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OFFICIAL REPORT
(HANSARD)

Wednesday, November 8, 2006

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, November 8, 2006

The House met at 2 p.m.

Prayers

● (1405)

[English]

The Speaker: It being Wednesday, we will now have the singing of the national anthem, led by the hon. member for Timmins—James Bay.

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

REMEMBRANCE DAY

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, this coming Saturday will be the 14th time that I, as a member of Parliament, will have the privilege of laying a wreath at the local cenotaph in honour of our veterans.

This annual ceremony allows us to focus on the dedication and commitment that our armed forces members, past and present, have for freedom and peace in our country and around the world.

The ranks of World War I and World War II veterans are decreasing every year. Many of them have carried the marks of the war for their whole lives. We appreciate them and thank them from the bottom of our hearts.

We focus, of course, on those who gave their lives in the wars, some 105,000 of them. During the six years of the second world war, for example, we lost an average of 42 soldiers, airmen and navy personnel every day. What a tremendous sacrifice they made. What dedication and courage.

To all of them and their families we pledge that we will not forget. To those who are serving us now and to their families, we pledge our ongoing support and gratitude.

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INCOME TRUSTS

Hon. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, Canadians across the country are feeling the pain of the minority government's about-face on income trusts. The Minister of Finance's

apology does little for investors who saw their life savings vanish before their eyes.

Our offices have been bombarded with emails and phone calls from pensioners who saw their life savings decrease by nearly 20% on the stock market. For example, Mr. and Mrs. Barker from Miramichi wrote to me, saying, "The Conservatives lied" and "in this instance their lie has cost millions of Canadians dearly... Canadians have lost billions never to be regained...".

For example, nearly 20,000 Atlantic Canadians who had participated in Aliant shares, most of them pensioners from Atlantic Canadian telephone companies, are extremely upset. Many people invested last summer on the basis of the Conservative promise not to tax income trusts.

It is sad that when it comes to trust, Canadians have little trust in the government.

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[Translation]

QUEBEC INTERNATIONAL SOLIDARITY DAYS

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, tomorrow there will be three major events taking place in Quebec that address the issues of global poverty and promises for development in the new millennium.

The goal of the Quebec International Solidarity Days, which will continue until November 19, is to promote solidarity and commitment to a more just world among the public.

A highlight of this 10th annual event will be the launch of the first États généraux de la coopération et de la solidarité internationales in Quebec, which will provide an opportunity to examine what has been done and think about what remains to be done, and most importantly how to do it.

Montreal will also host the Millennium Promise Conference, an international event that will bring together people from all walks of life who share the objective of improving the lives of children and of people living in extreme poverty.

I will be taking part in this important conference and I would like to take this opportunity to urge the Minister of International Cooperation and Minister for la Francophonie and Official Languages to demonstrate a sense of humanity and do something concrete for the most disadvantaged members of our society. The federal government must immediately stand up and be counted, by significantly increasing the development assistance budget.

Statements by Members

[English]

GLOBAL MICROCREDIT SUMMIT

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, next week in Halifax, 2,000 delegates, including Nobel peace prize laureate Muhammad Yunus, will assemble for the Global Microcredit Summit.

This will be a crucial moment in a campaign using micro loans to lift half a billion people out of extreme poverty by 2015, fulfilling the UN millennium development goal of cutting in half the number of people living on less than \$1 a day.

At the world AIDS conference, grandmothers identified microcredit as a literal lifeline to survival for women raising 13 million AIDS orphans. I look forward to chairing the summit's session on how microcredit contributes to gender equality.

I urge the foreign affairs minister to seize tomorrow's news conference with the director of the microcredit summit campaign as the ideal opportunity for Canada to reverse its shameful 50% decrease over the past five years in CIDA funding for microcredit.

With microcredit reaching more than 110 million people worldwide, 82 million of them the poorest of the poor, it is time for Canada to invest more than a mere 1% of its official ODA on this proven poverty reduction tool.

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•(1410)

MEDICAL RADIATION TECHNOLOGY

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Mr. Speaker, Medical Radiation Technologists Week is being celebrated across Canada from November 5 to 10. Medical radiation technologists are highly trained health professionals with specialized skills, knowledge and competencies, who carry out diagnostic imaging in a number of treatment procedures in hospitals and private medical clinics.

The profession is composed of four disciplines: the radiological technologist, the radiation therapist, the nuclear medicine technologist, and the magnetic resonance technologist. These dedicated practitioners function as patient advocates, educators, health care researchers, technical and therapy specialists and interdisciplinary consultants.

I would like to take this opportunity to recognize the vital contribution of these key members of our health care system and their ongoing commitment to provide optimal patient care to all Canadians.

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INCOME TRUSTS

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, the minority Conservative government's stunning betrayal on income trusts is having a devastating effect on families across this country.

Let us listen to Noel Chaney of Courtenay, B.C., who said in an email to MPs: "Our family lost" almost "\$80,000 on our income trust investments today alone. My wife has medical conditions" that require "\$12,000 a year in uninsured prescription medications, so

our costs are...higher than most people our age". We do not have a lot of money to live on, he says, but "we thought we had things under control with our investment strategy". We believed the promises of the Conservative government "to leave income trusts alone, until today", he says.

Mr. Cheney is stunned by the betrayal of the finance minister and the support this plan is getting from other opposition parties. "We are...upset," he says, "by the broken promise of Stephen Harper and Monte Solberg to not change the trust tax structure". These promises—

The Speaker: Order, please. The hon. member for Vancouver Centre knows that in the House she must refer to members by their titles, not by their names.

The hon. member for Tobique—Mactaquac.

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VETERANS' WEEK

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, as Canada marches ahead into the 21st century, we continue to celebrate the stories of our past. The theme for Veterans' Week 2006 is "Share the Story".

Canadians across this country will see the Veterans' Week poster, which depicts the coming together of generations. A young man is trying on his second world war uniform as a veteran looks on. As the poster suggests, Veterans' Week has become a time for veterans and young people to come together and grow together.

Let us learn more about our veterans' experiences. Above all, let us encourage our young to pay homage to our past and honour its stories.

I encourage all of us to ask questions of those who helped create such a prosperous nation, those who fought to preserve the values and privileges we treasure today, because for all good things in this country, we can thank our veterans.

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[Translation]

RIVIÈRE-DU-NORD MEDIA

Ms. Monique Guay (Rivière-du-Nord, BQ): Mr. Speaker, today I have the pleasure of welcoming journalists from *LE NORD*, the *Journal de Prévost*, *Le Sentier* and CIME-FM, the radio station of the Laurentians, who are proud representatives of the media in my riding, Rivière-du-Nord.

This day is part of a long tradition initiated by my constituency office to introduce the people we deal with on a daily basis, as elected representatives, to another aspect of the job of member of Parliament, and at the same time to thank them for the mutual trust we have enjoyed throughout our years of cooperation.

Statements by Members

The journalists in my region, who enjoy a special vantage point for observing what we do every day, play an important role in our democracy and are committed to delivering clear information that the public can use to make informed choices.

Today I would like to recognize the work they do, their intellectual discipline, their ethics and their determination to preserve their freedom of expression.

My colleagues in the Bloc Québécois join with me in giving them a very warm welcome to Parliament Hill, and hope that they enjoy their time with us.

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[English]

DIABETES MONTH

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, I would like to inform the House that November is Diabetes Month.

Diabetes is a serious public health problem in Canada. Diabetes currently affects about two million Canadians and costs our economy \$1.6 billion each year.

Type 2 diabetes accounts for about 90% of diabetes cases in Canada. In most cases, type 2 diabetes can be prevented through physical activity, healthy eating and maintaining a healthy weight.

Canada's new government is providing \$18 million this fiscal year to the renewed Canadian diabetes strategy, which has set the foundation for moving forward on diabetes prevention in Canada. Our government is working with the Canadian Diabetes Association and other partners on the future direction of this strategy.

In addition, the Canadian Institutes of Health Research will continue to provide funding for research to address both type 1 and type 2 diabetes.

Canada's new government also has an aboriginal diabetes initiative, which will grow to \$55 million annually at maturity.

I would like to ask all members of the House to wish the Diabetes Association a very successful Diabetes Month.

* * *

• (1415)

INCOME TRUSTS

Hon. Stephen Owen (Vancouver Quadra, Lib.): Mr. Speaker, the emails and phone calls continue to pour into MPs' offices from financially devastated Canadians following the government's broken election promise on income trusts. Let us take, for example, Mr. David Taylor of Vancouver, who writes under the title "A damaged Canadian", and says:

A significant percentage of my portfolio was lost today, with further destruction still to come. My monthly income is now in serious jeopardy, since by the new rules income trusts will have to lower their distributions to account for the new tax. I will have to sell my house as my new lower income will not support the mortgage. I wish I only had myself to blame, but this is entirely the fault of a callous and indifferent politician who has lied and now cheated me of my retirement.

Unfortunately, Mr. Taylor is not the only one in this predicament. Thousands of Canadians have lost billions of dollars overnight because of the government's broken promise—

The Speaker: Order, please. Hon. members cannot do indirectly what they cannot do directly. Using language that is unparliamentary because they are quoting somebody is not satisfactory. We will not have these quotes read this way.

The hon. member for St. Catharines.

* * *

TAXATION

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, I have heard from seniors in my riding of St. Catharines and across Canada. These seniors receive pension income resulting from the years they spent contributing to Canadian society.

Canada's new government has introduced a tax fairness plan to assist all senior couples who receive pension income. This plan helps seniors in two ways.

First, it reduces taxes for low income and middle income seniors by increasing the age credit amount by \$1,000, retroactive to January 1 of this year. Second, effective January 1, 2007, senior couples will be allowed to split all pension income that is currently eligible for the pension income credit.

Pension income splitting is here after a 40 year wait. Our tax fairness plan is an important step in improving the quality of life that Canadian seniors enjoy, especially after the amount of time and effort they have given to this country.

* * *

REMEMBRANCE DAY

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I rise today to salute Canada's veterans. This past Sunday I laid a wreath by the cenotaph at Swansea Legion Branch 46 in Toronto. Next Saturday I will join in other ceremonies in my riding, including at the Queen's Own Rifles Branch 344 on Lakeshore Boulevard.

This latter event will be especially meaningful for me as it was here that my father, Harry Nash, applied to the Navy in 1941 at age 17. He was called up the next year and served on the corvette HMCS *Kitchener* K225 in the North Atlantic and later became a chief petty officer on the minesweeper HMCS *Bayfield*, including at Omaha Beach on D-Day.

We owe my father and his generation deep gratitude. My dad, at age 82, will celebrate Remembrance Day at Legion Branch 31 in Mount Dennis, Ontario.

I also want to thank my party for the NDP's veterans first motion, ensuring that veterans, their families and Canadian Forces personnel who fought to protect our country will not have to fight to receive a fair pension and live in dignity.

Oral Questions

[Translation]

INCOME TRUSTS

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, the minority Conservative government's recent decision about income trusts was a massive attack that cost Canadian investors billions of dollars.

Jacques Dompierre from the Ottawa region wrote: "I think that... the changes proposed by [the Minister of Finance] are a serious mistake".

Mr. Dompierre thinks that he should never have had to take such huge losses because of his government and he added, "It is clear that Ottawa must reconsider the proposed changes and try to undo this week's carnage".

Many Canadians agree. They invested their money in income trusts because they believed the Conservatives' election promise.

Mr. Speaker, there is no justification for the Conservatives' about-face.

* * *

● (1420)

DON CHERRY

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, yesterday, the anglophone members of this House gave a hero's welcome to Don Cherry, a CBC commentator whose disparaging comments about francophones have already raised questions here in the House of Commons.

This morning, everyone in Quebec is asking questions about the tribute paid to Don Cherry. Clearly, it does not take much to be a hero in English Canada.

Don Cherry was accompanied in the gallery by none other than the Deputy Chair of Committees of the Whole. We cannot understand why you yourself, Mr. Speaker, bent the rules of the House, a set of rules you helped establish.

I have trouble understanding how you could demonstrate such enthusiasm for a francophone-bashing clown. Maybe it was because the member for Kingston and the Islands temporarily supplanted the Speaker.

The attitude demonstrated in this House was hurtful, and we will learn from this experience.

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[English]

INCOME TRUSTS

Mr. Omar Alhabra (Mississauga—Erindale, Lib.): Mr. Speaker, Canadians have learned the hard way what it means to put their trust in the minority Conservative government's word.

Investors in income trusts have lost billions of dollars of their hard-earned money, which they planned on using in their retirement years. For the government to betray them by imposing a tax that it promised would not come has left them angry and jaded. Who can blame them?

Take the example of Albertan Gerry Collard. In an email sent to MPs entitled "The evaporation of my retirement fund", Mr. Collard writes:

In appreciation of my vote, you and the Conservatives caused \$170,000 of my life savings to evaporate overnight. In exchange of my \$170,000 you give me seniors income splitting. I am still looking for the humour in this.

He concludes by saying, "I invested my entire life's savings in Income Trusts after you promised they would not be taxed".

The Conservative government—

The Speaker: The hon. member for Mégantic—L'Érable.

