loan, in my view, but a contribution, and it should not be allowed.

With Bill C-21 we would not only be putting in clear, transparent rules that would make candidates and political parties accountable; we would also be giving confidence to the Canadian electorate that there will be no funny business or circumvention of rules, and that everything will be done in a transparent, accountable manner acceptable to Canadians.

One of the consequences of Bill C-21 is that if there are unpaid loans, the political parties themselves, whether as riding associations or federal parties, would be responsible for backstopping those loans and repaying the money. We have yet to see any activity by the Liberal Party of Canada in this regard. Has the Liberal Party of Canada stepped up to the plate and said it has a number of unpaid loans from some of its former leadership candidates back in 2006, that it does not think such a situation is acceptable, that it is going to repay them right now and then make its own arrangements with those leadership candidates to reimburse the party? I have seen no evidence and heard no discussion to that effect in this debate.

Members opposite in the Liberal Party have stood in this place this afternoon and said that they want accountability and transparency, but they believe that they can still play fast and loose with the rules. Where is the accountability when the once great Liberal Party that governed this country for many decades now does not even want to

talk about repaying loans that some of its leadership candidates incurred?

We are not talking about candidates from a local riding association who might have been defeated in an election; these individuals tried to become leader of the Liberal Party of Canada and the next prime minister of Canada, yet that party refuses to be accountable for the debts incurred by its candidates. Instead Liberal members stand here this afternoon and criticize our government for this bill, which is trying to bring accountability and transparency to the political process.

I do not care what arguments they bring forward at committee. I will be there to ensure that I have a question for them: as a party, what do they plan to do about the unpaid loans? What happens if another five years go by? Will they still be advancing the same arguments as they have this afternoon? It is totally unacceptable.

Had we not seen the rampant abuse by the Liberals, we might not have seen the need for Bill C-21. Nonetheless, it is before us. It is a worthy bill, and one that deserves support from other parties.

• (1725)

I understand and appreciate the comments made by my colleague from Hamilton Centre that he wants to discuss this at committee. I would certainly be more than willing to entertain suggestions. I will certainly not commit that I would accept any of his suggestions; I have heard some of the arguments, I understand what he is going to be advancing at committee, and I think that is worthy of debate, but on its own merits Bill C-21, as it stands, deserves the support of all members in this place.

I know it has the support of all Canadians.

The Deputy Speaker: The hon. member will have about nine minutes when the bill returns to the order paper.

[*Translation*]

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

NEWFOUNDLAND AND LABRADOR FISHERY REBUILDING ACT

The House resumed from October 21 consideration of the motion that Bill C-308, An Act respecting a Commission of Inquiry into the development and implementation of a national fishery rebuilding strategy for fish stocks off the coast of Newfoundland and Labrador, be read the second time and referred to a committee.

The Deputy Speaker: Resuming debate. The hon. member for Gaspésie—Îles-de-la-Madeleine has eight minutes left for his remarks.

• (1730)

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Madam Speaker, I will pick up where I left off last time, about a month ago. My colleague from St. John's South—Mount Pearl has proposed a very worthwhile bill. My colleagues in the Conservative Party have said that the collapse of the ocean fishery has already been studied and the federal government has already done all it can to restore the fish stocks that have collapsed. If that is really the case, the cod and other fish stocks in the Gulf of St. Lawrence would not be in danger or have almost completely collapsed. We know that the groundfish stocks, such as cod and ocean perch, are already considered to have collapsed. Their recovery prospects in the medium term are fairly poor, at best.

The cod population in the Southern Gulf of St. Lawrence is at its lowest level in 61 years of monitoring and is still declining. The mature cod population from 2008 to 2010 is estimated to be, on average, 37% of the average level observed from the mid-1990s to the end of that decade, and 10% of the average level in the mid-1980s.

Since 2009, there has been no cod fishery in the region because of a third moratorium imposed on catching cod in the southern gulf.

How can we rectify the huge mistakes that caused this catastrophe? We have to start with an inquiry, as the bill proposes. That will give us the scientific, ecological, economic and social information we need in order to rectify our mistakes, to undo the ineffective and often destructive fisheries management policies that the federal government has imposed on fishers.

[English]

An inquiry would allow us to understand the big picture, the economic, social, political, and scientific aspects of the fisheries collapse, which is without a doubt the biggest catastrophe that Atlantic Canada has ever faced.

We do know some of the causes of the fisheries collapse: overfishing, caused by a lack of essential scientific information needed to understand the true health of the fish species in the Atlantic and the Gulf of St. Lawrence ecosystems; overfishing, caused by weak international laws that allow fishers from other countries to decimate fish stocks with impunity; climate change, caused by greenhouse gas emissions, deforestation and rampant urbanization, which has led to changes in water temperature and water acidification; and many other forms of human intervention that have damaged the Atlantic and the Gulf of St. Lawrence ecosystems.

When settlers first came to the coast 500 years ago, cod was so plentiful that sailors could scoop them up into their ships with buckets. The cod fishery is one of the mainstays of the economy of the Maritimes, including the Gaspé Peninsula and the Madeleine Islands, and it was one of the main reasons for settlement.

As recently as the 1940s, cod fishers were landing between 300,000 and 600,000 tonnes of cod per year. Then in the 1990s, the federal government banned cod fishing in response to the collapse of the cod fishery. By 1993, all Canadian cod fishing was banned. Today, in 2011, no real solution to the devastation of the cod fishery has been either proposed or implemented.

Private Members' Business

In the Gaspé and the Madeleine Islands, the loss of the cod fishery has been devastating. Not only were cod and other groundfish the mainstay of the economy in the region, cod was also a cornerstone of Gaspé culture, as exemplified by the tradition of cod curing, so famous to the region that it became known as the *Gaspé cure*.

[Translation]

The *Gaspé Cure* is the result of a drying method that is made possible by the climate on the coast of the Baie des Chaleurs, a dry, windy climate that provides ideal conditions for sun-drying cod.

Today, the Gaspé Cured company continues this century-old tradition that has been passed down over the years. The company has established a major processing plant in Sainte-Thérèse-de-Gaspé, one of the places in the Gaspé where fishing is most active.

According to Fisheries and Oceans Canada, cod fishing has been the backbone of the Quebec fisheries, in both the Gaspé Peninsula and the Magdalen Islands. As a result, the community had become heavily dependent on these resources. However, the moratorium and the decline in total allowable catch have affected it severely.

In 1985, there were nearly 1,700 groundfish licences in Quebec, and more than 3,300 fishers and fisher's helpers were engaged in the cod fishery. At that time, the total cod landed values were in the order of \$18 million. In 2002, there were fewer than 1,000 groundfish licences. In total, for all of Quebec, the number of active cod fishers and fisher's helpers was estimated at 1 150 in 2002 for landings of a total value of only \$3 million.

Nearly half of those fishers are found in the Gaspé Peninsula. The sustainability of many coastal communities that depend on fishing is under threat at present.

• (1735)

[English]

This way of life in my riding is threatened in large part because of the Department of Fisheries and Oceans' rules and regulations. Thanks to the department's questionable conservation policies, and thanks to its foot-dragging when it comes to taking real action on overfishing, the fisheries of the east coast have been mismanaged almost to the point of annihilation.

The minister said no to an inquiry into the state of the fish stocks in Newfoundland, even though federal management of the fisheries has clearly been a failure. An inquiry into the reasons for this failure is long overdue.

The minister's refusal to allow the inquiry has an impact beyond the borders of Newfoundland. This mismanagement that destroyed the Newfoundland fisheries has either destroyed or severely damaged many of the fisheries in my constituency also. When an Atlantic fishery collapses, it does not affect only one province; it impacts all of the regions that are part of the species' habitat.

The commission of inquiry called for by Bill C-308 would provide Canadians with a rare but crucial resource needed to rebuild the east coast fishery: clear and accurate information based on the experience of independent scientific experts, fishers and other stakeholders who rely on the Atlantic fisheries.

Private Members' Business

I urge the government to recognize the national importance of the Atlantic fisheries and pass the bill. I also urge the government to recognize the importance of the Gulf of the St. Lawrence to all Canadians.

By passing Bill C-308, the government will finally open the door to creating a sustainable Atlantic fishing economy throughout Atlantic Canada.

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Madam Speaker, I rise today to speak to Bill C-308, the Newfoundland and Labrador fishery rebuilding act.

I would like to thank my colleague for introducing Bill C-308, which prompted this important discussion to take place on fisheries rebuilding; however, I will not be supporting this piece of legislation nor will the government.

With respect to the content of Bill C-308, Fisheries and Oceans Canada has already taken significant steps to rebuild cod stocks, including strict conservation measures, expanded scientific research, and are working on longer term strategies. Since the announcement of the moratorium in the 1990s, the government has been working with the province of Newfoundland and Labrador to address these challenges. Action teams have been established between the Government of Canada and each of the maritime provinces, including Newfoundland and Labrador.

These teams were asked to develop cod recovery strategies, which they did. On November 14, 2005, the Canada-Newfoundland and Labrador action team for cod rebuilding presented the strategy for the recovery and management of cod stocks in Newfoundland and Labrador. This strategy was developed through extensive consultations with a variety of stakeholders, including industry, academia, conservation groups and local communities.

This broad representation ensured that proposed rebuilding objectives and strategies were realistic and took into consideration conservation requirements, plus social, cultural and economic considerations. In some cases, external advisory committees were established with representation from a variety of experts and stakeholders to further assist the cod action team.

However, we all realize the impacts that the events of the 1992 cod collapse have had on the people in the fishery and in rural parts of Atlantic Canada are fully recognized. As the member for St. John's South—Mount Pearl puts it, "The fishery is broken. The fishery is in perpetual crisis. The fishery can still be fixed. But it cannot be fixed without the facts".