* * *

[Translation]

PUBLIC SAFETY

Mr. Christian Paradis (Mégantic—L'Érable, CPC): Mr. Speaker, our government is addressing the issue of safety in our communities with strength and determination.

On Monday, Canada's new government took concrete measures in order to ensure the safety of Quebec's communities by injecting \$10 million to face challenges related to crime and street gangs, through the National Crime Prevention Centre in particular. This funding will allow Canada's new government to work together with Quebec and non-governmental organizations in order to prevent crime.

This is another good example of the productive relationship Canada's new government maintains with the Government of Quebec and the community organizations of that province.

The Bloc Québécois, the party in eternal opposition, will never produce results since it is powerless in Ottawa—powerless is the word.

The Liberals lost the confidence of Quebecers a long time ago. Fortunately, Canada's new government is taking tangible measures and meeting the needs of the people in order to ensure the safety of Quebec's streets and communities. In the meantime, the Leader of the Bloc is happy just to toss out some ideas.

ORAL QUESTIONS

[English]

THE ENVIRONMENT

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, like the reversing falls in Saint John, New Brunswick, the Conservatives are cascading backwards on the environment. The government will go to Kenya next week with a climate change plan in which it proposes to do nothing for 20 years and then think about what it will do for the next 25 years after that.

No wonder the Prime Minister and the Minister of the Environment are afraid to show up at international meetings. They are making Canada a laughingstock on the environment.

Oral Questions

Would the Prime Minister agree that what our country needs is a plan that kicks in one week from now, at the world conference in Nairobi, and not 2,300 weeks from now in the year 2050?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as the Leader of the Opposition will know, the government has tabled the clean air act which, for the first time in our history, will insist not only on reduction of air pollution, but reduction of greenhouse gases in Canada. It will, for the first time in history, have a national non-voluntary regulatory scheme for all Canadian industry.

What is amazing is, after 13 years in office when the Liberals did not table a single proposal, they have the gall to criticize anything.

• (1425)

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, that is absolutely untrue. Listening to the Prime Minister is sort of like listening to a salesman trying to get Canadians to buy a Christmas layaway plan for the environment. We do nothing for decades, seas rise, islands flood, droughts hit, famines strike—

Mr. David Anderson: Who's writing your questions?

Some hon. members: Oh, oh!

The Speaker: Order, please. I am sure the hon. Leader of the Opposition appreciates all the help with his question. We have to be able to hear his question, not all the suggestions from other corners in the House. The hon. Leader of the Opposition has the floor.

Hon. Bill Graham: Mr. Speaker, it is extraordinary to find the members opposite take such celebration in their lack of doing anything for the environment. That is an extraordinary performance on the floor of the House.

We are talking about a 44-year layaway plan, when we will be long gone from Parliament. Those members will not be here. We will not be here. Our grandchildren will be stuck with a huge bill for the environment.

Would the Prime Minister please, for the sake of Canada, reverse course, make Canada a leader, not a laggard on Kyoto, and go to Nairobi with a real—

The Speaker: The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as we all know, it was the previous government that signed Kyoto over a decade ago. We are still waiting to see its plan.

The leader of NDP made a useful suggestion, and that is for the clean air act to go to a parliamentary committee where members could interview scientists, economists, industry leaders, environmentalists, technology experts and where the committee can itself assist the government in suggesting short term and mid term targets.

I would encourage the Liberals, after 13 years of neglect, to get on the bandwagon and start working on it.

[*Translation*]

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, it is these types of answers that are making the Conservatives and the NDP lose all credibility.

Will the Prime Minister even lift a finger for the Kyoto protocol? Will he introduce a bold plan of action to fight climate change? Will

he make Canada the champion that citizens and Canadians expect? Will he put forward a plan, a real plan, for the future of our planet, rather than twiddle his thumbs, embarrass Canadians and create an environmental catastrophe with the help of his ally—

The Speaker: The right hon. the Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, let me say again, for the first time in history we have a government that has proposed a plan that will reduce pollution in Canada and will also reduce greenhouse gases in Canada instead of spending the taxpayers' money abroad. Our plan is also mandatory for all industries in the country.

That is more than I can say about the grand plan presented by the former government and the former Minister of the Environment, who named his dog Kyoto.

[*English*]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, the Minister of the Environment is missing so many meetings that her international colleagues are thinking about putting her face on a milk carton.

[*Translation*]

During two weeks of meetings in Germany, the minister attended for only a day and a half. She was not present at the meeting in Switzerland. She did not attend the meeting in Mexico. Nor is she attending the meeting in Kenya.

Instead of taking after the Prime Minister who cancelled on a meeting in Finland, will the Minister of the Environment come out of hiding?

[*English*]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I will not apologize for focusing on Canada's environment. After 13 years of neglect and the Liberals parading around on the international stage and accomplishing nothing, I am focused on developing a Canadian plan for our Canadian industry and our Canadian communities.

[*Translation*]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, the attitude of this minority Conservative government in the environment file seems to be one step forward, two steps back.

With all the double talk, confusion, contradictions and retracted statements, the minister does not know whether she is coming or going.

The environment has become the number one priority of Canadians so how can the minister, who supposedly chaired the United Nations climate change conference, possibly go to Nairobi empty-handed?

Oral Questions

●(1430)

[English]

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government that screwed up the environment talks about confusion. What Liberals are not talking about today, which is interesting, is their vote last night when they voted against having taxes for large corporations and when they voted against having income splitting for seniors.

I think what we are all wondering today, when we talk about confusion, is why the member for Etobicoke—Lakeshore, the member for Saint-Laurent—Cartierville, the member for York Centre and the member for Eglinton—Lawrence, the candidates for the leadership, skipped that vote.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in a few days, the Minister of the Environment will attend the Nairobi climate change conference and yet no one knows Canada's true position on the Kyoto protocol.

For weeks now total confusion has reigned. The minister agrees with phase two of the protocol but not with phase one. She is in favour of a carbon exchange but the Prime Minister is much more vague.

Will the Prime Minister have the decency to inform the House of Commons of his position on Kyoto before his Minister of the Environment informs the whole world in Nairobi?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have mentioned several times, this government is participating in the international process so that progress will be made in the matter of greenhouse gases and so that, in future, there will be an effective international protocol that will include all major emitters worldwide.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, Canada's position on the Kyoto protocol is as clear as mud; however, Quebec's position is crystal clear.

Will Quebec's position be clearly conveyed in Nairobi or will the Minister of the Environment instead try to make everyone believe that Quebec and Canada support the minority position of this minority government?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, a representative of the Government of Quebec will be attending with the Canadian delegation.

Canada is a signatory to the protocol. The minister clearly reiterated on several occasions that this government intends to work together with the provinces to arrive at an effective and mandatory federal law.

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, the rapid degradation of the banks of the St. Lawrence, due to global warming, could cost Quebec more than \$1 billion. Action is urgently needed. Not only environmentalists but economic world leaders such as Ultramar have said that they are in favour of Quebec's green plan.

Does the Minister of the Environment realize that action is urgently needed? The problem is not only environmental, it is also economic.

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, we are acting now, which is why we have introduced our regulations across all industry sectors. Canada's clean air act will enhance our powers to deal with both air pollutants and greenhouse gases.

As I have said before, the plan in Quebec is good, but is not based on mandatory emissions reductions, which in fact is something that is required under the Kyoto protocol.

[Translation]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, while the European Union has already announced more stringent targets for the second phase of the Kyoto protocol, the Prime Minister is hiding and refusing to go to Helsinki, under false pretences. As a result, Canada will be one of the only participants in Nairobi whose position is unknown.

Does the Minister of the Environment not find it strange that, even though she is co-chair of the conference, she cannot tell us what message she will deliver in Nairobi?

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, Canada will be one of the few countries that actually pays our dues to the United Nations framework convention on climate change and participates fully. In fact, Canada is on track to meet all of our Kyoto obligations except for our target. We have been clear about that.

We support the Kyoto protocol but there is no way that we can reach the unrealistic target that the Liberals set after 13 years of neglect and no plan in place.

* * *

●(1435)

VETERANS AFFAIRS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, a year ago in October, the Prime Minister's Office at the time wrote a letter to Joyce Carter of St. Peter's, Nova Scotia, confirming that:

—a Conservative government would immediately extend Veterans Independence Program services to the widows of all Second World War and Korean War veterans....

After nine months in office, there has been no movement. It is another Conservative promise broken to our veterans.

Will the Prime Minister confirm today that he will move immediately to implement the provisions of the NDP veterans first motion adopted yesterday in the House?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, last night, as we all know, the NDP put forward a motion that contained a number of uncoded promises to Canadian veterans. This government will examine these as part of its lead-up to the next budget.

Oral Questions

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, that is not what the hon. member said in his letter to that particular constituent.

In April 2005, the Prime Minister said at the time, following a successful motion on Air-India, that the then prime minister had a moral responsibility to respect the will of the House and, days later, he said that it was disturbing from a democratic standpoint that the government would not listen to the will of the House.

This House adopted the NDP veterans first motion yesterday but the government refuses to act. Which is it going to be? Is the Prime Minister ducking his moral responsibility or would he prefer to characterize his own actions as disturbing?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the NDP put forward a motion that literally contains hundreds of millions of dollars in spending with no attempt to cost those out and no attempt to put them in a budget. Governments have a moral responsibility to ensure these proposals are affordable.

Canadian veterans see through that. Canadian veterans see through a bunch of empty promises. What Canadian veterans understand—

Some hon. members: Oh, oh!

The Speaker: Order, please. The Prime Minister will want to conclude his answer.

Right Hon. Stephen Harper: Mr. Speaker, an interesting reaction from a party that voted for five things it did not do in 13 years of office.

What Canadian veterans understand is that the way to support veterans is to first support them when they are in uniform and that is what this government is doing.

* * *

THE ENVIRONMENT

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, one week late, the Minister of the Environment is headed to Nairobi, but she has yet to give the House any indication of what she will actually do when she gets there. We already know that the minister wants to gut the Kyoto accord but she has not told the House what changes she wants to make.

Will the Minister of the Environment admit that she will be pushing global warming off the international agenda until 2050 because she has no credible plan and no intent of addressing this international crisis?

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, the submissions we are making on behalf of the Government of Canada to the Nairobi conference are the submissions that have been on the United Nations website and our long-standing position on Kyoto since Germany, which was in May.

I welcome the member to take a look at those submissions. If he has any comments, I would like him to make them to me. I also invite him to speak to the member from his party who is accompanying us. We are being open and transparent about our position and we appreciate any feedback.

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, maybe the minister should step aside and let somebody else do the job, although it will be hard to find somebody over there who is committed to the environment.

In any event, this House has a right to know what changes the minister will make regarding Kyoto. This is an international accord that Canada signed but she has not lifted a finger to support Canada's commitments in 2012. Now she says that she wants fundamental changes to the accord.

What are the changes? Why is she pursuing them and why is she, contrary to the majority of members of the House and a majority of Canadians opposed to this do nothing plan, going ahead with nothing in her pocket?

• (1440)

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I will tell the member exactly what change I have made.

We have moved the Canadian environment from voluntary measures, with no plan to reduce greenhouse gases or air pollution under the previous government, to regulations across every industry sector in the country. We started that process a few weeks ago and those regulations will obviously come into effect in the short term. We are setting short term targets, something this country has never had before. We are doing that in the new year.

Finally, this country will make progress toward our Kyoto obligations.

[*Translation*]

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, clearly, this government does not know where it stands.

The Minister of the Environment promised a carbon credit trading market in Montreal but, within a week, was contradicted by the Minister of Industry and by the Prime Minister's press secretary. Now, the Prime Minister is contradicting his own press secretary and is also promising a carbon credit trading market in Montreal.

What is the government's response to the Montreal Exchange's fears that the carbon trading market will not see the light of day, due to these contradictions?

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, we are in consultation about the market, but our government believes that any such system must be based on market forces for the trading of credits with respect to greenhouse gases and other pollutants.

Unlike the Liberals, our government does not believe that it should use taxpayers' money to maintain a market. With our government, those who pollute must pay the price.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, if the Minister of the Environment plans to support the Montreal Exchange, does this mean she will set specific short-term targets for greenhouse gas reductions?

Oral Questions

Luc Bertrand, president of the Montreal Exchange, believes that governments have a clear role to play in putting a value on carbon reductions. In other words, governments should take the Kyoto protocol's approach and not that of the oil and gas industry.

Will the minister deliver real targets, real reductions and a real policy?

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I invite the opposition to read sections 27, 29 and 33 of Canada's clean air act, which allow for a North American trading system. Like the acid rain agreement, what we need is a North American solution. We are therefore consulting industry and the provinces regarding short term targets.

Mr. Marcel Lussier (Brossard—La Prairie, BQ): Mr. Speaker, the Minister of the Environment's dithering about creating a carbon exchange in Montreal prompted the president of the Montreal Exchange to say, and I quote:

What worries me the most is seeing this market trickle out of the country.

Yesterday, the Prime Minister confused 2011 with 2007, which did nothing to allay concerns. Four years' difference is no small thing.

My question is this: Does the Minister of the Environment agree that the Montreal Exchange has legitimate concerns about the contradictory statements she and—

The Speaker: The hon. Minister of the Environment.

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I met with the Montreal Exchange. We recognize the opportunity for Canada to lead the way in a carbon exchange market that is market driven based on industry and not through taxpayer dollars.

The mandate of the Government of Canada is to set out these regulations, and we will do so in consultation with industry and the provinces.

[Translation]

Mr. Marcel Lussier (Brossard—La Prairie, BQ): Mr. Speaker, the Montreal Exchange says it is ready to set up a carbon exchange.

Can the Minister of the Environment confirm that if a carbon exchange is established in Canada, it will not be in Winnipeg or Toronto, but in Montreal and nowhere else?

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, our government has always been clear that no market will use taxpayer money to buy or sell greenhouse gas credits.

Unlike the Liberals, who set up a \$1 billion Canada emissions reductions agency to buy and sell domestic and international credits with taxpayer money, our government is not proceeding with this program. We will not subsidize the market and we will not create an artificial market. This market will be driven by industry and by the markets.

• (1445)

[Translation]

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, the Montreal Exchange already has a head start with respect to establishing a carbon exchange. However, the government's hesitation and lack of clarity could very well nip this initiative in the bud.

By saying that there are still some loose ends, is the Minister of the Environment adopting a new strategy in order to move the future carbon exchange elsewhere in Canada?

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I have made the point before that the member should look at the clean air act because it sets out, in three different sections, the opportunity for the government to recognize certain kinds of tradable units. That is actually the role that the Government of Canada plays. We recognize tradable units as part of the regulatory framework.

I would encourage the Bloc members, if they would like to see an exchange, to support the clean air act.

[Translation]

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): The Montreal Exchange is not alone in asking for fixed targets so we do not miss the boat. Yesterday, the National Assembly unanimously passed a motion supporting the establishment of a carbon exchange in Montreal.

Is the Minister of the Environment planning to give a positive response to those who are telling her that setting greenhouse gas emission reduction targets is urgent so the carbon exchange can be established without delay?

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, it is our role, as the government, to set up the regulations in order to have an opportunity for a carbon exchange. What I am waiting for is a yes from the Bloc. We need the clean air act to pass so we can recognize certain kinds of traceable units so we can have a flexible, efficient, modern market.

I would encourage her to have her environment critic actually read the clean air act, talk to me and then we can work on it together at the legislative committee.

* * *

FEDERAL ACCOUNTABILITY ACT

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, the minister of evasion and non-answers failed to respond yesterday about 44 Conservatives who violated that party's empty accountable promise of last April 11 to limit contributions to \$1,000.

Today, we learned of a 140 more. That is right; nearly 200 violations in total and now 200 broken promises.

Thousands of other violations will occur if the Conservative promise-breaking machine keeps smashing forward.

Oral Questions

Will the minister confirm that these overcontributions will be returned and stopped? Will the Conservatives keep their promise of April 11, yes or no?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, after a lot of thought and reflection, I want to thank the member for Ajax—Pickering for the idea. I do share his view that we need to get tougher. We need to make the federal accountability act and its campaign finance reforms retroactive to April 12.

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, yet another amendment from the Conservatives. That makes 52. Conservative senators just introduced number 51 yesterday.

Here are the choices. The Prime Minister and the minister can apologize, stop these violations and pay back the money. They can toss this promise in the garbage heap, along with all the other deceptions they made to get elected, and admit that the Conservatives' word means nothing. They can own up and admit that they pulled a fast one on Canadians. Or, are they going to say that *Hansard* did not catch their promise?

Will the minister keep the commitment he made to Canadians on April 11, yes, or no?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, the member for Ajax—Pickering says that we have choices.

I say that he has a choice. He can put up or he can shut up. He can announce that he will support our plan to make this bill retroactive. He can support our plan to make campaign finance reform retroactive.

Let us make the changes in the federal accountability act retroactive to April 12 and let us see the Liberal Party give back the 139 \$5,000 donations, even from 12-year-olds, which should make the member for Eglinton—Lawrence happy.

* * *

INCOME TRUSTS

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, the Conservative income trust deception has now become an international embarrassment.

The Prime Minister promised that he would not monkey around with income trusts. Canadians and international investors actually believed him. They invested their life savings and put them away, only to get burned by this government's betrayal.

This government's deceit has hit the most vulnerable in Canada. It has impacted the international investment community.

After this falsehood and flip-flop, how can any investor ever trust the Conservative government?

• (1450)

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the member opposite correctly identifies the fact that a large number of unit holders in income trusts were foreigners and yes they were benefiting, and arguably benefiting unfairly from this tax loophole in Canada. I understand the party opposite voting against pensioners, but now it is advocating in favour of foreigners taking advantage of the Canadian tax system.

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, we are not advocating on this side of the House to turn the Canadian marketplace into a banana republic.

The Conservatives are an international embarrassment for Canada when it comes to the environment and now they have damaged Canada's economic reputation on the international level. The Prime Minister created this problem himself by promising Canadians he would not tax income trusts and as a result of this double-cross, this flip-flop and deceit, innocent vulnerable Canadians have lost their life savings.

Why did the Conservatives scam innocent Canadians throughout the country?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, this is a very confused opposition. It bungled this issue last year. It voted last night against helping out pensioners regarding income splitting in Canada and now it seems to be in favour of foreigners paying only a 15% withholding tax while Canadians bear the brunt of the Canadian tax burden.

That is the position it is taking, probably on the guidance I suppose of someone who spent a lot of time in foreign places paying foreign taxes, and that would be the member for Etobicoke—Lakeshore.

* * *

FEDERAL ACCOUNTABILITY ACT

Mr. John Williams (Edmonton—St. Albert, CPC): Mr. Speaker, according to Transparency International, the 2006 corruption index has Canada stalled at 14th place. Scandals like the Liberal sponsorship scandal only served to increase Canadians' perception of corruption among our country's leaders.

My question is for the President of the Treasury Board. Could he comment on why he believes the accountability act should be passed and not held up in the Senate?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I thank the member for Edmonton—St. Albert who has been a real leader, both in Canada and around the world, on fighting corruption.

The Liberal sponsorship scandal was a very dark day in Canadian politics and for the Canadian government. It is the Conservative government that has brought in the federal accountability act, the toughest piece of anti-corruption legislation in Canadian history.

If we want to make movement on this list of shame, if we want to clean up our act, we have to pass the federal accountability act and the Liberal Party should take responsibility. The member for Etobicoke—Lakeshore should stand in this place and encourage the federal Liberal senators to drop their objection to this important piece of legislation.

*Oral Questions***ABORIGINAL AFFAIRS**

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very disturbed by what I have seen of the government sales pitch to the people of Kashechewan. They are being advised to leave their territory because climate change will ravage their hunting grounds.

They are being encouraged to move to the francophone lumber town of Smooth Rock Falls. Why? Because they can pick blueberries. Why? Because there are 100 houses to pick up and they will “eventually be able to take over the community and its municipal infrastructure”.

My question is for the minister. If the government is going to float this promise to the people Kashechewan, why has it not given a heads up to the people of Smooth Rock Falls?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, the hon. member and I have spoken about this matter often and the House is aware that, shortly after becoming the minister, I appointed Alan Pope, who is a respected Ontarian and former cabinet minister, as my special representative.

He has met with the community. I have met with the chief and members of the council. Mr. Pope has not yet reported to me. I expect that he will shortly. When he does, we will have a road forward and I will be pleased to bring it to the House as a lasting solution.

• (1455)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, this is what government representatives are telling people at the doors in Kashechewan and we have to be perfectly clear about what is being floated here. We are talking about the creation of disposable communities where we force one first nation off its traditional territory and push other people from their homes.

Is this the long term solution for dealing with the poverty of isolated first nations or is this a spoke in the wheel of the Kashechewan agreement? The Government of Canada signed an agreement with the people of Kashechewan. I am asking the minister what steps he will take to implement this agreement and ensure that it is implemented in a timely fashion?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, my friend goes too far. He knows full well that Mr. Pope has been well received in the community. He has had a fine working relationship with the new chief and council. He has consulted with the community leaders. He has worked long hours diligently hearing their point of view on what the alternatives are to move forward.

I would point out that this was done shortly after the government came to office. We intend to deal with the situation, unlike the former Liberal government that took months to even acknowledge that the problem existed.

[Translation]

FIREARMS REGISTRY

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, it is outrageous to see that the Minister of Public Safety kicked the police chiefs off his firearms program advisory committee, but kept the collectors and vendors of semi-automatic weapons. This minister wants to silence the police because they keep saying, and rightfully so, that the firearms registry works well and that it is very helpful to them. Why is the minister doing this?

By the way, will the Prime Minister finally agree to meet with Hayder Kadhim?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I consult with many groups on the issue of firearms. I can also assure hon. members that I consult with police associations and people who have differing points of view and opinions. I also consult a firearms committee, whose members are experts on the technical aspects of firearms. I consult with nearly 500 other people and organizations.

[English]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, who could be more expert in technical affairs than the chiefs of police?

The Minister of Public Safety is going out of his way to silence the voices of police chiefs when it comes to his gun control plans. He has excluded them from his advisory committee and anyone else in favour of gun control, but has kept semi-automatic weapon owners and gun dealers. Members of his committee are paid for their expenses, yet the minister refuses to divulge their names, their mandate, or their meeting schedule. Why?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I usually take my colleague's comments with respect. I will not say she is deliberately misleading, but she is hopelessly misinformed. I meet with a variety of groups, including police associations and police representatives, who support what we are doing.

In Toronto so far this year there have been 236 victims of shootings, 25 of those people were shot to death. We want to go after criminals. We want to change the laws against those who use firearms in crimes and the Liberals will not support us in doing that.

* * *

GOVERNMENT APPOINTMENTS

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, the government has just appointed Brian Lee Crowley to a position of influence as visiting economist in the Department of Finance. Mr. Crowley has claimed that Atlantic Canada has been victimized by pay equity programs. He has argued that EI, equalization, and agencies like ACOA impede growth. Now Mr. Crowley has the ear of the finance minister on economic policy for the entire country.

With the finance minister surrounding himself with right-wing ideologues, what programs can we expect to see on the government's chopping block?

Oral Questions

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the appointment of the Clifford Clark Visiting Economist at the Department of Finance is made by the deputy minister of finance and not by the minister.

Dr. Crowley is an eminent Canadian. He is a Canadian public intellectual. He has experience across this country in working with various governments, including the governments of Quebec, Prince Edward Island, Nova Scotia, Manitoba and Alberta. He is extremely well educated.

• (1500)

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, it is not Mr. Crowley's credentials that are at issue here, it is his hard right-wing ideology. He has called equalization “a welfare trap for the provinces”. The finance minister has appointed him at a time when equalization reform is in the spotlight all over this country. Now Mr. Crowley comes in, an ideologue who wants to get rid of the program in its entirety.

Does this appointment confirm that the government maintains that Atlantic Canadians should continue to wallow in a culture of defeat?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, at first the member opposite suggested that it is not an appropriate appointment. He now suggests that I do not agree with the individual and therefore, the person ought not be appointed. It is still a free country.

We have intellectual activity in this country, thank goodness. We have eminent intellectuals in economics, like Dr. Crowley, who are prepared to express their views on various issues. Most important, Dr. Crowley is now prepared to take time from his life to dedicate to public issues in the Government of Canada and we thank him for his service.

* * *

[Translation]

FIREARMS REGISTRY

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the Minister of Public Safety says he consults the advisory committee. It seems, though, that he has gotten rid of all the committee members who were in favour of keeping the firearms registry. He has replaced them solely with people who share his ideological approach and are in favour of eliminating the registry.

Will the minister admit that in doing this he has just transformed the advisory committee into a pro-firearms lobby?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I consult many groups on firearms. Different groups have different ideas: some are in favour of a long-gun registry and others are opposed.

I have a question too: since we are trying to prosecute people who use firearms illegally, why does the Bloc Québécois not support us on this when we want to prosecute criminals?

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the question is not about whom the minister meets. We are talking about the make-up of the committee, which is there to provide advice. This committee consists of an arms

merchant, a hunters' association and some police officers who have said, speaking as individuals, that they oppose the firearms registry.

How much credibility does the Minister of Public Safety think he has when he systematically packs the advisory committee with people who think like him?

Hon. Stockwell Day (Minister of Public Safety, CPC): Once again, Mr. Speaker, I consult people and have meetings with many groups and individuals who have a variety of views and standpoints.

The question remains, however: why will the Bloc not support Bill C-10 to prosecute criminals who kill and use firearms in criminal, dangerous ways. Why will it not support us?

* * *

[English]

CITIZENSHIP AND IMMIGRATION

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, Canada has been built by immigrants.

Yesterday at committee the minister indicated that he and his officials were reviewing the matter of dual citizenship. Will the minister do the honourable thing and abandon this ludicrous plan?

He is showing his true colours by reviving the Reform position that immigrants are taking advantage of Canada. He knows better. When will the government stop pitting Canadians against each other?