An inquiry can only reveal what we already know, the fish stocks were decimated in the late 1980s and early 1990s. We are all still recovering from the tragic collapse of the fishery on the Grand Banks of Newfoundland and Labrador. To recover these fish stocks, we need to dedicate the resources we have to the task of rehabilitating the fish stocks, not to finding blame and throwing accusations.

Our government has fostered an open door policy for proponents to discuss solutions and to make recommendations. Through consultations and through working groups, we have been listening and will continue to listen. Having worked their local fishing

grounds for generations, these fish harvesters have an intimate knowledge of their local conditions.

As many know, groundfish are still being harvested in Newfoundland and Labrador. In fact, 4,300 groundfish licences were issued in Newfoundland and Labrador in 2010. Last year almost 40 tonnes, \$52 million worth of groundfish were harvested in Newfoundland and Labrador. That includes more than 12 tonnes of cod.

The government recognizes that these numbers have been historically much higher. Our government has met with stakeholder and industry representatives. It comes as no surprise that there are significant and systemic challenges facing today's commercial fishing industry.

The fishing industry is going through fundamental changes, driven by significant and unprecedented shifts in global economics, consumer demand, technology and, of course, conservation and environmental realities.

Fisheries policy decisions have favoured the short-term rather than the longer view. Some of these policies have limited growth, curtailed efficiencies and, frankly, made little sense in terms of the conservation of fish stocks.

It has become all the more evident that we must modernize our practices, policies and regulations to remove unnecessary barriers to industry growth, global competitiveness, and fish stock conservation in the 21st century.

My colleague from St. John's South—Mount Pearl knows enough about fisheries to understand that rebuilding fish stocks is extremely complex. There are many factors that need to be examined and there are several challenges to be faced. Sacrifices have been made and will continue to be required in order to rebuild Atlantic fish populations.

Since the cod collapse in the early 1990s, the government has made significant changes in the way it manages fisheries, not just in Newfoundland and Labrador but from coast to coast to coast. Challenges such as the cod collapse have become drivers for the development of sound, science-based decision-making practices, and fisheries management decisions incorporating ecosystem considerations and the precautionary approach to ensure the future of Canada's fisheries.

● (1740)

The current ongoing scientific research may help further define the known causes that may have contributed to the collapse of the groundfish stocks in Newfoundland and Labrador.

The degree of accuracy with which possible outcomes can be predicted would not be increased by shifting funding from the research currently being done to the management of an inquiry.

A moderate fisheries management framework would enable us to focus on maximizing value and quality of output rather than quantity. Our goal would be to establish a coherent management system that would benefit individual fishermen and industry stakeholders in both the short-term and long-term.

Changes in fisheries management practices in Newfoundland and Labrador are reinforced by measures taken by the North Atlantic Fisheries Organization. These changes address long-standing challenges and opportunities associated with the management of international straddling fish stocks. A significant change has been to identify stock rebuilding as one of NAFO's main objectives.

In fact, Canada's leadership at NAFO has led to the implementation of a number of innovative plans for the recovery of stocks currently under moratorium, and to rebuild other fragile stocks based on scientific advice and the precautionary principle.

In October, I have been informed that my colleague from St. John's South—Mount Pearl quoted Rex Murphy's article, "Newfoundland is a province in denial", in which Mr. Murphy offered some advice to our colleagues across the way.

We can assure him that we are working with the province to build policy that is more than about oil and more than about fighting with the federal government.

The purpose of Bill C-308 is to launch an inquiry into the collapse and recovery status of Newfoundland and Labrador's fisheries. An inquiry is not the path toward a competitive Canadian economy. An inquiry will not look at solutions that would help Canada strive in these times of fiscal restraint.

This government, including Fisheries and Oceans Canada, is rolling out a transformative agenda that would carry us forward toward international competitiveness and prosperity for Canadians.

The commission of inquiry into the decline of sockeye salmon in British Columbia is looking into improving the sustainability of the fishery, fisheries management policies, practices and procedures, and the factors influencing the management of this stock, including environmental changes and marine conditions.

These are areas that are already being examined and monitored in the Atlantic.

Fisheries and Oceans Canada was a key contributor to the Cohen commission of inquiry in British Columbia and continues to support the work of the commission. Recommendations made with respect to management of sockeye salmon in the Fraser River will be reviewed and will be considered in fisheries management decisions as they apply across Canada.

Implementing market-based approaches to fisheries management has proven successful. Other countries, and even some fisheries in Canada, have adopted change and, as a result, have seen flexible, market-oriented fishing seasons, improved product quality, increased economic value, a decline in instances of overfishing, and improved safety.

I believe strongly that with some changes at Fisheries and Oceans Canada, Canada's fishing industry has the potential to generate much more value. We will see the department untangle and standardize rules and processes.

We must increase transparency for decision-making and strengthen environmental sustainability in Canadian and international waters to ensure Canada's distinguished international reputation as a source for the finest sustainable seafood in the world.

Private Members' Business

Our government believes that the private sector is the driver of the Canadian economy, but we certainly have a regulatory role in this particular industry. We will continue to engage industry and stakeholders to work together toward a solution and respond to these complex and interrelated challenges.

The government is making the necessary investment to protect Canadians and create jobs now, while laying a strong foundation for long-term economic growth.

Our actions have already included providing to fish harvesters the same lifetime capital gains exemption enjoyed by farmers and small business owners and supporting coastal communities, through regulatory initiatives in support of the aquaculture sector and through investments in small craft harbours.

Canada is 144 years young and yet we have barely scratched the surface of our full potential, be it here at home or on the international scene. This is a country that is just brimming with confidence. It is strong, united, peaceful and prosperous. It is a Canada that will accept no limits, no bounds, and no ceiling to its great future. We are simply the best country in the world. Its unbeatable spirit has been leading us out of the global recession in the best position in the world.

Given these ongoing efforts, a judicial inquiry would represent a costly and duplicative exercise that would simply reinforce the need to continue focusing our efforts productively on future opportunities for Canada's fisheries and the Canadian economy.

• (1745)

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Wind-
sor, Lib.):** Madam Speaker, it is an honour to be standing here once again to talk about something that is certainly a topic of discussion in my riding, which is probably the understatement of the night. Northeastern Newfoundland is predominantly my riding, as well as central Newfoundland or, as the fishermen like to call it, parts of 2J, 3K, 3L.

I would like to commend my colleague from St. John's South—Mount Pearl for bringing this bill forward. I have the honour of being one of the seconders of this legislation and it may come as no surprise that I speak in favour of it.

I have a few comments about the earlier speaker. I understand the intentions of wanting to create the right markets and the situations by which our harvesters can get more value from the occupation that they have to the point of being able to pass it on to the next generation. However, putting things in the window, like a capital gains tax, is probably not what we want to rely the entire fisheries policy on, given the fact that the value of that catch has decreased so badly that the capital gains tax is probably worth even less than that 1¢ people got off the price of their Tim Hortons coffee this morning.

Private Members' Business

I do want to talk about stock rebuilding. I bring that up because we did a study with the Standing Committee on Fisheries and Oceans, as my colleague across the way, from British Columbia, the Parliamentary Secretary to the Minister of Fisheries and Oceans, can remember. It was November 2005. We paid visits to eastern Newfoundland, to Bonavista in my riding as well, and Twillingate. In those areas, what we saw and heard was, to me, some surprising testimony about how all the efforts being made to help recover a stock were not showing the results we wanted. Time and again, the stock assessments were showing, in the offshore stock, less than 2% of what they were in the 1980s.

Again, over quite a period of time, from the time of the moratorium when the directed fishery was ended on a mass scale, that was July 1992, until now, we have not seen that recovery. By his own admission, the member who just spoke talked about over 800,000 tonnes of a catch in the late 1960s and now down to 12 tonnes. So we can talk about markets all we want, but this is a question about stock rebuilding and how we go about doing that. Even the Auditor General, a few years ago, pointed out that it has been a dismal failure over the years and therefore we have to look at it. I am not specifically blaming any one particular government. I blame them all, as we should blame ourselves as well.

However, there is one element that the government needs to look at and I think has failed somewhat on this scale. The Conservatives entered into negotiations with NAFO. For anybody who is watching at home or in this House, NAFO is the North Atlantic Fisheries Organization, the international body that governs the offshore stocks outside of our 200 nautical mile limit. In this particular case, we saw bandying to the point where there was trade and negotiations going on that did not work in our favour, only to find this out after the fact. When the House voted to go against these NAFO agreements, the government went ahead and decided to reverse that and go ahead with this agreement, which I think is a shame, with species such as turbot, not just cod or Greenland halibut as it is called.

However, in the meantime the offshore directed fishery from international fisheries, primarily western Europe and I will not pick out any of the countries as they know who they are, have had their time on the open water. We have seen a lot taken from us in that particular vicinity, not only outside the 200 nautical mile limit but inside the 200 mile limit as well. When I look at the state of the fishery now in the northeast, and again I will restrict my comments to just the northern cod species, we see a small directed fishery taking place. In excess of 2,000 pounds would be the average. We are looking at a recreational fishery isolated to four weeks, three in August and one near the end of September. Right now, we are seeing an overabundance of cod.

●(1750)

I remember when we did the study and we talked about the fact that there was an offshore stock and inshore stock. The science was saying that the offshore stock was quite low. In many cases, the science was saying that the inshore stock was also very low. However, our own fishermen told us that this was not the case.

We have situations now where a bycatch of cod on the inshore becomes drastic. Believe it or not, for many of these fishermen, the

cod has become a nuisance species on the inshore. Therefore, when they say that enough studies have been done, I do not agree.

In this case, why do we have a stock that is in danger, overfished, yet on the inshore we have stock in abundance? This past season was a successful season for those who had the small quotas. These are the questions we need to ask and we need to ask them each and every time.