Hon. Monte Solberg (Minister of Citizenship and Immigration, CPC): Mr. Speaker, actually, it is the Liberals who took advantage of Canada. Many Canadians have concerns and opinions about the issue that the member has raised. Obviously, we are listening to them and we are considering our options. It is the position of the government that if people want to have the privilege of holding a Canadian passport, they have to accept that they have some obligations as well.

* * *

[Translation]

VANCOUVER-WHISTLER OLYMPICS

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, I have an article from *Le Droit* stating that the new Commissioner of Official Languages, Graham Fraser, is concerned about French television coverage of the Vancouver Olympic Games in 2010. Mr. Fraser indicated that “a solution must be found to ensure that broadcasts of the Games will be available and of comparable quality in both official languages, for the benefit of all Canadians”. This is a legitimate concern.

I would like to know what the minister responsible for the 2010 Olympic Games will do to ensure that francophones have comparable service throughout the country.

Oral Questions

• (1505)

[English]

Hon. David Emerson (Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, I thank the hon. member for his concern on this issue.

Under the multi-party agreement, the 2010 Olympic and Paralympic Winter Games will observe Canada's official languages policy. This morning I spoke to the CEO of the Vancouver Olympic organizing committee. He has committed to both the letter and the intent of Canada's official languages policy. This morning my office was informed by CTV that it will make available its French language sports network free of charge for the duration of the games.

Our commitment is to ensure—

The Speaker: The hon. member for New Westminster—Coquitlam.

* * *

AFGHANISTAN

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, when it came to support for his war in Iraq, George Bush told fellow Americans, “You are either with me or against me”. After last night's mid-term election results, it looks like the Americans are against him, with Republican after Republican getting booted from office for their support for this unpopular war.

When it comes to Afghanistan, will the government learn any lessons from last night, or will it stay the course and meet the same fate as its American cousins?

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, I consider that basically a silly question.

Some hon. members: Oh, oh!

The Speaker: Order, please. The Minister of National Defence has the floor.

Hon. Gordon O'Connor: Mr. Speaker, it is the equivalent of me asking the NDP if the election of Daniel Ortega will have changed its policies.

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, I can tell him that Donald Rumsfeld does not think it is very silly or funny.

Senior Republicans blamed their resounding defeat yesterday on retribution for the Bush administration's unwillingness to listen to them when it came to Iraq. The mission we have in southern Afghanistan is unbalanced. There are no improvements to electricity, to water. Afghan people are starving in Afghanistan. At the same time the government spends \$150,000 on one Excalibur shell, one shell.

I want the minister to commit today, will he stop the—

The Speaker: The hon. Minister of National Defence.

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, I did not get the question; however, this government is committed in Afghanistan until the end of February 2009. We will carry on with the mission. We are going to work as hard as we can to

improve the lives of Afghans and to provide as much security as we can to Kandahar.

* * *

CITIZENSHIP AND IMMIGRATION

Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, the Minister of Citizenship and Immigration has admitted that there is a backlog of 800,000 immigrants waiting to come to Canada, but he has no plan to reduce this backlog, to shorten processing times, or to increase sponsorship of families.

Too many families are separated by the current system. Many parents of new Canadians are being refused visitors' visas to attend weddings and funerals.

When will the minister act?

Hon. Monte Solberg (Minister of Citizenship and Immigration, CPC): Mr. Speaker, the member has his facts wrong. Actually we inherited a backlog of 800,000 from the Liberal Party, and one of the things we have to do to ensure it does not get worse is to never re-elect the Liberals.

I point out to the member that just the other day we introduced a planning range, which is the highest planning range in 15 years in terms of bringing newcomers to this country.

I would like to ask the hon. member and his caucus why they voted against the \$307 million in settlement funding for newcomers that will help them realize the Canadian dream.

* * *

• (1510)

[Translation]

JUSTICE

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, today, the *Journal de Québec* reports that a victim of sexual assault is urging the government to adopt its bill raising the age of consent from 14 to 16 years old. The *Journal de Québec* also indicates that a majority of Quebecers and Canadians are in agreement.

Can the government provide Canadians and Quebecers with the details of this bill?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the bill will protect 14 and 15 year olds from adult sexual predators.

I quote the young victim who said, “There cannot be consent between a 14-year-old girl and a 50- or 60-year-old man. That does not make sense”.

Yet, the Bloc Québécois continues to hide its head in the sand and to oppose the bill. I would like to reassure the victim and others that the Conservative Party and the government will keep their word in order to protect young people.

[English]

The Speaker: Order. During question period today, the Prime Minister referred to the absence of certain members during a vote recently. I refer hon. members to page 522 of Marleau and Montpetit where it states:

Speaker's Ruling

It is unacceptable to allude to the presence or absence of a Member or Minister in the Chamber. The Speaker has traditionally discouraged Members from signalling the absence of another Member from the House because "there are many places that Members have to be in order to carry out all of the obligations that go with their office."

I am sure that the Prime Minister is aware of this provision in our practice and that he would not want to repeat the error or set a bad example for other hon. members in referring to the absence of members from the House because it can lead to all kinds of recriminations as members draw attention to the absence of others at various times.

All of us have obligations and I am sure the Prime Minister would not want to repeat that error.

The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I will concede that sometimes in the heat of debate I forget the various paragraphs of Marleau and Montpetit, but I will endeavour to do much better in the future.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I, too, in the heat of question period as the Prime Minister said, made a comment while the Minister of the Environment was speaking, referring to a hair salon.

I wish to withdraw those words. If they were offensive and offended anybody, I wish to apologize as well.

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): While we are at it, I wonder if we could also get the member for Nickel Belt to withdraw the comment that he made as well, directed toward the Minister of the Environment.

His comment was overheard by my colleagues again, saying that she should go back to the hair salon. They were similar to the comments made by the hon. member for Scarborough Centre. These are sexist comments and an insult to everyone in the chamber. I wonder if he would withdraw those comments as well.

Mr. Raymond Bonin (Nickel Belt, Lib.): Mr. Speaker, the member might have heard someone from this area, but I can assure you on my honour that I did not say that.

[*Translation*]

CRIMINAL CODE

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, during question period, the member for Louis-Hébert asked the Minister of Transport, Infrastructure and Communities a question about Bill C-22, An Act to amend the Criminal Code (age of protection) and to make consequential amendments to the Criminal Records Act. The minister misled this House by stating that the Bloc Québécois was opposed to Bill C-22, when the Bloc Québécois has spoken in favour of the bill and will be voting for it.

I demand an apology from the Minister of Transport, Infrastructure and Communities.

● (1515)

The Speaker: I am sure that the hon. Minister of Transport, Infrastructure and Communities appreciates the correction by the hon. member for Roberval—Lac-Saint-Jean. It is not really a point of order, but a point of debate. Now it is quite clear to everyone.

[*English*]

The hon. member for Eglinton—Lawrence is also rising on a point of order arising from question period.

ORAL QUESTIONS

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, during question period in a response to a question, the President of the Treasury Board wanted to take note of an example that he thought we should all follow when he was talking about the accountability act.

He made reference to the member for Eglinton—Lawrence who had received some funds and who actually gave them back notwithstanding the fact that they were all in order.

I am wondering whether, in making such a reference, the President of the Treasury Board is admitting that he and the other 200 people who made contributions subsequent to the April 11 deadline will follow that same example, and whether he and the Prime Minister, who foisted upon the Canadian public a \$1.7 million scam in the last Conservative convention, will also give all that money back by following the concept that he has recognized that I followed, or whether he is just going to be a blustering liar.

The Speaker: I think the hon. member for Eglinton—Lawrence may have a grievance, but I do not think he has raised a point of order. It sounds like another question. Perhaps he would like to pose that in question period on another occasion.

BILL C-279—DNA IDENTIFICATION ACT—SPEAKER'S RULING

The Speaker: I am ready now to rule on the point of order raised by the hon. Parliamentary Secretary to the government House Leader and Minister for Democratic Reform concerning the requirement for a royal recommendation on Bill C-279, An Act to amend the DNA Identification Act (establishment of indexes) standing in the name of the member for Burlington.

[*Translation*]

I would like to thank the hon. parliamentary secretary for having raised this issue.

[*English*]

In his intervention, the hon. parliamentary secretary pointed out that clause 2 amends the purpose clause of the DNA Identification Act to include the identifying of missing persons as one of the purposes for maintaining the data bank. He noted that in fulfilment of this purpose, clause 4 creates two new indexes in the data bank, one related to unidentified human remains and one related to missing persons.

In concluding his remarks, he stated that the addition of this new purpose to the act would require significant new expenditures by the government.

Routine Proceedings

I have reviewed Bill C-279 in light of the parliamentary secretary's point of order and I am in agreement with his analysis of the financial impact of the bill. As I have reminded the House on a number of occasions in the current session, funds may only be appropriated by Parliament for purposes covered by a royal recommendation, as explicitly stated in Standing Order 79(1). Amending legislation that proposes a distinctly new purpose must be accompanied by a further royal recommendation.

I will decline to put the question on third reading of this bill in its present form unless a royal recommendation is received.

The debate is currently on the motion for second reading and this motion shall be put to a vote at the close of the second reading debate.

• (1520)

[Translation]

CANADA MORTGAGE AND HOUSING ACT—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the point of order raised on October 3, 2006, by the Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform concerning the need for a royal recommendation for Bill C-285, An Act to amend the Canada Mortgage and Housing Corporation Act (profits distributed to provinces), standing in the name of the hon. member for Québec.

[English]

I would like to thank the hon. parliamentary secretary for having raised this important matter as well as the hon. member for Québec for her comments.

[Translation]

In his presentation, the hon. parliamentary secretary noted that Bill C-285 seeks to require the Canada Mortgage and Housing Corporation (CMHC) to distribute any surplus from its reserve fund to the provinces.

He pointed out that the bill is similar in this regard to Bill C-363, introduced during the 1st Session of the 38th Parliament and acknowledged that, in a ruling given on October 3, 2005, at pages 8293-4 of the Debates, the Deputy Speaker had ruled that Bill C-363 did not require a royal recommendation.

The Parliamentary Secretary went on to make two points which he felt were relevant to the determination of whether or not Bill C-285 requires a royal recommendation. First, quoting from section 2 of the Financial Administration Act, he asserted that all of the revenues received by CMHC fall within the definition of "public money".

He then went on to argue that, and I quote from Debates of October 3, 2006, at page 3589:

"—the accounts of CMHC are consolidated with the government's revenue and available for future appropriations determined by Parliament. By transferring this money to the provinces, Bill C-285 is effectively an appropriation.

I have examined this matter with care because I recognize its importance both to the government and to all hon. members. I would also like to remind the House that my role here is restricted to

ensuring that our rules are respected. It is not within the responsibilities of the Chair to deal with matters of legal interpretation.

[English]

The Chair continues to have difficulty with the assertion that the proposed amendment constitutes an appropriation. As I noted in my ruling of October 3, 2005, on Bill C-363, at page 8293 of the *Debates*:

—the reserve fund is an operational account that CMHC uses to conduct its corporate business. Until amounts from the reserve fund are actually transferred to the Consolidated Revenue Fund each year, they are not available to the Crown for general appropriations.

[Translation]

As I stated in my earlier ruling and as it is defined in section 2 of the Financial Administration Act, an appropriation is the approval by Parliament for a withdrawal of funds from the Consolidated Revenue Fund (CRF). Funds which have not been deposited in the CRF cannot be subject to appropriation.

Until such time as funds are paid over to the Receiver General, pursuant to section 29 (2) of the CMHC Act, they are not in the CRF and they cannot be appropriated. A bill which alters the Act to require that reserve funds not be paid to the Receiver General but be used for another purpose does not touch the CRF and does not require a royal recommendation.

As such, Bill C-285 does not seek to appropriate public funds and would not require a royal recommendation.

I would once again like to thank the hon. parliamentary secretary for having raised this matter. As I said earlier, it is a matter of some interest to all hon. members and one on which it is best to have as clear an understanding as possible.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

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

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CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Mr. Ted Menzies (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, pursuant to Standing Order 32(2) it is my pleasure to table, in both official languages, the 2004 report on Canada's Participation in Regional Development Banks.

Routine Proceedings

[Translation]

INTERPARLIAMENTARY DELEGATIONS

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian Section of the Assemblée parlementaire de la Francophonie, respecting its parliamentary mission to Port-au-Prince, Haiti, from September 5 to 8, 2006.

Pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian Section of the Assemblée parlementaire de la Francophonie, respecting its participation at the Eleventh Meeting of the Heads of State and Government of Countries using French as a Common Language, held in Bucharest, Romania, on September 28 and 29, 2006.

[English]

Mr. Bob Mills (Red Deer, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian Parliamentary Delegation of the Canada-Europe Parliamentary Association to the meeting of the Standing Committee of Parliamentarians of the Arctic Region for the Seventh Convention Conference of Parliamentarians of the Arctic Region in Kiruna, Sweden, August 2 to 4.

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● (1525)

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I have the honour to present the 20th report of the Standing Committee on Procedure and House Affairs regarding the membership of committees in the House. If the House gives its consent, I intend to move concurrence in the 20th report later this day.

[Translation]

FINANCE

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Finance respecting Bill C-25, An Act to amend the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Income Tax Act and to make a consequential amendment to another Act.