Right now, as members know, we have to take into account elements like climate change and seal populations. The seal population itself has grown exponentially just in the past two or three years, millions upon millions. To this day, even during the study we did in November 2005, there is not an exact science as to how much, or even why, these seals are eating all the biomass of cod. It is incredible. We need to look further into this.

When the government decides it will get to its deficit cutting and budget measures, but announces that the science assessments will be over a three-year period, it is a major mistake.

Stock assessments are on an annual basis and I would argue there should be more than that. It should be done twice a year, or three times a year, or even more, if the science that had been invested in was bad. As Conservatives say, it was bad to begin with, but they said that they would fix it. I remember former minister Loyola Hearn saying much the same, but it did not get much better. In fact, it is much worse as far as the science investment is concerned.

The recommendations of the FRCC show up in our report quite extensively. It is quite incredible. Why would they do this? I remember being on the government side with the Conservatives in opposition. They told us about all these changes that we needed to make. We fell short of these goals, but now it is even worse.

However, we should do this study. The effects of the offshore fishery, the international markets, those people who line up along our 200 nautical miles looking for fish and who are certainly not flying the flag of Canada, needs to be reassessed. We need to reassess the biomass itself across the northeast.

Cod was the king species that sustained a people for hundreds of years. My colleague pointed this out in his speech some time ago, and I will not reiterate. However, where I come from, we all know what it meant to us. Now we find that the king species are the snow crab and shrimp as well, but even those are not near what cod brought us over the generations.

The member is right in the sense that we have to do a more extensive study. The hon. member talked about the studies that had been done in his speech. Not really. The right studies have not been done yet. It takes a vast effort to look at how we can rebuild the species and not just the one species, but ecosystem management itself.

Fishermen, such as George Feltham from Eastport and Rick Kane from Bonavista North, were quoted in this study. They are harvesters, one with a smaller boat and one with a very large vessel. They talked about how they would go out to catch snow crab and shrimp in their nets and find large cod. How is this happening? Within the inshore regions, why do we show high numbers of cod, yet each and every time, northern cod gets close to the endangered species list? Do we know that this is the case?

When fisherman tell me that they went out and it took them three hours of fishing to catch their quota of over 2,000 pounds, and they are not big boats either but it is a lot of fish in a very short period of time, then one has to ask why this has happened. The fact is science is telling us we cannot have the fishery we used to have and that there is a long way to go. Somebody is wrong, and it is not the fishermen who show me the fish on the wharf.

● (1755)

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Madam Speaker, I rise today to speak in support of Bill C-308, Newfoundland and Labrador Fishery Rebuilding Act. I want to acknowledge my colleague from St. John's South—Mount Pearl for his tireless advocacy for the Newfoundland and Labrador fisheries and the people who depend on them.

In July 1992, John Crosbie, the then federal minister of Fisheries and Oceans, called for a moratorium and closed down the northern cod fishery. The cod fishing moratorium was supposed to last two years. We are approaching the 20th anniversary and there is still no rebuilding plan in place.

Newfoundland and Labrador commercial groundfish fisheries have seen little if any recovery since the early 1990s. The people of Newfoundland and Labrador had fished their waters for cod for over 500 years. It was said by British fishing captains in the 1600s, that the cod “was so thick by the shore that we hardly have been able to row a boat through them”.

The cod fishery was the backbone of Newfoundland and Labrador and the closure cost 39,000 people their jobs. It devastated coastal communities, which have yet to recover. This was the largest layoff in Canadian history. Approximately 80,000 people have left Newfoundland and Labrador since the cod fishery collapse.

The East Coast Report, an interim report tabled in the House of Commons by the Standing Committee on Fisheries and Oceans in 1998, helped to frame the social and economic implications of the collapse of groundfish in Newfoundland and Labrador. Many people who appeared before the committee explained the devastating financial effect of the collapse on their personal lives. In communities across the province, it was clear the way of life that existed for hundreds of years was being lost.

In the same report, witnesses indicated that fishermen in coastal communities had very little confidence in the ability of the Department of Fisheries and Oceans to manage the fishery. There were complaints that DFO policy-makers in Ottawa had no grasp on local issues. Further, there were concerns about enforcement, science and foreign fishing. I reference this report and the testimony because several years later we still have not addressed these concerns.

Private Members' Business

There have been studies on the collapse of the fisheries in Newfoundland and Labrador over the years. There have been several recommendations made. One of the last reports produced by the Standing Committee on Fisheries and Oceans was entitled “Northern Cod: A Failure of Canadian Fisheries Management”. The report stated:

Concluding that overfishing was the cause of the collapse of the northern cod stock should not surprise anyone. Others who have studied this issue have come to the same conclusion. However, the Committee felt that it was necessary to travel to Newfoundland and Labrador to fully understand the factors that allowed the “world's greatest fish stock” to be grossly overfished for so many years. In our view, the major factor was clearly mismanagement.

It also concluded that the failure of the northern cod to re-establish itself was a lack of vision and long-term planning.

Nothing has been done with this report. These recommendations have yet to be acted on. There has been very little real analysis as to what has been successful and what has not.

The Conservative government likes to talk about streamlining and modernization, implying that fisheries should be run like a business, but successful businesses create plans with vision, goals and targets. Successful businesses understand the importance of innovation and research. None of this is happening.

● (1800)

The Minister of Fisheries and Oceans recently stated that “the fishery is broken”. However, rather than implementing the recommendations from the 1998 report and the 2005 report of the Standing Committee on Fisheries and Oceans, the government is moving backward and making cuts to the department, including science and enforcement. Instead of putting forward a concrete plan to rebuild the fisheries, the government is determined to move forward with its reckless cuts.

We need to take a serious look at the future of Canada's fisheries and our many coastal communities and their local economies. This bill provides a real opportunity to take a fundamental look at the direction of Canada's fisheries and how we might rebuild our once great fishery.

Hans Rollman, a Newfoundland columnist for *The Independent*, wrote:

In short, this is not just an inquiry to lay blame for some long-over historical event. This inquiry is about our future. If it does not happen, we will be unprepared, uneducated, and unable to meet the demands and challenges our future world and economy...

Private Members' Business

It could examine DFO enforcement programs and determine whether they are truly underfunded or ill-equipped to deal with current problems or future problems, like our changing ocean ecosystems. The inquiry could examine the environmental impacts of fishing technologies, the distribution of inshore and offshore quotas, the quota allocation system and allowable catches or limits. It could inform the minister and the department what type or scale of fisheries we would need or how we would move forward to a truly community-based fishery based on co-operative management. It could help us learn how to prevent future collapses or deal with unprecedented changes to our oceans, whether it is climate change, acidification, overfishing, pollution or habitat loss.

All of this could be achieved by doing a serious examination of the greatest fisheries collapse in Canadian history. We owe it to future generations to act now. That is why this bill must pass. Canadians deserve an inquiry that will pose real solutions and rebuild what has been lost. As the bill states:

—the fisheries are a renewable resource which can, with revitalized conservation and management practices, be rebuilt for the benefit of present and future generations and contribute towards the economic growth of rural Newfoundland and Labrador and all of Canada;...

I urge all members of the House to support Bill C-308.

•(1805)

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am honoured to follow my colleague, the member for New Westminster—Coquitlam, our fisheries critic on the bill.

I want to commend the member for St. John's South—Mount Pearl for bringing forth this private member's bill. It was an extremely important reason of why he ran for Parliament. It was also part of our party's platform in the last election. We called for an inquiry into the Newfoundland and Labrador fishery to talk about a recovery plan.

The story of the collapse of the Newfoundland fishery can be pretty simply told. I want to tell the House about a book which outlines some of the major problems. It is called *Distant Water* by an American individual named William Warner. He wrote the book in 1983. In the book he talks about the three things that came together that caused the initial devastation of one of the world's, if not the world's, most significant source of protein.

We have to remember that this fishery, which has been going on for 500 years, fed Europe through many centuries. The fishery was not a local fishery. It was a distant water fishery from Portugal, Spain, the Basque country and England. It sustained Europe throughout many centuries and was one of the most significant protein sources in the entire world.

In the fifties and early sixties, three things came together. First, believe it or not, there was a surplus of tankers, so shipyards that made big tankers were suddenly not very busy. Second, flash freezing techniques and plate freezers were invented. Third, the Germans developed a mechanical filleting machine.

The British started developing a distant water fishery from York, followed by East Germans and Russians. Pretty soon there was a huge distant water fleet coming from Spain, Portugal, East Germany, Poland, the Soviet Union, Cuba, and even as far east as Asia. This fishery was so efficient and enormously successful that by 1968, and

that is the peak year others have mentioned, 800,000 tonnes of cod fish were taken from the north Atlantic.

The subtitle of the book *Distant Water* is “The Fate of the North Atlantic Fishermen”.

By 1992 the catch rate was way down because the fishery could not sustain it. It is estimated that the biomass of fish that was there could actually sustain 400,000 tonnes per year on an ongoing basis. That is the amount of biomass that was lost not only to Newfoundland and Labrador and Canada but to the world in terms of a food source.

One of the previous speakers talked about 12 tonnes, but I think he meant 12,000 tonnes of cod being caught in the last year. The annual catch is closer to 20,000 tonnes, but that is 20,000 out of a potential 400,000 tonnes.

The question has to be asked, where is the recovery plan? We have a recovery plan for the pine marten and for the British Columbia marmot. Where is the recovery plan for the cod stock that sustained Europe for centuries and Newfoundland fishermen for 500 years? About 40,000 people lost their jobs and their livelihood in 1992 as a result of the cod moratorium. With the recovery potential of 400,000 tonnes and we are up to 12,000 now, there is a long way to go.

The story of how the fishery collapsed is fairly easily told.

•(1810)

What is important about the bill is actually subclause 5(d), which is asking, pertaining to the terms of reference, to develop recommendations for rebuilding and improving the future sustainability of the fish stock including, as required, changes to the policies, procedures, et cetera, and talks about management of boundaries and all of the things my colleague, the fisheries critic, just so eloquently disclosed.

That is all we need. We need a recovery plan. We need some objective, evidence-based report. We had it from the Standing Committee on Fisheries and Oceans in 2005, talking about fisheries management. The impetus is there.

There needs to be some evidence-based approach. Let us examine the things that the member for Bonavista—Gander—Grand Falls—Windsor talked about in terms of the fact that there seems to be recovery in some places. We need to hear from scientists. We need to do a proper job.

It is not good enough for the Minister of Fisheries and Oceans, as he did here in the House and elsewhere, to say the fishery is broken. We do not say the fishery is broken and then walk away from it, and leave it to private enterprise or private industry. If we have this devastation and this loss of a critical food resource for Canada and the world, we have to do something about it. We do not cut back on science if science is needed to answer the questions.

Private Members' Business

We have more than a responsibility for the people and fishers of Newfoundland and Labrador. We have a moral responsibility as a country to attempt, if it is possible, to regenerate this fish stock for the sake of helping to feed the world and support the people of rural Newfoundland who have lived for generations and centuries on this resource.

The predecessor to the riding of St. John's South—Mount Pearl, which used to be called St. John's West, is my neighbouring riding. That was the riding that was held by John Crosbie when he was fisheries minister and the moratorium was brought in, in 1992, so it is very fitting that the current member for St. John's South—Mount Pearl is bringing this forth 20 years later, saying, "Where is the plan to recover the stocks"? Twenty years later, we are at 5% of what we were 20 years ago.

Now the member for St. John's South—Mount Pearl, the successor to Mr. Crosbie, is here telling the Conservatives again, "Where is your plan? Don't just say the fishery is broken, say the fishery has a problem". There has been a failure to adopt a rebuilding plan. We want to have an inquiry to talk about that, just as we did in British Columbia. The Cohen commission is doing it in British Columbia.

One of the members opposite asked, why would we repeat that on the east coast? There is nobody from Newfoundland to B.C. going to talk about salmon in the Fraser River. We want to talk about cod fish in Newfoundland and Labrador and we want someone to do the same kind of study as is being done in British Columbia, with regard to the value of that fishery and the sustainability of the cod stocks.

The member for St. John's South—Mount Pearl said that we have oil right now and it has been very good for our economy. It has been very good for the provincial government's coffers. It has been very good for the federal government's coffers, better for the federal government's coffers, frankly, than it has been for the Newfoundland government's coffers. Any study will show that the benefits to the federal government are greater than the province. That may have changed slightly in recent years, but that is not a forever resource.

What we need to do is examine not why the cod has diminished because overfishing is the issue. Who did it and when is not necessarily what we need to get into. We need to get into how it is going to come back.

I will just leave the House with the fact that the fundamental problem with the Newfoundland and Labrador fishery is the lack of fish. That seems pretty basic. The way to answer that problem is not to say that the fishery is broken. It is to say that we need a recovery plan for the species, for the stock, and for the sustainability of Newfoundland and Labrador culture and way of life. It is to provide, as we should, the restoration of a prime source of protein, of food, for Canada and the rest of the world.

• (1815)

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I very pleased to speak to Bill C-308, a private member's bill presented by my colleague for St. John's South—Mount Pearl, and I am very proud that he has brought forward this bill. I also heard the member for St. John's East, the member from British Columbia and the other

government members who spoke to this bill. It is unfortunate that the government opposes this bill.

The members spoke very well on the topic of the bill. They proposed a public inquiry to try to find answers and to restore our fish. I come from northeastern New Brunswick, and I do not have to tell you that my riding is bounded by the ocean, Chaleur Bay and the Gulf of St. Lawrence. It is the most beautiful riding in Canada. We have the ocean on one side, and the forest on the other. We have everything. But it is unfortunate to see what is happening. I do not want to mix fishing with forestry, but we have lost both our fish and our forest because the paper mills in Miramichi, Bathurst, Dalhousie and New Richmond have been closed. The primary sector has fallen.

Who would have thought that this would happen? All the fishermen said that they once had fish in abundance. I remember going to the Shippagan harbour with my parents when I was very young, and the people working at the plant were walking around with wheelbarrows full of fish. Cod were falling off every side. There was fish in abundance. What is going on now? There are no more. It was closed in 1992, as my colleague for St. John's East said when talking about Mr. Crosbie, the former Minister of Fisheries. I have never been a fisherman, and my family has never been a family of fishermen. I was a miner and worked underground, but not far from the ocean. I was about 2,300 feet underground and had nothing to do with the ocean.

However, when I became a union representative in 1988, I started to get involved in the fishing industry and began working with the employees of fish plants in the Acadian peninsula. That is where I saw the damage that occurred in the communities when the groundfish fishery was eliminated in New Brunswick, Newfoundland and Nova Scotia.

I have read newspaper articles when the media has covered this subject. They used words like "managed annihilation", "the biggest failure of Confederation", "national embarrassment" and "national disgrace".

The collapse of the cod fishery off the coast of Newfoundland and Labrador two decades ago is now considered a legendary environmental and economic disaster. I would go further and say that it affected not only Newfoundland and Labrador, but the entire Gulf of St. Lawrence and every other Atlantic province. It was a national disaster.

"An inquiry would reveal telling similarities with agriculture—small coastal fisheries are equivalent to the family farm, and the big freezer trawlers are the ocean's equivalent to the mega-farm. Such an analysis would inevitably lead to the realization—which is always the case when people band together—that in one way or another, we are all in the same boat. It is not surprising that the Conservative government is not taking the request for an inquiry by the member for St. John's South—Mount Pearl, NDP seriously." That was an excerpt from an article written by Helen Forsey, published in the November edition of *The Monitor*, a publication by the Canadian Centre for Policy Alternatives.

I could read aloud a lot of other newspaper articles were journalists have picked apart these issues.

Private Members' Business

Perhaps the bill should go further. There should not be an inquiry only in Newfoundland, but also in New Brunswick, Nova Scotia, and Prince Edward Island. In fact, there should be an inquiry in every Atlantic province to determine what went on.

• (1820)

The member for St. John's East is right; we do not want to accuse anybody. The fish are no longer there, period. Fishers and scientists need to work together to find solutions to bring the fishery back to the Atlantic.

We are talking about resources, food and jobs for these people. Rather than calling them a bunch of lazy slackers who do not want to work, like the member for Madawaska—Restigouche did by saying that too many people remain jobless in order to get employment insurance, why does the government not hold a public inquiry to get people back to work?

In my riding, people worked up to 35 weeks a year in the groundfish fishery, including crab, cod, and redfish. These are hard-working people, men and women who used to get up in the morning to go to work. What happened is unfortunate.

If the government wants to do something positive and if it has nothing to hide, why does it not sit down with scientists, fishers and experts and come up with solutions, for example, a public inquiry? Before fixing the problem, the root cause needs to be identified. Perhaps it was because of overfishing; but there may be another reason. The experts need to work together.

That is why I am going to support this bill. It is our hope that the government will reconsider things and admit that holding a public inquiry would not be the end of the world. An entire industry has shut down. That is not right. We need to get to the bottom of things and come up with solutions.

[*English*]

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, there has been a major breakthrough in the fisheries since the introduction of my private member's Bill C-308, the Newfoundland and Labrador fishery rebuilding act. The breakthrough took almost 20 years. It took tens of thousands of job losses, the biggest layoff in Canadian history. The breakthrough took unparalleled out-migration from the outports of Newfoundland and Labrador. The breakthrough came after untold suffering and hardship and a devastating blow to our heritage, a blow that still threatens our culture. The breakthrough is the long-awaited acknowledgement that the Newfoundland and Labrador fishery is broken.

The word “broken” has been used in recent weeks to describe the state of our fisheries. The Minister of Fisheries and Oceans has used the word “broken”, as has the CEO of Ocean Choice International, one of the largest fish companies in Newfoundland and Labrador left standing.

Now that the acknowledgement has been made that the fishery is broken, the question now is: How do we fix it? The cracks in the broken fishery begin at the very foundation, the management. With Confederation, part of our dowry to Canada was the Grand Banks of Newfoundland, one of the richest fishing grounds on the face of the planet. Sixty-two years later and commercial stocks such as cod and

flounder have been virtually wiped out. Stock after stock has failed under the current management regime.

The management has not worked, and it cannot be trusted to fix what has been broken. Twenty years and there has been no recovery plan. Shameful. Our future is too important to leave in the hands of the bureaucracy and the system that brought our fishery to its knees in the first place.

One of the only reports that has been carried out in recent decades on the state of fisheries management was written in 2005 by the House of Commons Standing Committee on Fisheries and Oceans. The report is entitled, “Northern Cod: A Failure of Canadian Fisheries Management”, the key word being “failure”.

The report took DFO to task for failing to recognize mismanagement as one of the reasons for the stock collapse, describing DFO's lack of long-term vision as astonishing.

On September 12 of this year, I held a news conference in St. John's to announce my private member's bill calling for an inquiry into the Newfoundland and Labrador fisheries. The news conference was made in the same hotel room where then federal fisheries minister, John Crosbie, shut down the northern cod fishery in 1992.

Within hours of that news conference, Canada's current Minister of Fisheries and Oceans announced there would be no inquiry. His reasoning: the minister pointed out that some areas of the eastern Scotian shelf have seen some stock improvement. The ignorance is astonishing. The Scotian shelf is off Nova Scotia, not Newfoundland and Labrador.