[English]

PROCEDURE AND HOUSE AFFAIRS

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, if the House gives its consent, I move that the 20th report of the Standing Committee on Procedure and House Affairs, concerning the membership of committees of the House, presented to the House earlier this day be concurred in.

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

Some hon. members: Agreed.

Some hon. members: No.

PETITIONS

MARRIAGE

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, I am honoured today to present two petitions representing the signatures of dozens and dozens of residents of Ontario. The petitioners call on the House to reopen the issue of marriage in this Parliament and to repeal or amend the Marriage for Civil Purposes Act in order to promote and defend marriage as the lawful union of one man and one woman.

AGE OF CONSENT

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, I am also pleased to present another petition with about 1,000 signatures of citizens from across Canada. The petitioners want to give our courts and the police the tools to protect our young adolescents, as parents both demand and expect, by raising the age of protection from 14 to 16.

HOMELESSNESS

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I would like to table a petition regarding LAMP, a community health centre in my riding of Etobicoke—Lakeshore.

My constituents signed the petition calling upon the government to secure the future of LAMP's homelessness programs. These currently receive funding through the federal SCPI program. LAMP provides critical assistance to the homeless and those at risk of homelessness. Counselling, food and health care are just a few of LAMP's essential services.

I join my constituents in calling upon the government to ensure continued federal support for LAMP's homelessness programs.

[Translation]

CANADA LABOUR CODE

Mr. Gérard Asselin (Manicouagan, BQ): Mr. Speaker, pursuant to Standing Order 36(6), today I am tabling in this House a petition containing several signatures by constituents of the riding of Manicouagan.

This petition is in addition to the numerous petitions already tabled in the House in support of Bill C-257, An Act to amend the Canada Labour Code (replacement workers). The prohibition against using replacement workers—or strikebreakers, to use the petitioners' term—contributes to the establishment and maintenance of civilized negotiations during labour disputes. This is the reason why the petitioners are asking Parliament to support Bill C-257, so as to prohibit employers covered by the Canada Labour Code from using replacement workers or fulfilling the functions of employees on strike or lockout.

Routine Proceedings

[English]

AUTOMOBILE INDUSTRY

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I have the pleasure to present a petition today. The petitioners ask that the government look at an automotive trade policy that would require Korea and other offshore markets to purchase equivalent volumes of finished vehicles and auto parts from North America as a condition of their continued access to markets.

[Translation]

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, I have a petition to table in the House today, a petition that does not come from my constituents.

This petition asks the Government of Canada to establish a new trade policy for the automobile sector. The petitioners urge the Government of Canada to cancel negotiations with Korea with a view to concluding a free-trade agreement, which would increase the massive one-way influx of automobile products on our market.

The petitioners also ask the government to develop a new trade policy for the automobile sector, requiring that Korea and other foreign markets purchase equivalent quantities of finished cars and car parts in North America if they wish to continue to access our market.

● (1530)

SUPPORTING COMMUNITIES PARTNERSHIP INITIATIVE

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I am very sad to submit yet another petition calling on the government to immediately renew the SCPI, a homelessness initiative. I have submitted numerous petitions on this issue.

This petition comes from Terrebonne-Blainville, and I would like to thank the hon. member for that riding. She tells us that the street café provides an average of 30 young people each day with a place to live and that the delay in renewing the SCPI will definitely mean a cut in services in that city, which needs its street café, Le Solidaire, for the homeless.

[English]

AUTOMOBILE INDUSTRY

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, I have a petition, circulated by the Canadian Auto Workers union, with literally pages of names. The petitioners call upon the government to stop the free trade agreement with Korea, which is under way. There are many petitions being circulated and presented here in the House.

I am doing this not only for the auto industry in Ontario, but for the steel industry in support of suppliers and services in Hamilton that rely on a strong auto industry. If we continue to have a flood of imports coming in without a reciprocal arrangement to sending our products there, we are going to continue to lose jobs.

This is an important petition and, hopefully, the government will pay attention, given that we are hearing from all members in all quarters of the House about this bad agreement.

Stop the agreement and support the auto sector in Ontario and in Canada.

HOMELESSNESS

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is my honour to present three petitions. The first one is about homelessness and the need to invest funds in the supporting communities partnership initiatives, or SCPI, which is the national homelessness initiative.

It notes that there are hundreds and hundreds of people in Toronto alone who are at risk of homelessness. This program provides critical assistance to homeless people and prevents people from become homeless. The current funding will dry up by March 31, 2007.

Therefore, the petitioners call upon the government to continue this wonderful program for another five years.

IMMIGRATION

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the second petition asks the government to stop deportations while immigration policies are fixed and a new policy is in place to establish a Canadian program, which would offer work permits to law-abiding workers and their families, leading to opportunities for these workers and families to apply for landed immigrant status.

The petitioners also call for the Government of Canada to create a long term solution for a fair program that permits skilled immigrants to come here for jobs in the construction and service sectors.

TRANSPORT

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the last petition contains nine to ten pages of names of citizens who are really concerned about the safety of cyclists. They have noted that quite a few cyclists, and pedestrians, have died across Canada because they have been sucked into the undercarriage of trucks that do not have side guards.

The petitioners ask the Government of Canada to introduce regulations under the Motor Vehicle Safety Act to have side guards on these big trucks to prevent cyclists and pedestrians from being pulled under the wheels of these vehicles.

MARRIAGE

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I rise to present a petition today from residents in my riding of Langley. They call upon Parliament to reopen the issue of marriage and to repeal or amend the Marriage for Civil Purposes Act in order to promote and defend marriage as the lawful union of one man and one woman to the exclusion of all others.

Mr. Gary Goodyear: Mr. Speaker, I rise on a point of order. I think if you seek it you would find there is now consent to revert to motions.

The Deputy Speaker: Is there unanimous consent to revert to motions?

Some hon. members: Agreed.

Government Orders

● (1535)

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, if the House gives its consent, I move that the 20th report of the Standing Committee on Procedure and House Affairs concerning the membership of committees of the House, presented in the House earlier this day, now be concurred in.

The Deputy Speaker: Does the member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

An hon. member: No.

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QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, Question No. 95 will be answered today.

[Text]

Question No. 95—**Mrs. Irene Mathysen:**

With regard to the \$5 million funding cuts to Status of Women Canada, SWC, over the next two years, announced in September 2006: (a) from specifically where within SWC does the government plan on cutting this funding; (b) when will these cuts take place; and (c) will the government provide a detailed timeline for these cuts?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, in response to (a), Status of Women Canada will be implementing the \$5 million in savings from expenditure review through streamlining and finding efficiencies within its operational budget. In response to (b), the savings will be effective as of April 1, 2007. In response to (c), see the response to (b).

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[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Furthermore, Mr. Speaker, if Question No. 93 could be made an order for return, this return would be tabled immediately.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 93—**Ms. Alexa McDonough:**

With respect to the current and future status of Canada's missions abroad: (a) how many embassies, high commissions, consulates and permanent missions does Canada currently have worldwide, by country, and what is the current staffing level at each of these missions; (b) how many and in what countries and cities are embassies, high commissions, consulates and permanent missions scheduled for expansion during the period 2006 – 2010; (c) how many and in what countries and cities are new embassies, high commissions, consulates and permanent missions scheduled for opening during the period 2006 – 2010; (d) with respect to the announcement of

consolidation of foreign missions as part of the program spending cuts identified on September 25, 2006, which embassies, high commissions, consulates and permanent missions, by country and city, are targeted for closure or for reduction of staffing levels and what is the total number of personnel cuts in each of the affected missions; and (e) at the conclusion of these consolidations, what will the overseas/Canada staffing ratio be at Foreign Affairs Canada?

(Return tabled)

[English]

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

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MOTIONS FOR PAPERS

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CANADA ELECTIONS ACT

The House resumed from November 7 consideration of the motion that Bill C-31, An Act to amend the Canada Elections Act and the Public Service Employment Act, be read the second time and referred to a committee.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, there have been discussions and I believe that if you seek it you would find unanimous consent to split my time with the member for Ottawa Centre.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

Ms. Libby Davies: Mr. Speaker, we heard the discussion yesterday by other parties that spoke to Bill C-31, the voter integrity bill, and now the NDP is here to put forward its issues and concerns about the bill.

I want to say at the outset that the member for Acadie—Bathurst, who is a member of the procedure and House affairs committee, was a member of the committee when the report was done, a report that was based on the bill before us. However, I should make it clear that the bill only deals with a few of the matters that came from the report. I was at committee when the Chief Electoral Officer, Mr. Kingsley, responded to the issues in the report.

The bill deals with a voter identification system based on the premise that fraud and serial voting take place and therefore we need a voter identification system in our national registry and in our voting system.

Government Orders

The NDP is very supportive of the need to take measures to ensure fraud does not take place within the voting system. It is very important that we protect the integrity of the system. We are talking about a time honoured, democratic process where eligible voters have a proper place to vote and we have integrity in our system. From that point of view, we support the need to review the system and ensure measures are in place to lower the risk of fraud. I am sure it cannot be eliminated 100%, but measures should be in place to offer that protection.

What is being offered as the main solution to this problem is a voter identification system. In looking at the bill and knowing where this came from at committee, we want to express some of our concerns about what may be the unintended consequences of the ID system on voters. In particular, we are concerned about how this would impact low income people, people who live in small remote communities and aboriginal people who do not have the necessary ID outlined in the bill.

I represent the riding of Vancouver East where, in one community, the downtown east side, regrettably and unfortunately, many people do not have IDs through no fault of their own. These people are often homeless and often transient and they have difficulty getting government ID. They certainly do not have photo ID.

One of the problems with the bill is that it would require one piece of photo ID from any level of government or two pieces of ID that are authorized by the Chief Electoral Officer. A further provision in the bill says that an elector who is not registered can take a statutory oath if he or she is accompanied by an elector with ID whose name appears on the list of electors for the same polling division.

On the surface this may sound like a reasonable measure in that it would allow people with no ID to have some mechanism to vote. However, I have looked at this carefully and have talked to lawyers in my community who have been involved in providing assistance around statutory declarations for voters with no ID, and they are very concerned, as I am, about what this provision will mean.

At present, it is acceptable for a voter to make a statutory declaration along with a person in the community who can identify the voter. In the downtown east side, it has often been a street worker, someone who knows many of the people in the community, who vouches for the individual. Under the new bill this would no longer be allowed.

● (1540)

We are very concerned that this provision may have a very negative consequence and may disenfranchise potentially thousands and thousands of people who will now, through no fault of their own, not be able to vote.

We are prepared to see this bill go to committee. The government has said that it is willing to look at amendments that would correct this to ensure that by dealing with voter fraud, we are not at the same time unintentionally disenfranchising people who have a right to vote, who want to vote and who are voting legitimately, but would be precluded from doing so by these new provisions.

When the bill goes to committee, it is our intention to see substantive improvements and changes made to this bill to address what are very fundamental democratic issues. One of the provisions

in the bill is that a person vouching for another can only do it for one person. This would set up a very complicated system where people who are not registered and who do not have ID would be running around trying to find somebody else who is registered, is on the list and does have the proper ID, and then getting that one person to vouch for one person. It would create a very complex situation and could mean that a lot of people would not get to vote.

It may also impact more middle class voters who go to the polls thinking that because they are registered they are okay. They have the voter cards and some ID, only to find that when they get there they do not have the proper ID. We may actually be frustrating those people.

I would also point out that this has been an issue in the U.S. elections and in fact there have been some court challenges. A similar provision was struck down in Georgia and there is currently a challenge going on in Ohio. In the United States, there is no centralized voter registration or election apparatus. It is contingent upon each state, and varies from each state, but a similar provision has been used in the U.S. and it actually has caused immense problems in the current elections that were just held yesterday. Challenges are underway and some of the provisions in some states have already been struck down. We should learn from this.

In terms of the principle of dealing with fraud, we support that but we do want to ensure we are not setting up a system that creates a two tier system where it becomes increasingly difficult for marginalized, low income people to actually exercise their franchise, which would be a travesty.

I do not think that is what anyone intended in this bill, at least I hope not. However, it will be up to us in committee to hear from experts, especially the lawyers who are very familiar, as are those in my community, with the statutory declaration process. They will be able to offer some insight into how this process works and may be able to tell us what we need to not only protect the system but protect people's right to vote.

With those kinds of concerns and reservations that we have, we are prepared to see this bill go to committee where I hope we can sit down and work on some amendments to make sure people who legitimately have the right to vote are not disenfranchised.

● (1545)

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, I have to admit that I gave a tiny shudder when the reference was made to the American parallel simply because, although things are far better and have been for a number of decades in the United States, there was a time when electoral laws in some states were designed for the purpose of selectively disenfranchising certain people. I always worry that someone will misunderstand.

Government Orders

I want to make it clear that the model that was used in designing the ID requirement was based on a precedent that is Canadian. It is the electoral law in Quebec and modifications were made to that law in 1999. In saying that, I think my hon. colleague who just spoke would agree that the logical thing to do in committee is to seek out information as to how well this has worked out in Quebec. My understanding is that it has been a positive experience in Quebec, but obviously we could summon, as witnesses, electoral officials from that province and enquire about problems that have occurred, and also advocates for the homeless. Obviously there are homelessness issues in some Quebec cities as well as there are in Vancouver and elsewhere. We could probably deal in a businesslike manner with that problem.