When the Conservative government says no to my bill before the Conservative government has even seen my bill, that is a testament to the importance it gives to the Grand Banks of Newfoundland. When the Conservative government says no to my bill, it is saying no to the future of Newfoundland and Labrador. It is saying no to the future of our culture and the sustainability of our heritage.

The Prime Minister once said that the Atlantic provinces have a culture of defeat. Saying no to an inquiry will ensure that defeat. How can the Conservative government say yes to an inquiry into the disappearance of British Columbia salmon stocks and no to an inquiry into the Newfoundland and Labrador cod stocks? Are our fish, our cod fish, are we any less important?

John Crosbie once asked, “Who hears the fishes when they cry?” My question for the Conservative government is this: Who hears the fishermen when they cry?

• (1825)

[*Translation*]

The Acting Speaker (Mr. Barry Devolin): It being 6:30 p.m., the time provided for debate has expired.

• (1830)

[*English*]

Accordingly, 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.

Private Members' Business

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to Standing Order 93, the division stands deferred until Wednesday, December 14, 2011, immediately before the time provided for private members' business.

* * *

NATIONAL STRATEGY FOR CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY (CCSVI) ACT

Ms. Kirsty Duncan (Etobicoke North, Lib.) moved that Bill C-280, An Act to establish a National Strategy for Chronic Cerebrospinal Venous Insufficiency (CCSVI), be read the second time and referred to a committee.

She said: Mr. Speaker, multiple sclerosis was, in her words, “quickly stealing her life”. In 2008 she began life in a wheelchair. In 2010 she had treatment for chronic cerebrospinal venous insufficiency, or CCSVI, to restore proper blood flow. Last week, she walked. She walked all day with her walker. In her words, “Damn, this is beautiful”.

In May 2010 my colleague, the member of Parliament for St. Paul's, and I wrote an open letter to the health minister, asking for clinical trials for CCSVI and a registry in Canada. We were ignored. There was no response.

I then had a four hour take note debate on CCSVI granted in June 2010. The neurological subcommittee I founded had four meetings on CCSVI. We heard from the leading international researchers, Dr. Zamboni, Dr. Simka, Dr. Haacke and Dr. McDonald. All said that clinical trials were need. This time the world's experts were ignored. The government did not budge.

In the summer, when I questioned a top-ranking CIHR official as to why we could not have a registry, he explained, “Because we don't know what is being done overseas”, and it was outside the mandate of the Canadian Institutes for Health Research, or CIHR. Why did he not know that in Poland, each MS patient is seen by a neurologist, has a doppler, an MRV, an eye test, pictures before and after the procedure and video of the actual procedure? Yet again, I was ignored.

Eventually the government put in place a political process to decide whether to go ahead with clinical trials.

In August 2010 the CIHR, in collaboration with the Multiple Sclerosis Society of Canada, convened a meeting of “top

researchers”, with a special emphasis on neurovascular issues, including the recently proposed condition called CCSVI.

Why were international experts in CCSVI not invited to the August 26 meeting, given that all significant CCSVI research had been conducted internationally?

Why was Dr. Haacke not included, given that he is a world leader in imaging? Why was Dr. Simka, who by that point had performed more than 300 CCSVI procedures, not included? Why was no one with expertise and experience in treating CCSVI invited? Why were those who had publicly criticized the validity of CCSVI allowed to participate, given that they were biased?

It was an expert group with no experts in the imaging and treatment of CCSVI. Moreover, no data were presented from international scientific conferences, no site visits were made to labs and operating theatres, just blind acceptance of a handful of studies, including two which had been accepted for publication in an astounding six weeks.

One must ask why students were assigned to work on such an important literature review and what criteria the CIHR used to reduce the identified 19 PubMed studies to a list of just nine studies.

It was a cursory review, at best, by “top researchers”, particularly when two major conferences had taken place by August 2010 and over 1,500 procedures had been performed worldwide, with encouraging results in patients with relapsing-remitting MS and primary and secondary MS.

Astoundingly a large body of research examining the role of abnormal vasculature in MS was completely ignored, despite the fact that the CIHR was actually made aware of the long history of abnormal vasculature in MS in June 2010.

The first observations related to abnormal vasculature in MS in the literature appeared in Cruveilhier in 1839. Today there is extensive literature examining such areas as venous stenosis, cerebral hydrodynamics and venous hypertension, hypoxia, inflammation and cerebral plaques, vascular damage to nerves, as well as reduced perfusion and even loss of small vein visibility in MS.

Why was the information presented at the August 26 meeting regarding abnormal veins in MS and iron accumulation in MS brains omitted from the summary report?

Private Members' Business

•(1835)

By the time of the August meeting, eight provinces and territories were pushing for action on CCSVI. The president of CIHR was open to clinical trials and the president of the MS Society of Canada had asked for \$10 million for clinical trials. How then could there have been unanimous agreement not to undertake clinical trials at the August 26 meeting when both presidents were in attendance at the behind closed doors meeting? Was it perhaps because on August 24 it was discovered that the president of CIHR did not have the money, that it was over committed by \$10 million and that the Minister of Health would need authority from cabinet for new money?

On September 13 and 14, the federal-provincial-territorial ministers of health met in St. John's, Newfoundland. Who was present, what presentations and arguments were made regarding CCSVI, were all sides of the issue presented. Most important, why in some cases did provinces change their positions? Despite my freedom of information request, the list of expected participants at the St. John's meeting is blocked out, The list of experts is blocked out. The decision is blocked out. The considerations are blocked out.

Over the past 18 months, I have been personally in touch with over 1,500 MS patients across Canada. Of those, over 400 have now been treated and my data mirrors the international data, namely, one-third significantly improve, one-third moderately improve and one-third experience minimal to no improvement. Regardless, there are no drugs for the progressive forms of the disease and no drug has ever reversed the symptoms of devastating MS.

I receive three and four personal notes each week and innumerable phone calls detailing their progress. Many are primary and secondary progressive MS patients. Their changes include improved circulation, changes in the colour and temperature in their faces, hands and feet, a reduction in both searing nerve pain and constrictive pain, a reduction in brain fuzziness and improvements in motor function, vision and hearing. One Canadian said:

"I'm busting at the seams to let everyone know, I have... I had the...procedure...the benefits are phenomenal, my numbness on left side disappeared immediately, vision has improved tenfold...drop foot gone, fatigue gone. I walked the furthest I have walked in over two years 2 days after the procedure...benefits are PRICELESS.

How about the following? "I jumped, I jumped with my child". "I wore a pair of shoes for the first time in three years. It may not seem like a big deal to you, but it's a big deal to me". One man who has suffered for 20 years and walked with two canes has thrown them away and went horseback riding with his daughter.

I have asked hundreds of written questions of the government, I have hosted breakfasts for MPs and senators with Drs. McDonald, Hubbard and Haacke and with patients. I have attended six international conferences on CCSVI and no government official has ever attended one.

For over a year, the process failed Canadians with MS. It put in place a scientific expert working group with no CCSVI expertise or experience, which did not even declare conflicts of interest until I pushed for it, which did not even undertake a comprehensive literature review until I pushed for it and then published an article showing a relationship between CCSVI and MS 14 months after the August 2010 meeting. One must ask why an expert working group would have to contract out a literature review. It also analyzed

interim and final results from seven Canadian and U.S. MS societies-funded studies, for which we already had answers.

While the government failed to put in place an expert working group, it did, however, manage to fast track in 2006 Tysabri, a drug which was known to cause a fatal brain infection. In a few short years, 181 people have acquired the infection and 38 have died as of November 1. Yet there was a hesitation to undertake clinical trials for angioplasty, a procedure undertaken daily in hospitals across the country.

Canadians with MS deserved science and they deserved evidence-based medical practices. Sadly, MS patients could not have evidence-based practices if their government refused to collect any evidence either through clinical trails or a registry.

Finally, in March 2010, 10 months after our initial request, the government reversed its position and announced a registry for MS, although no details or timeline were given for its implementation.

•(1840)

Tragically, tracking the patients will not begin until July, 2012, 31 months after Canadians began travelling overseas for treatment.

Since when do scientists fail to collect data? As one Canadian neurologist, who had the CCSVI procedure, said to me, "If we had collected the evidence in a registry for the last many months, would we still be calling these anecdotal stories?" This sentiment has been echoed by numerous physicians with MS who have had the procedure, who have written to me, although afraid for their careers, and have begged me to continue fighting because "the procedure works".

On June 20, we welcomed the New Hope for MS Tour to Parliament Hill and we announced that we would table bills in both the House of Commons and the Senate, calling for a national CCSVI strategy and clinical trials. We were all enormously grateful to the caring, compassionate, tireless advocate, Senator Jane Cordy.

On June 28, CIHR's expert working group met and, on June 29, the Minister of Health reversed her position and announced clinical trials.

Up until two weeks ago, all we had were announcements for clinical trials and a registry. Canadians with MS across the country understand the cynical politics of two weeks ago. They understand that Motion No. 274 was moved up to be debated before this bill. They understand that the motion keeps the status quo.

Specifically, the following groups were against Motion No. 274: CCSVI Alberta/Edmonton, with 2,000 members; CCSVI in MS Toronto, with 3,200 members; CCSVI MS Nova Scotia, with 1,333 members; and CCSVI Ontario, with 422 members, totalling more than 7,500 Canadians with MS and their families.

MS patients also understand and are deeply offended by the announcements for phase I/II trials on November 25, which was to pre-empt this bill. They understand that it will take roughly three years to proceed with the phase III trial, or a randomized, controlled multi-centre trial with large patient groups. MS patients say that November 25 was a sad day for all Canadians living with MS. They are calling it “Black Friday”.

My bill calls on the Minister of Health to convene a conference with the provincial and territorial ministers responsible for health for the purpose of establishing a national strategy for CCSVI in order to: ensure that proper health care is not refused to a person on the grounds that that person is seeking or is obtaining the treatment for CCSVI outside of Canada; identify the most appropriate level of clinical trials for the treatment of CCSVI in Canada in order to place Canada at the forefront of international research; estimate the funding necessary to undertake those clinical trials in Canada; establish an advisory panel to be composed of experts who have been or are actively engaged in imaging or treating individuals with CCSVI; and ensure that clinical trials begin in Canada by March 1.

Leading CCSVI physicians and researchers in North America recommend an “Adaptive Phase II/III trial”. I have a copy of that letter here. They recommend that clinical trials for the CCSVI procedure occur in multiple centres across Canada with a large patient group.

Finally, I beseech, I implore the government to do the morally right thing and heed the science and undertake adaptive phase II/III trials. Eighteen months have passed since our initial request for clinical trials. On average, 400 Canadians die of MS each year. By the end of this year, 800 will have died from MS related complications or suicide, while the government ignored the science. Thirty-one months will have passed by the time the government implements a registry.

There is no excuse not to image. Imaging is safe. There is no excuse not to treat. Angioplasty is an established, low-risk standard of care. There is no excuse not to undertake clinical trials that would put Canada at the forefront of medical research.

Canadians with MS are waiting, getting sicker and, in some cases, dying. I am profoundly sorry that the government abandoned Canadians with MS in their hour of need. I am sorry that they had to beg for the health care they paid into all their lives. The government must fight for families, develop a national strategy and undertake adaptive phase II/III trials.

• (1845)

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I want to thank my colleague for all the work she has done to bring this very important issue to the forefront. However, I am somewhat concerned with her bill and about the concept of having politicians trying to legislate scientific research and trials. Even Dr. Zamboni, who started the procedure, says we need more scientific research.

Private Members' Business

Canada is actually leading internationally with what we are doing with our partners. Most of what the member is asking for in Bill C-280 is already under way. The deadline of March 1, 2012, for the launch of the trial is not realistic. These trials require rigorous peer-reviewed processes to meet international standards. We have already stated that funding will occur as researchers obtain approval from their own ethical boards, which is extremely important for the safety of Canadians.

Does the member not see that, for the safety of Canadians, it is a very dangerous precedent for politicians to start trying to force research and science by politicizing this issue? We should be working together.

Ms. Kirsty Duncan: Mr. Speaker, I have never politicized this issue. I asked for the science and it took the government 10 months to create a registry and 13 months to accept clinical trials. All I have ever asked is for the science.

This is from the leading doctors in North America, signed by Drs. Sclafani, Siskin, Hubbard, Haacke, McDonald. They say:

We regard your Private Member's Bill... as a critical step forward in understanding CCSVI's role in MS as well as other neurodegenerative diseases such as Alzheimer's and Parkinson's disease. Tens of thousands of Canadians stand to derive significant benefit from the treatment of CCSVI and hence every effort must be made to avoid costly delays and duplication which will ultimately deny those in greatest need the timely, affordable and efficacious treatment they deserve. We strongly believe that the actions laid out in your Bill C-280 are essential in order for the Government of Canada to conduct clinical research into CCSVI.... As such, we urge all Members of Parliament to vote in favour of your Bill.

I will just say that Canada is not a leader. The U.S. already has three phase II clinical trials under way, approved by the FDA.

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, I want to read something I got from an MS sufferer today whom the good member for Etobicoke North knows. The person states, “Canadians who have this disease are dying at the rate of one per day. Yes, we need studies but let's not abandon those people when we can act now and save lives. Yes, study it as soon as possible to help people like me walk again. Don't take a doctor's licence away if he or she saves someone's life. If these people are good enough to be guinea pigs, why are their lives not worth saving, if they are at death's door?”

I understand that the doctors you have talked to have said very clearly that your bill is actually a good thing. Can you expand a little further on that?

Private Members' Business

•(1850)

The Acting Speaker (Mr. Barry Devolin): I would just remind all hon. members to direct their questions and comments through the Chair.

The hon. member for Etobicoke North.

Ms. Kirsty Duncan: Mr. Speaker, I would like to quote again from the leading experts in North America in this field who say:

We strongly believe that an adaptive phase II/III trial will allow for a fast and effective research path to get the answers we all need regarding CCSVI. To do otherwise would waste what little time many Canadians with this disease have left in their search for improved quality of life and be unforgivably wasteful of taxpayer's money during these difficult economic times. Let us be very clear on this point; the many scientists and clinicians comprising our Scientific Advisory Board, all internationally recognized for their expertise in this area, stand firmly behind your position that the safety of CCSVI angioplasty has been well established and therefore anything less than an adaptive Phase II/III trial would be unconscionable.

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, it is my pleasure to rise in the House today to talk about the actions being undertaken by our government with regard to multiple sclerosis.

As a chiropractor practising in Oshawa for many years, I have had the privilege of treating patients who have suffered from this terrible disease. As such, I recognize, and our government recognizes, how difficult it is for people with MS and their families to live with this devastating disease.

This is why we are committed to advancing our understanding of this complex disease in order to develop the most effective treatments and, ultimately, a cure.

As members are well aware, Dr. Zamboni from Italy has proposed a new surgical procedure to treat MS called chronic cerebrospinal venous insufficiency, or the CCSVI procedure. The CCSVI procedure consists of opening veins in the necks of patients to relieve their MS symptoms.

The member for Etobicoke North has introduced Bill C-280 to legislate government action to establish, in collaboration with the provinces and territories, a national strategy on the CCSVI procedure. I need to stress that our government has already acted on a number of the initiatives proposed in the bill.

This past summer, the Minister of Health announced the establishment of a clinical trial on the CCSVI procedure. The Canadian Institutes of Health Research, or CIHR, is leading this federal initiative. In the coming weeks, CIHR will implement a rigorous and internationally peer-reviewed competition to select the team that will conduct this important research.

Our government has also been pleased to see the great interest that several provinces and territories have expressed in working with our government on this very important clinical trial. On that note, key stakeholders such as the Canadian and U.S. MS societies have also confirmed their commitment to collaborate on the proposed trial.

It is important to understand that the decision to move forward with a clinical trial must be based on scientific evidence. The CIHR scientific experts have recommended moving forward cautiously with a small clinical trial that would test the safety of the CCSVI procedure. Some people argue that the CCSVI procedure is a safe

medical procedure. They have called on our government to move faster with a clinical trial on larger groups of patients.

We have to listen to what the experts have said on this matter. Experts from around the world are advising us to move cautiously. Researchers, including Dr. Zamboni himself, have called for further research on the safety and efficacy of the CCSVI procedure. A multidisciplinary panel of experts concluded at the June meeting of the United States Society of Interventional Radiology that there was not enough evidence on the specific parameters required to run a large-scale trial on the proposed procedure.

This panel recommended that "prospective safety and efficacy trials should be conducted in well defined and potentially smaller controlled populations".

We also have to keep in mind that many Canadians have experienced complications following the CCSVI procedure. As indicated in a recent publication by Dr. Cal Gutkin from the College of Family Physicians of Canada, "Endovascular treatment is not without risk." Hemorrhage and other complications have been reported.

Two Canadians who underwent the CCSVI procedure abroad died following the medical intervention. For all these reasons it is necessary to move cautiously with a well defined clinical trial on the safety of the CCSVI procedure. This trial will increase our understanding of the proposed treatment without putting the lives of Canadians at risk.

In this regard, I am very pleased that last month the Minister of Health and Dr. Alain Beaudet, president of CIHR, announced that CIHR is ready to accept research proposals for the phase I and II clinical trials on CCSVI. The request for research proposals is available on CIHR's website.

The second requirement outlined in Bill C-280 is to track MS patients who undergo the CCSVI procedure.

Our government, in collaboration with the provinces and territories, CIHR, the Canadian Network of MS Clinics and the MS Society of Canada, is already developing a Canadian MS monitoring system. This important initiative will provide individuals living with MS and their doctors with information to better understand this horrible disease.

As I already mentioned, Bill C-280 is also calling on the federal government to establish an advisory panel to advise the Minister of Health on the medical procedure proposed by Dr. Zamboni. Our government has already established such a panel.

•(1855)

Over the last 18 months a scientific expert working group established by CIHR has been reviewing research evidence from around the world on the CCSVI issue. The working group has made valuable recommendations to our government on the CCSVI issue. CIHR's scientific expert working group will continue to monitor and analyze new research evidence as it becomes available.

Bill C-280 also raises the issue of ensuring proper health care for MS patients who undergo the CCSVI procedure.

Private Members' Business

As members know, health care delivery is a provincial and territorial responsibility. Some provinces have developed guidelines to ensure that MS patients who undergo the CCSVI procedure abroad receive proper follow-up care here in Canada.

As an example, Ontario's minister of health and long-term care recently mandated an MS expert advisory group to produce guidelines on the follow-up care of MS patients. These guidelines are now available to all health care practitioners in the province of Ontario.

Our government has also worked in close collaboration with the provinces, territories and health professional associations to ensure that MS patients and their caregivers receive the most up-to-date research evidence.

For example, CIHR has been sharing research information related to CCSVI with health professional organizations, such as the College of Family Physicians, which has posted this information on its website and distributed it to all of its members.

A hotline service has also been established by our government to ensure that MS patients have access to the most recent information on MS.

Let me assure the House that we have already established strategic initiatives that will allow us to better understand the new procedure proposed by Dr. Zamboni to treat MS and MS patients.

These initiatives, along with other important MS-related research projects funded by the federal government, will increase our understanding of this devastating disease, and will lead to a more effective diagnosis, treatment, and hopefully, ultimately a cure.

Speaking for myself, I hope that this procedure is a cure for MS. But we all have to understand that it is up to us as legislators to work with the research community, not put unreasonable constraints on the research community and try to force research by legislation.