One thought that I do have as well is that the fundamental problem, when it comes to homeless people voting, is in addition to the issue of identification, and that is the fact that one's identity is normally linked in the electoral rolls to an address. It seems to me that there is a general need anyway for us to work on those whose addresses have recently changed. Young people going off to school tend to fall into this category, as do homeless people, obviously.

I think a good case can be made for enhanced enumerations shortly before an election in areas where there are high levels of homelessness. This is obviously easier with fixed date elections.

Ms. Libby Davies: Mr. Speaker, I appreciate the member's comments and I will respond to them as quickly as I can.

In actual fact, my information is that the new language in the bill would bring our system federally in line with what we have in B.C. as well. Actually, under the B.C. system there are problems in terms of people without identification who vote. We can look at the Quebec system, but I know it is a problem. What we can do federally now cannot be done provincially in B.C. in terms of homeless people who are not on the list being able to vote if they do not have ID. That is something to pay attention to.

In terms of the address, I am not sure that it is so much of a problem. A change took place, I believe in the 2000 election, such that homeless persons actually could state that their address was the shelter where they resided. But the issue we are dealing with here is the actual ID that is required. The homeless may have an address that is a shelter or they may say it is located in a particular area. I am not sure that is so much the problem. It is not having the ID or a photograph ID that is the problem.

I think there is an important issue about enumeration. If we had what we used to have, which was a full enumeration, we would not have this problem. I remember the days when enumerators went door to door and registered voters at the door. It was a very fine system. Now it is completely gone. I wish we could bring that back. I think it would be a lot more accessible and a lot more democratic.

We now have very limited enumeration, and again, I think it is a system that discriminates against people who do not own property, who do not necessarily fill out income tax forms every year, or who are not on the registered list, the permanent list. There are people who get disenfranchised as a result of the system we have. We have to pay attention to that. I believe it is very important. We will work very hard for amendments to make sure that there are not groups of

people who are left out simply because they are poor or do not have the proper ID.

• (1550)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I think my colleague and I have the same philosophy. We know that the Bloc Québécois is a staunch defender of Quebecers.

In Quebec, voters commonly use identification in provincial and municipal elections. Of course, the bill that is before us can always be improved in committee. And that is what the Bloc Québécois proposes to do.

My question for my colleague is simple. Does she recognize that it is time the federal government exercised better control over the voting process and used what is now in our power, that is, the identification required or provided by the provincial governments or, as the bill suggests, identification authorized by the chief electoral officer?

[*English*]

Ms. Libby Davies: Mr. Speaker, there are some issues with the bill. The idea of a voter identification sounds very good, but the devil is in the details. To make sure it is equitable, we will have to look at its actual implementation and how it will affect different groups of people. That is our concern.

Whether or not it is in time for the next election, I do not know. I am not so concerned about that. I am concerned that we get this bill right if we are adopting a fairly major change. We have never had voter identification in our national elections so this is something quite substantially new. If we are going to do that, we have to do it properly. That is what we will be focusing on. I look forward to the Bloc assisting us with it to make sure that we are not leaving out people who otherwise will be forfeiting their right to vote.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I am pleased to speak on Bill C-31, An Act to amend the Canada Elections Act and the Public Service Employment Act.

I would like to begin my comments by quoting Alfred E. Smith, a very well-known governor of New York, a populist, a reformer in child labour and some other areas, and a solid advocate for the poor and for democracy. Many years ago, he said, "All the ills of democracy can be cured by more democracy".

Government Orders

I agree with Mr. Smith. Those words are a prescription and should guide us in our deliberations. If, as some have claimed, there are ills in the system, the only way to cure the system is to open things up and have more democracy. I believe that what Mr. Smith was really referring to was the importance of opening up the process of government and of believing that democracy is not a static concept. In fact, democracy is fluid and evolves, and it can always be improved.

On the fundamental idea of improving the process of voting, or of democracy, let us make no mistake about it: my party and I support the concept and we believe that much more can be done to improve our system. To be clear, we support the principle and the spirit of Bill C-31. In fact, for many years we have called for improvements to the voting system.

But let me also be clear in saying that I have major problems with this bill. I believe it needs not just fine tuning but a major overhaul. To be clear, this bill is not the democratic remedy that will cure the body politic and what ails it right now. In fact, there is an argument to be made that the bill could make it worse.

Let us examine the origins of this bill. I think that is important. The bill started with an examination by the Standing Committee on Procedure and House Affairs, just after the last election, on how to improve the integrity of the electoral system and the electoral process. In June 2006 the committee report was tabled. The government responded on October 20. The government then proposed this bill that is in front of us.

Just as a side comment on that, there is something that I find interesting. Yesterday the government said there was all party support for the report and there was a sense that we had a consensus on what is in the bill. We have to clarify that this was not the case. I think most people who were on the committee would acknowledge that. This bill and its contents are not what the committee asked for.

In fact, there was a committee report and the government response to the report, and then, I would submit, there was cherry-picking in terms of what was in the report and what is in this bill. Those are the origins of the bill. I will be cautionary here. As I said, we support the spirit and the principle, but we are being cautionary because of the way in which the government has decided to improve the democratic process.

We have concerns about some of the points in the bill. As my colleague from Vancouver East has already mentioned, one of our concerns is about requiring people to have photo ID. This is possible disenfranchisement for some people. Not everyone has photo identification. Those on the government side will say, as others have said, that it is not a problem because they can then have someone vouch for them and they can swear an oath. There are problems with that. As my colleague said, the devil is in the details.

There are many concerns around people's ability to find someone to vouch for them and concerns around having supports for that, be it because of language issues or lack of knowledge on how to have people to advocate for them. There may be unintended effects of this bill that would marginalize and shut out some of our most vulnerable citizens. I know that this is certainly not the intent of anyone in this House, but that unfortunately could be the outcome.

The way the bill is written might also leave it open to a charter challenge, for some of the reasons I have mentioned. Of course this is something that will come out in committee. It is very important to understand this. We saw, as was referred to by another member, that in the United States the electoral laws in the 1950s and 1960s were structured in a way that intended to disenfranchise people. It was part of the clarion call of the civil rights movement to change that in the United States.

• (1555)

I would hate to see unintended consequences that would do the same here. I do not think that is hyperbole. We have seen laws in this country that have done that. I refer to B.C. and its so-called section 80, whereby people were not able to get on the voters list until the actual day of the election simply because of a flawed enumeration system. It is important to acknowledge, with the way the bill is presently written, that a charter challenge could happen.

It is also important to note that there are other ways to deal with the concerns MPs and people in general have with the integrity of the system. It is always important to note that when we have a piece of legislation in front of us we have to look at what the problem is. Here, the problem being put forward to us is that there is possible fraud occurring. How do we change that? The government is proposing a bill that talks about photo ID, vouching, swearing oaths, et cetera. Perhaps there are other ways and I think we have proposed some.

One way to change that, as my colleague said, is a proper enumeration. We have just had two bills passed in Parliament that would affect enumeration and the electoral process. I am referring to the clauses in Bill C-2 about the appointment of district returning officers based on merit. That is a good thing. My party supported it. We supported it before the election and we certainly supported it in Bill C-2.

The bill now before us gives the district returning officer a new purview. The bill talks about who shall be given an oath and who shall be questioned, et cetera. We do not have the other piece in place, sadly, because of what is going on in the Senate. That process needs to happen. The Senate needs to pass the bill.

Before that happens, I note that I have concerns about how these people will be trained and what merit we will be basing our decisions on. How are we going to train them so that the people we have employed are going to know the intricacies of their jobs? In this bill, we are giving them the authority to question people's legitimacy and whether they should be given a ballot or not.

Another concern of mine has to do with fixed date elections. Recently in this House in that regard I supported more resources being put into enumeration. That is what we heard about from witnesses who spoke on Bill C-16. I would like to see more emphasis put on a viable and sound enumeration process. That would be a better way of dealing with the problem, rather than simply asking for more ID, for referrals or for vouching for people when they might not have access to photo ID or to someone who could vouch for them.

Government Orders

I believe the intent of the bill is important. Quite frankly, I believe the bill was rushed in the way it came from committee and has been put before the House. I think the bill needs an overhaul, not just fine tuning. We look forward to making major amendments to the bill when it comes to committee and we look forward to hearing from Canadians on how this will affect them.

My last point is that I began my comments by saying that the ills of democracy can be cured by more democracy, and if we are not careful, we will not be following that prescription. In fact, we will be doing the opposite with some of the unintended consequences of this bill.

• (1600)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member indicated that he was quite satisfied with the basic principles of the bill. He gave it approval in principle and said let us get it to committee to make these changes, but he also said that the bill needs a major overhaul. That may be a little bit of a contradiction in terms. Perhaps the example he has given may provide some questions for consideration, which I think is the purpose of getting bills to committee.

The issue about disenfranchising people from almost anything to do with services that are available to people has come up often. Quite frankly, it surprises me, whether it is the federal government or the provincial governments, that government cannot come up with an arrangement for those who have no other access to photo ID, whether it be a driver's licence or some security card. It just seems to make so much sense in today's world where security issues are so important.

I would also remind the member, though, that I believe the bill also says that in lieu of the photo ID and someone vouching for the person, the Chief Electoral Officer also can designate that two other authorized pieces of non-photo ID would be required. I suspect that anyone, except maybe those living in a shelter, may have ready access to that.

Does the member agree that we should try to address the global situation of how many people out there really cannot have reasonable access to photo ID that can be updated on an as needed basis? How many people are we talking about? Are the alternatives provided within the bill in fact sufficient?

Mr. Paul Dewar: Mr. Speaker, that is why I mentioned in my comments that enumeration seems to be the piece that should be focused on and it has not. Since we have had the centralized voter's list, it has been rife with problems. One of the problems is that we do not have that human contact when we go out and do the enumeration.

I am not happy with the provisions in the bill to designate to the district returning officer those kinds of responsibilities. As I mentioned, in Bill C-2 we are looking at changing that role and having merit based appointments which we support. Until there is time to get people up and going and trained, I do not want to hand that over to people and set them up for something that might fail.

One comment that I did not have the time to make is my deep concern about the fact that we are going to have certain private information made public. That is the reference to birth dates. I

understand the need for it, but to me this is a case of concerns about big government. That is something that the Privacy Commissioner might have concerns about. The bill talks about using income tax forms as a way in which we can verify information and use birth dates. That information would be given to candidates and to returning officers.

I think that is something that we should all be very concerned about. I am deeply concerned and I know other people will be.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I would like to commend my colleague for his comments on the bill. They were very thoughtful and thought provoking.

In my riding the majority of constituents are renters. As such there is a very high turnover among those renters. We also unfortunately have a number of people who are homeless and who are struggling with mental health issues.

In considering the high turnover, there are people who may not navigate systems as well as some of us do and many of whom may not be as engaged politically as we are without an enumeration system. They may not even be engaged in the voting system and may not vote at all. Given that one in every 200 Canadians is without a home, those Canadians may also be quite disengaged from the political process.

I have a question for the hon. member. What impact would the potential loss of political engagement have, the loss of potential voting activity among renters, low income people and homeless people, on our entire political process in Canada?

• (1605)

Mr. Paul Dewar: Mr. Speaker, it would undermine the foundation of our democratic system. In other words, it would disenfranchise people when strangely enough the intention of the bill is to invigorate and strengthen our democratic system, and the integrity of the voting system. We have a lot of ideas that we will bring forward to hopefully improve the bill, back to the intent of what we all want and that is to have a better system that allows more participation and indeed not less.

[*Translation*]

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, I am pleased to speak in support of Bill C-31.

This bill should be of interest to all members and all Canadians, because its goal is to improve the electoral process, the foundation of our democratic system. There can be no doubt that Canadian democracy is a great democracy.

All members here have been through at least one election and know that the process is not perfect. They know that an election period lasts 36 days and is organized around a complex set of rules and procedures. They also know that holding general elections in 308 electoral districts is a major undertaking. In any operation of this scope there will always be room for improvement. Bill C-31 will allow our electoral process to run more smoothly.

At first glance, many changes seem to be somewhat technical, but even small operational modifications can produce concrete results in practice. Providing support for the machinery of democracy strengthens the integrity of the process as a whole.

Government Orders

I believe that the reforms should be greeted with the support and confidence of the candidates seeking election, the parties involved in the electoral process, the election officials responsible for the conduct of elections and, more particularly, the Canadian public, whose democratic choice is expressed through the electoral system.

The bill contains tangible improvements for everyone involved in the democratic process. That is why I support it. I would like to briefly describe a few of the changes proposed.

The most important change is that electors must identify themselves at the polling stations. As my colleagues from Quebec undoubtedly know, this measure has been in place in Quebec for the last seven years. Quebec's Election Act was amended in 1999 to incorporate an obligation to present a piece of identification before voting. Other amendments also require that Quebecers identify themselves to vote in a referendum or municipal election.