I think I speak for everyone in the House when I say that we would all like to work together to see what we can do to end this devastating disease. I want to thank the member for bringing up this issue again. She has done a lot of work to bring this issue forward to Canadians and Canadian families.

[*Translation*]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I want to acknowledge the importance of the bill being introduced today by the hon. member for Etobicoke North. Nearly 75,000 Canadians live every day with multiple sclerosis, a very debilitating, chronic autoimmune disease. Canada has one of the highest incidences of MS in the world: one person in 500 is affected by the disease. In Canada, three people are diagnosed every day and the disease often strikes people in the prime of life.

Multiple sclerosis is a complex and incurable disease, and the cause is not yet fully understood. It attacks the central nervous system and is characterized by episodes during which symptoms disappear or reappear. Living with multiple sclerosis means living with many physical disabilities. Symptoms include vision problems, muscle pain, tingling or numbness in the extremities, loss of balance, impaired speech and sometimes even partial or total paralysis.

Although multiple sclerosis is incurable for now, medical research has found drugs for managing the symptoms. Some treatments help reduce the attacks and slow the progression of the disease. However, the drugs are often quite expensive and are not always covered by insurance. Life for those with MS is very difficult. Finding out that you have a chronic, incurable disease when you are 18, 19, 20 or 35 and that you will have to live with its effects for the rest of your life is painfully difficult.

The hon. member for Etobicoke North spoke about the discoveries made by an Italian doctor, Dr. Paolo Zamboni. In 2009, he published a study that seemed to show that multiple sclerosis might be linked to poor blood circulation in the neck veins. The Italian researcher called this problem chronic cerebrospinal venous insufficiency, or CCSVI. His study raised the hopes of many who suffer from multiple sclerosis.

Other studies have been conducted in a number of countries to try to establish whether there is a link between venous insufficiency and multiple sclerosis. Some clinics in the United States, Poland and Italy have begun unblocking veins to help alleviate patients' suffering. The procedure, which is called angioplasty, has produced astounding results in some cases. Patients say that their symptoms decreased by 50% to 80%. In some cases, they regained some of their mobility. Other patients, however, did not experience any beneficial effects. In addition, at least two Canadian patients who went abroad to receive treatment died as a result of the procedure.

One of the problems with the CCSVI treatment is the lack of international standards. Techniques vary, as does the quality of treatment. Private clinics that offer treatment are not all supervised. It is also important to point out that researchers do not agree on CCSVI. Some articles confirm Zamboni's hypothesis, while others refute it, which is why it is important to conduct clinical trials, as called for by the member for Etobicoke North.

In June 2011, a few months ago, the federal government announced that it would provide funding for the first two phases of clinical trials. On November 25, it launched a request for research proposals, some 13 months after the initial request made by the hon. Liberal member. The research team will be selected in March 2012. It will not begin its trials until May 2012. That is an extremely long time from now. It is far too long.

In a phase I trial, a small group of people is selected to evaluate the safety of the procedure. Phase II trials are performed on a larger group of patients and are designed to assess the efficacy of the procedure. We look forward to getting reliable results. The government could have launched clinical trials as early as 2009, but it took the opposition's insistence for the government to finally take action. Patients are waiting. It is time to act.

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The government says that we have to trust the scientific data, and that is precisely what we are asking it to do, to trust the scientific data and to proceed as quickly as possible with clinical trials conducted by health researchers. The government has to move on this as soon as possible. It has to show political will and leadership on this matter, which is vital to thousands of patients in Canada alone. Until there is a cure for this disease, we have to help those living with multiple sclerosis and their families.

● (1900)

Many people who have MS must use a wheelchair to get around. We know that there are still many barriers to mobility in our buildings. Some people have to renovate their homes, others have difficulty finding suitable housing, and still others even have to live in long-term care facilities. Daily life is not easy.

Despite the disease and its symptoms, many people continue to work, some full time and some part time. In order to lead an active life, they often have to count on help from their loved ones. Our society should recognize that care. There are a number of things we could do to support people who have MS and their families. For instance, the federal government could make employment insurance sickness benefits more flexible so that people who have MS can work part time without losing any income.

The government could also offer refundable tax credits to people with a disability and to family caregivers. Many family caregivers have also been calling for tax benefits, given their very difficult financial situation.

Society as a whole must engage in the fight against MS. Canadian researchers must advance the science and find a cure for this disease. Our governments must commit to supporting not only research, but also the people who have the disease in their quest for a healthy life.

We therefore support the bill introduced by the member for Etobicoke North. We hope it will pass quickly and that the government will manage the clinical trials effectively in order to find solutions to this terrible disease as soon as possible.

As I said earlier, the government must show political will and leadership so the scientists can begin the clinical trial process and so that MS patients can finally have access to Dr. Zamboni's treatment, or any other treatment that is proven safe, effective and reliable by our experts in health research.

● (1905)

[*English*]

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, I am pleased to support the bill brought forward by my colleague from Etobicoke North.

I will not go into the statistics or the number of people in Canada who are living with MS. I will not go into all of the details of the misery of their lives and the tragedy of the quality of their lives because everyone has spoken about that and it is known, as we all know.

I want to speak about a fact that the member was talking about. One of the aspects of a quality health care system is that the people who need that health care system get the best possible quality of care when they need it in a timely manner.

We know that with the advent of CCSVI many people who live with MS are desperate. They are living with a debilitating disease that, in fact, can cause them to become completely dependent on others over a short period of time, depending on how the disease affects them as individuals. People are desperate to maintain their quality of life, their mobility, their ability to work, and be producing members of society. Therefore, when something comes up that promises to help them, and when it is shown that in some countries and in some areas of the world people are being helped, everyone wants to know what to do.

It is the responsibility of Health Canada and the Government of Canada to ensure that those patients know what the results of a particular trial, drug, therapy or intervention are, as well as whether there are side effects, so that they know what those side effects are, and also the effectiveness of the therapy or intervention. It is very important for the government to move quickly on this.

In the spring of this year, which is a long time ago, the Liberal Party with the member for Etobicoke North stood and asked for clinical trials to begin in this country. The foot-dragging that went on in the last two days of proposals going out for clinical trials is appalling, considering it affects the quality of life of those people afflicted with MS and their ability to live normal lives. Six or eight months is a long time in people's lives. To have to wait that length of time is, without putting too fine a point on it, insensitive, although I could use other words.

Now the trials have been set out and proposals are being asked for, but they are phase I and phase II proposals. The phase I proposals, as we have heard, are small proposals that look at the safety of the particular intervention or drug. The second phase obviously looks at the effectiveness or the efficacy of that intervention, drug or therapy.

There is a third phase that the member is asking for, which I think is key because it does a comparison of the effectiveness of the new drug procedure or therapy against the ones that have already been in existence. Is it better, is it achieving better results, and will it be more beneficial to patients if they have access to it or not? That is a very key part of clinical trials.

That is not being done and I need to know why. It astounds me that it is not being done because if we are to adopt something, let us say it is proven safe and the effectiveness is good, then one needs to be able to give patients the information so that they can give what is known in medicine as informed consent. They know what they are comparing, what they are looking at, what they are facing, and they are able to make reasoned and informed choices. Patient information is a cornerstone of good quality of care. That is the second thing that the member is asking for.

However, there are other things the member is asking for. Right now people are, in fact, desperate and going out and participating outside of the country in areas where CCSVI is available. We know that there have been some side effects. We know that in some cases patients have only been helped temporarily. We know that when some of those patients come back here, they are treated as if they are pariahs. They are not allowed medical care. They are not allowed assistance that they may need when they have those side effects.

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It is like a punitive measure that says, "How dare you go off and try something because you're desperate? Well, if you do that we're not going to take care of you when you come back". That is the sort of callous and punitive measure that I think the member is fighting against. She is saying that if people went to Switzerland to ski, broke their leg, and came back to Canada, they would get treatment or physiotherapy in Canada.

• (1910)

Why are we discriminating against this group of patients who, out of sheer desperation, because of a great deal of foot-dragging from the government, have been unable to get the answers they seek and the information they want about clinical trials?

That is one of the most important things that she is asking for. She also wanted to talk about tracking individuals who have received clinical trials in multiple centres across Canada so that we can have an information base. Then we would be able to see how people are responding. We would be able to see long a response takes, the differences in response, the factors that help people respond sooner or later or better and the progression of the treatment.

Tracking those aspects is an important part of patient information, of patients knowing what they are choosing and why they are choosing it, and of understanding all the side effects, positive or negative, on different people across the country. When doing a clinical trial, phase I deals with a small group and phase II has a somewhat larger group, but when the drug or intervention or procedure is put out there, it deals with a very large and diverse population, and that population, in all its diversity, needs to be tracked to see how it is responding. That is an important piece of patient information. It is a sort of postmark or surveillance to use in deciding whether this procedure is worth doing.

The member is asking for urgency in all of this. The member was suggesting that by March 1, 2011, we set up an advisory panel to be composed of experts who have been or who are actively engaged in imaging or treating individuals with CCSVI, as well as one patient advocate who has been a patient and who has had CCSVI. In this way we would have a group keeping track of the issue and advising the minister of the best way to go about changing things. I think urgency is what I am hearing, and I think this lack of urgency is what is concerning the member and most of us.

At the end of the day, if we are going to provide the best health care to Canadians, we are going to have to do our homework. We are going to have to invest in good trials, trials that will give the information people need, and that includes a phase III trial. We are going to have to look at post-introduction of procedure surveillance. We are going to have to have an open place where people can track and understand side effects and understand what is going on.

We are going to have to treat these patients, regardless of whether they did or did not have CCSVI, as patients who deserve equality and equity of care and access to care when they need it.

There is urgency, and there are some very concrete steps that the member has asked for in this bill. I hope that we will hear more than lip service about caring for patients, more than lip service suggesting that we want to do the right thing. There is a lot of lip service going on around here; let us see some action.

I want to thank my colleague for bringing in this bill. I give it my wholehearted support.

• (1915)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, multiple sclerosis is a devastating disease. It attacks the nervous system and affects people's vision, mobility, balance, and ability to maintain a memory. Because MS is progressive, its course is highly variable and unpredictable. The emotional, physical and financial drain on those who are affected and on their families is immeasurable.

Many Canadians living with MS have shared their personal stories on how the disease has led to a loss of their autonomy. Many members in the House have friends or family members who have multiple sclerosis and are aware of the hardship that comes with living with this disease. I know members will share my view that MS patients and their families show tremendous courage in the face of such a difficult illness.

Sadly, there is no cure for multiple sclerosis. Current treatment is geared toward managing the symptoms and slowing the disease's progression.

In 2009 Dr. Paolo Zamboni, who is based in Italy, suggested that chronic cerebrospinal venous insufficiency, or CCSVI, could be a main cause of MS. To treat this condition, he proposed a surgical procedure, venous angioplasty, which involves opening up the blocked veins in the neck of the patient. Dr. Zamboni's findings, and those of other studies on CCSVI, have raised the hopes of MS patients, patient groups and members of this House.

Unfortunately, despite the interest that greeted Dr. Zamboni's procedure, it is clear that there is no immediate procedure for treating MS.

There are many unanswered questions on the safety and efficacy of this proposed procedure. There is also some uncertainty about the relationship between CCSVI and MS.

I understand the motivation of those who argue that there is no need for further evaluation of the safety of this proposed MS procedure. Each of us wants to ensure the best possible solution for Canadians living with MS. That said, the government and we in this House have a moral and ethical obligation to work with the scientific and medical community and proceed only on the basis of the best medical and scientific evidence available to us right now.

The government is not alone in this view. According to the MS Society of Canada:

Adding clarity to the relationship between CCSVI and MS is essential in assisting people with MS [to] secure any treatment they may consider.

The MS Society goes on to say that:

Medical institutions and health care providers require research data confirming the validity, necessity and safety of any procedure they provide, and in their view, that data is not yet available as it relates to the relationship between CCSVI and MS.

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Even the MS Society of Italy, where this procedure was developed, announced in June 2010 that it intends to support an epidemiological study of CCSVI.

In September 2010 the Canadian Medical Association concurred with CIHR when they stated:

The CMA concurs with the CIHR's position on the need for an evidence-based approach to the development of clinical trials of the recently proposed condition called "chronic cerebrospinal venous insufficiency (CCSVI).

Dr. Anthony Traboulsee, a neurologist with expertise in the diagnosis and management of MS, expressed this sentiment very clearly when quoted recently by the British Columbia Human Rights Tribunal.

Dr. Traboulsee is the medical director of the UBC Hospital MS program, the director of the MS clinical trials research group, the president of the Canadian Network of MS Clinics and serves on the CIHR's scientific expert working group on MS. In a November 2011 decision, the tribunal quoted Dr. Traboulsee as follows:

New theories and new treatment proposals are welcome. However, in my opinion, based on the evidence available—both published and unpublished—I cannot recommend or support the use of venous angioplasty or stenting of the veins that drain the brain and spinal cord in patients with MS.

It is clear that experts in Canada and around the world are advising caution on this matter. Being cautious, however, does not mean we are not moving forward.

As a surgeon myself, I appreciate both the need for caution for the safety of patients as well as the need to drive forward with new ideas and innovation. That is why in 2010, a full year before Bill C-280 was introduced, the CIHR set up a scientific expert working group to monitor and analyze research-based evidence on the MS/CCSVI issue.

At its meeting in June 2011, the CIHR's scientific expert working group decided that enough evidence was now available to move forward with a clinical trial on the safety and efficacy of the procedure proposed by Dr. Zamboni.

• (1920)

The following day, the Minister of Health acted quickly and asked CIHR to develop a call for proposals for the clinical trials on that procedure.

I am pleased to advise the House that the call for proposals is now posted on CIHR's website. A competitive and rigorous peer review process will be completed by CIHR to ensure that the successful proposals meet international standards for research excellence. This review will likely be completed by early 2012. The announcement of the research team selected for conducting the clinical trials will come shortly after that.

Several provinces and territories have expressed interest in working with the Government of Canada on setting up the national clinical trial. It is scientifically and medically important to respect the different steps involved in the selection and approval of the research proposal to ensure that it meets the standards of research excellence.

As members can see, our government has already taken significant action. This is why we will not be supporting Bill C-280.

It is important to note that, if enacted, Bill C-280 would require by statute that our government undertake by March 2012 clinical trials on the procedure proposed by Dr. Zamboni. The bill does not specify whether these would be phase I, II or III trials. Surely the sponsor must recognize and realize that due to the legislative process this implementation date would likely come and go before both houses could consider the bill before us today.

It is crucial that we, as legislators, do not inadvertently interfere with the integrity of the clinical trials. We, like MS patients, their caregivers and medical professionals like myself, must respect the steps medical research requires in gathering the best evidence.

More importantly, I am pleased to report that during last month's meeting in Halifax, health ministers from across the country discussed the need for moving forward with phase I and phase II trials. Thanks to last month's announcement, that is exactly what is happening. By conducting rigorous peer review, our government is taking the necessary steps to ensure that the investigation of CCSVI will not have long-term negative repercussions on the health of Canadians living with MS.

Canada is not the only country striving to assist MS patients while also proceeding with appropriate caution. In the United Kingdom, the National Institute for Health and Clinical Excellence has launched a consultation process on venoplasty for CCSVI for MS. Its consultation document explains that the link between CCSVI and MS is not well understood and that research to resolve this uncertainty would be useful. The consultation process was completed in September of this year and will provide guidance to the institute as well as to the U.K.'s National Health Service on the safety and efficacy of CCSVI.

The fact of the matter is there are many unknowns regarding CCSVI angioplasty. We look forward to reviewing the findings from these and other highly credible institutions that are studying CCSVI. That is what the MS Society, prominent members of the medical community, provinces and international health care services have advised.

That said, let there be no doubt that this government shares the determination of MS patients and their families that new developments should be rigorously assessed and researched. It is our shared hope that this research will lead to medically proven, evidence-based procedures to improve the lives of patients with multiple sclerosis and ultimately to finding a cure for MS.

[*Translation*]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, I would like to thank my colleague, the member for Etobicoke North, for the energy and passion she has put into the cause of multiple sclerosis.

Canada is one of the countries most affected by this illness. It is believed that between 50,000 and 80,000 Canadians are affected, and three new cases are diagnosed every day in Canada. What is dramatic is that the people who are diagnosed with multiple sclerosis are in their prime. They are usually between 15 and 40. So these are young people who are active in the labour force and have a family, or people who are dreaming of changing the world and making a contribution to our society.

Learning that your body is an obstacle to achieving your goals is a hard reality to face and difficult to accept. The symptoms of multiple sclerosis vary from person to person. They range from blurred vision and extreme fatigue to trouble speaking and muscle stiffness. The most severe cases can involve memory problems and partial or full paralysis. With this illness, you need help from your loved ones, at least some of the time. So I hope that this government will do more for informal caregivers, who often must take time off work and bear the costs of caring for their loved ones.

The reality is no rosier for patients. Almost 80% of multiple sclerosis patients end up unable to do full-time work. So it is urgent to give those people the flexibility they need so that they remain active and stay out of poverty. This is even more important when we realize that 75% of patients are women. I remind the House that more women than men live on a low income. One of the objectives of the Multiple Sclerosis Society of Canada is to improve the system of employment insurance sickness benefits so that compensation can be paid when work is missed because of flare-ups. I hope the government is listening.

At the moment, multiple sclerosis is incurable. A number of treatments can slow the progress of the disease and reduce the frequency of the attacks or the intensity of the symptoms. But nothing yet lets patients tell their loved ones that they are cured. So we should not be shocked to learn that a 2009 announcement of a potential cure gave Canadians a lot of hope. But they are frustrated at not having access to it here. The treatment in question was developed by Dr. Paolo Zamboni. He feels that an obstruction in certain parts of the system of veins in the neck and the head makes that system unable to drain the blood effectively from the brain and the spinal cord. This could be the cause of the iron deposits in the

Private Members' Business

central nervous system which provoke an immune response associated with multiple sclerosis.

The proposed treatment, the possible therapy, consists of an angioplasty, in which veins are opened and a small balloon or a vascular stent is inserted. The first trials that Dr. Zamboni conducted were very promising. But the scientific community is still very cautious. In fact, the cause of the disease that Dr. Zamboni suggests was not considered by experts until now. After the shock that the initial discovery caused, a number of studies have been undertaken on various aspects of the theory; the results are inconclusive to say the least. Some support Dr. Zamboni's conclusions, others reject them.

● (1925)

As a physician, I have to admit that I am both intrigued with and skeptical of the theory that Dr. Zamboni is putting forward. I am intrigued because he seems to have achieved results and because, if his research turns out to be valid, it will be a major advance in medical research. But I am skeptical not only because the research is not complete but also because it is not the first time that a miracle cure for multiple sclerosis has been announced. I have in mind the 1988 announcement by a French doctor, Dr. Le Gac, that the disease could be cured with high doses of antibiotics because it was caused by a virus.

It is my wish that the treatment will be available as soon as possible for all those who need it and that it will be proven effective. Patients are putting a lot of hope into the procedure.

The Acting Speaker (Mr. Barry Devolin): Order, please. I am sorry, 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.

● (1930)

[*English*]

It being 7:30 p.m. the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:30 p.m.)

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