In order to exercise their right to vote in Quebec, electors must present a Quebec health insurance card, a driver's licence, a Canadian passport, a certificate of Indian status or a Canadian Armed Forces card, and electors who cannot do that are referred to an identity verification panel and must sign a sworn statement as to their identity. They must produce at least two other documents to the panel that establish their identity or ask another elector who has an identity card with a photograph to be their guarantor.

Those measures are similar to what is proposed in Bill C-31. I am persuaded that the process for identifying electors will work as well at the federal level as it does in Quebec. A study done by the chief electoral officer of Quebec in 2002 shows that deputy returning officers and the persons responsible for polls are generally satisfied with this provision and that it has been relatively well received by electors.

The deputy returning officers who took part in the study noted these facts: first, mandatory identification has strengthened the integrity of the voting process by reducing the possibility of fraud; second, this measure has led to increased public confidence in the system; and third, it enhances the importance of the voting process.

• (1610)

I believe that Bill C-31 will have the same good results, results that are really necessary at the federal level.

For example, members will recall an incident that was much talked about: an American student had voted in the 39th general election. His stated purpose was to demonstrate that the enforcement of rules at polling stations was too lax and that the opportunities for fraud were in his own words, "immense". He succeeded.

However, I want to make it clear that the very great majority of voters go to the polls in good faith, solely to exercise their legitimate, democratic duty. It is almost impossible to prevent someone whose goal is to defraud the system from finding a way to do so.

Nevertheless, the provision dealing with voter identification in Bill C-31 will make it a great deal more difficult for voters with unlawful intentions to achieve their goal. The bill includes mechanisms that will allow for an investigation after the election if necessary by requiring, for example, that voters without identification take an oath. The bill will highlight the rules for

voters who may believe, incorrectly but in good faith, that they are eligible to vote. It will not prevent eligible voters from exercising their rights.

Most Canadians are used to presenting some form of identification for a variety of daily activities. Unlike other levels of Canadian government where identification is compulsory in order to vote, the bill provides alternative solutions for Canadian voters who do not have photo identification.

In other words, the bill establishes an important balance between accessibility and integrity.

This bill introduces important changes that have been standard practice for a long time at other levels of government in Canada, like most of the reforms on election financing in Bill C-2. I think especially of the prohibition on donations from corporations and trade unions. The voter identification system works well in Quebec, and I am convinced that it will work well in the rest of Canada.

This bill contains numerous tangible improvements to the electoral process. I will mention only some of them. First, the voter's date of birth will be added to the official and revised list of electors that will be used at polling stations. This measure is already in use in Quebec and represents another means of confirming the identity of a person who wishes to vote.

The Standing Committee on Procedure and House Affairs specifically requested in the recommendations on which these provisions are based that the elector's date of birth not be shown on the lists given to candidates. I agree with that because it is very important to protect personal information. I see that the bill abides by this request.

I would like to highlight the fact that advance polling stations can henceforth be set up for a single polling division, instead of a minimum of two as is currently the case. This is an important change in those provinces and regions where the polling divisions are very far apart, in northern Canada, for example, or in highly rural areas. Now that the advance polling stations will be closer to the electors in these areas, it will be easier for them to exercise their right to vote.

Finally, I would like to point out that the bill contains various specific points on how the Chief Electoral Officer uses and communicates election information. For example, each registered elector will be assigned a unique, randomly generated identifier to facilitate the updating of the Register of Electors and improve its accuracy.

• (1615)

In addition, income tax returns can be used to enhance the reliability of the information that Canadians agree to provide to Elections Canada.

The bill also contains specific provisions on the exchange of election information between federal and provincial election authorities. This will help to improve the integrity of the federal and provincial voters' lists and ensure that personal information is well protected.

Government Orders

I could go on much longer about the various advantages of this bill, but what is most important is the cumulative effect of all these improvements. These changes, taken together, enhance the integrity of our election process. Like the Federal Accountability Act, this bill will help us maintain public confidence in our democratic system. Like Bill C-2, which deals with election financing in particular, this bill contains important reforms that have been tested in Quebec. Like Bill C-2, this bill, I hope, will be passed quickly by Parliament so that it will be in effect for the next election. These measures are important for all parties concerned and for all Canadians.

I hope that this bill will receive the enthusiastic support of all hon. members and parties in the House.

[*English*]

Hon. Stephen Owen (Vancouver Quadra, Lib.): Mr. Speaker, I will be sharing my time with my colleague, the member for Yukon.

The member for Lanark—Frontenac—Lennox and Addington and the member for Ottawa Centre went into great detail describing the bill and how we got from that place to here, so I will not repeat that, but I would like to highlight a few aspects that are important for us to consider as we deal further with this bill.

First of all, there was a report from the Chief Electoral Officer in September 2005 which set out a number of these improvements in the integrity of the electoral system. That report was considered by the Standing Committee on Procedure and House Affairs last spring and a report was generated from that committee's hearings. That went to the government and on October 20 we received this report back from the government, incorporating most of the committee's recommendations as well as the drafted Bill C-31 which we are considering.

I was not involved in that committee last fall, so I do not have the full history of what was suggested and what was rejected. However, it seems to me that it is a bit of a surprise at this stage, when we have gone through an iterative process with experts, party members, the Privacy Commissioner, the Chief Electoral Officer and other electoral officials, as well as debate in committee, and our own report going to the government and the government responding to it, that we are not a little further ahead than we appear to be now.

I listened carefully to the member for Vancouver East and the member for Ottawa Centre. While the points that they raise with respect to democratic access to the voting process make eminent good sense, and in fact they are fundamental principles that must be respected in a democracy, I am a little surprised that at this very late date in this process these are being raised as things that have been totally neglected by members from all parties, the government, electoral officials over the last period of longer than a year.

I am a little surprised at that. I thought actually there was an agreement that we would be moving this pretty quickly through at this stage. Having raised those concerns, it is incumbent upon us, of course, to consider that concerns they raise are either dealt with by amendment or that we are all given the assurances that they are properly looked after.

As we look at election administration and this particular act amending the Elections Act, integrity of the voting system is absolutely critical. We have to balance two things. We have nothing

if we do not have integrity of the system. We may have access to all sorts of people who may not otherwise have been enumerated or have easy access, but if we do not have the confidence of Canadians that the system as a whole has integrity, we have nothing. It simply is a chimera.

How do we balance that integrity in ensuring that we have voter identification, that we have effective enumeration, as well as making access as easy as possible for those in society who do face various barriers? We have heard a number of examples of that, either people who are transient and do not have current local information to establish their residence and address, or people who indeed are homeless or living in shelters where they are living very restrictive lifestyles and have a very restricted ability to identify themselves or have someone vouch for their identification.

That balance is tricky, I agree. We must ensure we get it right. I thought we were getting quite close there, but what needs to be done very quickly is to ensure that, first of all, the enumeration process is as sharp, as focused, as accurate, and as up to date as it possibly can be. I think this bill takes some steps toward doing that. There are many communities in our country which are remote and where there are really perennial problems with enumeration in those areas.

● (1620)

We have to, as a committee and as this House, give very strict directions to the Chief Electoral Officer and his staff to ensure that an extra effort is made to identify those areas of low enumeration. I think remote aboriginal communities are the best example of that where there have been in some communities over time a real under-enumeration. It is pretty obvious on the face of it, given what we know about the population and how many people are enumerated. That is an administrative factor. The bill is adequate for enumeration powers. We just have to ensure that the efforts are more strenuous in getting that enumeration done.

Another part, and it came up partly in the comments from the member for Vancouver East, is that we ensure that identification is as easy as possible. The bill lays out certain types of identification at different levels of challenge that can be used for the purpose of confirming identification. One thing that has not been specifically mentioned, which I think is very important, is that aboriginal band identification cards, which do have a photo and are issued by band councils, be accepted as government identification. This would be sufficient with the address and the photo. If they do not have the address, perhaps a letter from the band council would ensure that people in reserve communities have the full opportunity to vote.

Government Orders

Focusing on careful enumeration in order to ensure that we have a secure but a broad interpretation, particularly in aboriginal communities, of the first line of identification with a photo on it that would be acceptable as government photo identification. It should go without saying. It is certainly in line with the whole recognition, under our Constitution and governments across this country, of the inherent right of self-government of aboriginal people and therefore that type of identification should be acceptable.

What we had better do, because of the concerns raised by members of the NDP, is get this back into committee after the vote as soon as possible, and get the necessary officials before us to ensure that the issues raised can be dealt with. At the end of the day, this will be a balance. We will not have enumerated every person eligible in this country. There will always be transients. There will always be difficulties that individuals have, but we must ensure that, to the greatest extent possible, we catch as many people while still securing the integrity of the system.

• (1625)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am happy to speak to Bill C-31 on improving the election process. First, I basically agree with everything my colleague said. I would like to reinforce it, in the environment of my riding, with a bit of background.

It is interesting that we are discussing this on the night after an American election. We saw the little pitfalls it ran into, which were related to computers. Improvements can always be made to the system.

I think we have unanimous all party agreement that we want the highest integrity possible in the voter system. It is so important to our country. We want to ensure that as many people as possible are correctly enumerated so no thinks the elections are unfair. The type of indepth study into the bill is totally supported by all parties. We need to do as much as possible to ensure the integrity of the system for every one of our some 30 million Canadians, at least those who are of voting age.

We have had some problems over the years in my riding, once again minor problems. Hopefully, administrative changes can fix these. With the new mailboxes, voter the cards mailed to people sometimes fall on the ground and other people pick them up and think they are supposed to vote. Sometimes they are mailed to the wrong address. Therefore, we have had a problem with all these cards floating around.

Another problem, which we have had periodically, is the transient population in my riding. Some people move either in or out of the riding, or they move to other parts of the riding. There is a fair amount of movement throughout the riding. Although I am a big supporter of the permanent voters list, many times we would go door to door never knowing if we had the right number of voters. People had moved in, who were not on the list, or they had moved out, but they were still on the list. Hopefully, these amendments in the bill will help improve that.

In relation to the photo access card, I am not sure if pilot projects have been done or considered. However, we have to ensure the wrinkles are ironed out so everyone can have access to those cards, whether they are transient, or youth or aboriginal. Many youth in the

country have no reason to have a photo ID card. When they need to get one early in their voting career, they have a hard time getting it. I also know there may be transient people who do not have a photo ID. We had a problem in my area when passports were becoming mandatory to get into the United States. Certain aboriginal people could not obtain a passport easily because they lived so far away.

Hopefully, all these items will be facilitated by Elections Canada to ensure that everyone has easy access to the requirements needed to vote. They are not unreasonable requirements. They are in place in many other countries, as the study on the bill has shown. However, we always have to facilitate every person in our society, whether they are disabled, or a youth, or a senior or aboriginal, to ensure that new requirements are fair to everyone, that they can afford them and can obtain them.

I am adding my support to improving the integrity of the system. As I said, it is exciting coming after the eve of an American election, which turned out very well for my riding. A number of people have been elected who are against drilling in the Arctic National Wildlife Refuge. The objective of all parties in Parliament is to ensure no drilling takes place in that area. I am excited for those who were elected, but I lament the loss of a few members who were also against drilling.

• (1630)

I close by lending my support to the bill and I compliment all members of Parliament, especially on the procedures and House affairs committee who are looking at these technical details to make the system fair.

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I would like to pose a few questions to my hon. colleague in relation to his assessment of the current electoral system. I think he would agree that integrity of the system is essential and improvements that are made to identify individuals and the exact constituency in which they are to vote are necessary. Perhaps we also need to ensure that people are voting in the right constituency. This is in part some of the intention.

Does he think the integrity of the system is an essential part? I also hearken back to some of our other key policy ideas in relation to fixed election dates. Does he feel taking that out of the hands of the government as a lever for which it can employ for political gain is a good thing?

Hon. Larry Bagnell: Mr. Speaker, the question will give me a chance to address two things that I forgot to address. One is on the integrity, and I agree with the member. That is exactly the purpose of the bill. I had forgotten a particular example that I hope the committee will address at some time.

On election day I went to the hospital to visit some sick people. Lo and behold, a number of people there could not vote because they were visiting someone. One never knows when someone may have to go to emergency. They had driven 200 miles from their home to the hospital. They could not vote because they could not get to their polling station in time. This is a big flaw in the system and I hope we will look at this.

I am glad he asked the question about fixed elections dates. I did not have the chance to put something on the record. I do not think the amount of time that the election can be changed to avoid another election is big enough. The first day the bill comes into effect there will be only three days change from another election. There will be an overlap of another election within three days. It can only be changed to the day after the week after, and that is not enough.

I know I have not convinced my colleagues in the House of that point, but someone said that in the long run I would be proved right. I suggest there be more flexibility to change the actual fixed election date so it avoids conflicting with another election.

•(1635)

Mr. Pierre Poillievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, I listened to the member discuss the whole idea of cleaning up politics and the electoral system in the country. I want to broaden that discussion to the legislation, Bill C-2, the accountability act. It is not entirely unrelated to the subject we are talking about today.

The bill seeks to end the role of big money and corporate cash, protect whistleblowers in the public service and expand access to information to roughly 30 organizations in the government. It goes farther and has more breadth and depth in fighting corruption than any piece of legislation in Canadian history.

Why is the Liberal Party holding up the passage of the accountability act? Is the Liberal Party fundamentally opposed to accountability?

Hon. Larry Bagnell: Mr. Speaker, the premise of the member's statement is false. There are 51 Conservative amendments that are holding it up in the Senate. I agree it should be improved, but we should never rush through detailed legislation. I commend the Conservative members in the Senate who have found so many improvements. Hopefully, there is no one in the House who would not like thoughtful debate of any bill that comes through the House.

I do not think any member here would suggest that any act should be rushed through the House without proper consideration.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

An. hon. member: On division.

The Deputy Speaker: Accordingly the bill stands referred to the Standing Committee on Procedure and House Affairs.

Government Orders

(Motion agreed to, bill read the second time and referred to a committee)

* * *

JUDGES ACT

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC) moved that Bill C-17, An Act to amend the Judges Act and certain other Acts in relation to courts, be read the third time and passed.

He said: Mr. Speaker, I am pleased to debate the third reading stage of Bill C-17, which is an important piece of legislation.

Entitled, an act to amend the Judges Act and certain other acts in relation to the courts, Bill C-17 proposes to amend the Judges Act to implement the government's response to the report of the 2003 Judicial Compensation and Benefits Commission. The bill also proposes some technical amendments of a court related nature to other federal legislation.

Section 100 of the Constitution requires that Parliament and not the executive alone establish judicial compensation and benefits following full and public consideration and debate. In addition to the protections of section 100, the Supreme Court of Canada has established a constitutional requirement for an independent, objective and effective commission to make non-binding recommendations to government.

The government must publicly respond within a reasonable period of time to the commission report. Any rejection or modification of a commission recommendation must be publicly justified based on a standard of rationality. I will say something about this standard in a few moments.

The Judges Act was amended in 1998 to strengthen the existing commission process in keeping with the constitutional requirements identified by the Supreme Court of Canada. At the federal level, the Judicial Compensation and Benefits Commission is the name of the independent, objective and effective commission that makes recommendations to the government.

The commission convenes every four years to conduct an inquiry into the adequacy of judicial compensation and to deliver a report with its recommendations. The most recent commission completed its work when it delivered its report in May 2004. Sadly, implementation of the commission's recommendations languished under the former government. I will explain.

The commission fulfilled its role by conducting an inquiry and delivering a report with its recommendations. The former government responded to that report and introduced Bill C-51 to implement its response. However, despite an introduction date of May 20, 2005, Bill C-51 never proceeded beyond first reading and died on the order paper when the federal election was called in November 2005.

Government Orders

When Canadians voted for change on January 23 of this year, they voted for a government that was willing to recognize its responsibilities, make the decisions that needed to be made and moved forward with implementing those decisions. This government believes strongly in the principle of judicial independence. One of my priorities upon assuming office of justice minister was to review the commission report. This government recognizes that the integrity of this entire process is dependent in part on timely passage of implementing legislation.

The government is firmly of the view that we had a responsibility to take the time to consider the report and recommendations in light of the mandate and priorities upon which we were elected. However, we undertook our review as quickly as reasonably possible.

This government provided its response to the commission report on May 29, 2006, followed almost immediately by the introduction of Bill C-17 on May 31, 2006. The bill was referred after first reading to the committee on June 20. The Standing Committee on Justice and Human Rights began its consideration of the bill on October 24 and tabled its report in the House on November 1, approving the bill with some minor technical amendments.

I am sure hon. members appreciate the critical importance of completing the final stage of the 2003 quadrennial cycle through the passage of legislation. The credibility, indeed, the legitimacy of this constitutional process requires it, especially since the next quadrennial commission process is due to commence in less than one year.

Bill C-17 proposes to implement virtually all of the commission's recommendations. The exceptions are the commission's recommendation of a 10.8% salary increase and the representational costs proposal. Instead, the government is prepared to support a salary increase of 7.25% and to increase reimbursement of representational costs to 66% from the current level of 50%. The fully developed rationale for these modifications can be found in our government's response.

● (1640)

I know the hon. members have read the government's response, which fully explains the rationale for the modification of the commission's salary recommendations. I, therefore, intend to just briefly summarize our thinking on this important issue.

Before doing so, however, I think it is important to speak to the standard of rationality against which any modification of the commission's recommendations by Parliament will be assessed.

It is necessary to displace some of the misconceptions that are at play in this area and, in particular, suggestions that respect for the constitutional judicial compensation process and for judicial independence, broadly speaking, can only be demonstrated through a verbatim implementation of commission recommendations. That is a clearly wrong interpretation.

To ensure public confidence in the process, I think it is absolutely critical that we have a shared appreciation and understanding of the very balanced guidance that has been provided by the Supreme Court of Canada in the key cases of the P.E.I. judges' reference case and the Bodner decision.

In both decisions, the court has quite rightly acknowledged that allocations of public resources belongs to legislatures and to governments. A careful reading of both cases clearly indicates that governments are fully entitled to reject and modify commission recommendations, provided that a public, rational justification is given which demonstrates overall respect for the commission's process.

I would say here, as we did in the response, that the government is confident that we have fully met this requirement.

The effectiveness of the commission is not measured by whether all of its recommendations are implemented unchanged. It is measured by whether the commission process, its information gathering and analysis, and its report and recommendation played a central role in informing the ultimate determination of judicial compensation.

The commission's work and analysis have been critical in the government's deliberations, which is not critical of but critical in the government's deliberations. Our response respectfully acknowledges the commission's efforts and explains the government's position in relation to the two modifications to the commission's proposal.

In justifying our proposed modification of the salary recommendation, as reflected in Bill C-17, we gave careful consideration to all of the criteria established by the Judges Act and to two of these in particular: first, the prevailing economic conditions in Canada, including the cost of living and the overall economic and financial position of the federal government; and, second, the need to attract outstanding candidates to the judiciary.

With respect to the first of those, we concluded that the commission did not pay sufficient heed to the need to balance judicial compensation proposals within the overall context of economic pressures, fiscal priorities and competing demands on the public purse. In essence, the government ascribed a different weight than the commission to the importance of this criterion.

In terms of attracting outstanding candidates, we took issue with the weight that the commission placed on certain comparator groups against which the adequacy of judicial salaries should be assessed. The government recognizes that the task of establishing appropriate comparators for judges has been a perennial challenge for past commissions as well as parliamentarians given the unique nature of judicial office.

We acknowledge that the commission carefully and thoroughly considered a range of comparative information, including the incomes of senior public servants, governor in council appointees and private practice lawyers. Our key concern was the fact that the commission appeared to accord disproportionate weight to incomes earned by self-employed lawyers and, in particular, to those practitioners in Canada's eight largest urban centres. In addition, there was an apparent lack of emphasis given to the value of the judicial annuity.

● (1645)

As the response elaborates, the government believes that the commission's salary recommendation of 10.8% overshoots the mark in defining the level of salary increase necessary to ensure outstanding candidates for the judiciary.

Government Orders

The government is proposing a modified judicial salary proposal for puisne judges of \$232,300, or 7.25%, effective April 1, 2004, with statutory indexing to continue effective April 1 in each of the following years, with proportionate adjustments for chief justices and justices of the Supreme Court of Canada.

The one other proposed modification relates to the commission's recommendation that the judiciary be entitled to an increased level of reimbursements for costs incurred through the judges' participation before the commission. It recommended increases from 50% to 66% for legal fees and from 50% to 100% for disbursement costs.

I note, as a matter of information, that disbursement costs in relation to the commission include, not just photocopying and courier services, but in particular, the cost of substantial contracts for the retention of expert compensation consultants and related matters.

In our view, reimbursement at 100% of disbursement costs would provide little or no financial incentive for the judiciary to incur costs prudently. Accordingly, Bill C-17 would increase the current level of reimbursement for both legal fees and disbursements from the current 50% to 66%.

Our response also underscores that it will be parliamentarians, not this government, to decide which proposal to implement, be it that of the commission, the government or, indeed, a third proposal entirely.

Bill C-17 was carefully reviewed by the justice committee. The justice committee heard directly from the commissioners of the Judicial Compensation and Benefits Commission. Representatives of the Canadian Bar Association also appeared before the committee, as did Professor Garant, to shed light on this constitutional process from the academic perspective.

Ultimately, the justice committee approved Bill C-17 with some minor technical amendments. Despite an express invitation by the parliamentary secretary that any recommendation by the committee to amend the salary proposal would be seriously considered by the government, the committee did not include such a recommendation in its report but rather approved the bill on division.

Accordingly, the time for this House to vote on the bill is drawing near. I would like, however, to ensure that the House is aware that Bill C-17 also implements a number of other important compensation amendments. These amendments concern such matters as retirement eligibility, eligibility for supernumerary office and other minor changes to allowances.

Bill C-17 also includes a long overdue proposal aimed at levelling the playing field for partners of judges in the difficult circumstances of relationship breakdown by facilitating the equitable sharing of the judicial annuity. The judicial annuity is currently the only federal pension that is not subject to such a division despite the fact that the judicial annuity represents a very significant family asset.

The proposed annuity amendments essentially mirror the provisions of the federal Pension Benefits Division Act. Like that act, these provisions uphold the overarching principles of good pension division policy allowing couples to achieve a clean break, certainty and portability.

These provisions are also consistent with both the objectives of probative retirement planning and the constitutional requirement of

financial security as part of the guarantees of judicial independence. While on its face, extremely complicated, the policy objective of this mechanism is very simple. It is to address a long outstanding equity issue in support of families undergoing breakdown of the spousal relationship.

I will wrap up and hand Bill C-17 over to the House for debate. I invite all parliamentarians to carefully discharge their important responsibility in light of the governing constitutional and statutory principles. In doing so, the members of the House will help ensure that Canada continues to have a judiciary whose independence, impartiality, commitment and overall excellence not only inspires the confidence of the Canadian public but is envied around the world.

• (1650)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am furious at the minister on one particular point. He said that the parliamentary secretary offered to change the wages. The minister knows that the committee wanted to reinstate the original report which would have changed the salaries. That was the will of all members of the committee, except the government members. It was ruled out of order. The government would not make the changes.

I appreciate that the minister approached the committee. Today he has reinstated the position that it is Parliament's decision. If he really believed in the integrity of the committee and Parliament, the government would make the changes that were ruled out of order. You cannot say that you offered to make those changes because you have not. Those changes were the will of the committee. We could have been debating them today. I do not mind that the government stopped us from doing that, but you should not state on the record today that you offered to do that because you did not. You did not make it possible for the committee to—

• (1655)

The Deputy Speaker: I do not know how many times I have to tell the hon. member for Yukon not to address the Minister of Justice in the second person and to make his remarks through the chair.

The hon. Minister of Justice.

Hon. Vic Toews: Mr. Speaker, I clearly stated that as I understand it the parliamentary secretary invited committee members to make recommendations recognizing that there would have to be a royal recommendation. No such recommendations were made. We are, as a government, a minority in the House, and government members are a minority in committee. If the member chose to make a recommendation that perhaps a different royal recommendation be made, that could have been passed along to the House and entertained. The fact remains that no such recommendation was made and that is regardless of any amendments which may or may not have been proposed.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I am going to ask the Minister of Justice to comment on the rationale for the government's response. He knows that it is absolutely essential to have independent judiciary. He knows that this commission which recommended over 10% was independent. He breached that independence when he introduced Bill C-17, which talks of a lower percentage.

Government Orders

What economic conditions or competing demands of the government were in place specifically that led the minister to break that rule of independence of the judiciary which is older than the Magna Carta? What specific programs is the minister speaking about? What bad economic conditions were in place? Was it the \$13.2 billion surplus given to him by a previous government?

Hon. Vic Toews: Mr. Speaker, the member speaks about a principle being older than the Magna Carta. In fact, the independence of the judiciary is not a principle that is older than the Magna Carta.

The Magna Carta is actually an excellent place to start. Section 100 of the Constitution Act says that Parliament makes the determination on public expenditures. That is, in fact, what the Magna Carta is all about. Section 100 deals exactly with the Magna Carta and the responsibility of Parliament to deal with the issue. The Supreme Court of Canada in two cases, the P.E.I. reference case and the Bodner case, recognized the paramountcy of Parliament in determining that issue on a standard of public rationality. It is for Parliament to make that determination.

Thirteen billion dollars is the number that my colleague has been pointing out. The priority of this government and this Parliament was to pay down the debt. That is the priority of this government. The allocation of that money obviously has to be weighed against all of the other issues that we need to deal with as a government.

I understand the member does not think that paying down the debt is important, but it happens to save Canadian taxpayers \$650 million each and every year. This was not simply a matter of shifting the books as the Liberals did with the employee pension case, just shifting numbers around to create so-called surpluses. This was actual money used to pay down the debt.

Mrs. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I listened very carefully to the hon. minister. I must admit that I still have some profound concerns.

Is the hon. minister not concerned that this bill could compromise judicial independence by virtue of the fact that it does not accept the commission's report?

• (1700)

Hon. Vic Toews: Mr. Speaker, there seems to be a fundamental failure to understand that it is Parliament's responsibility to make the final determination as to compensation.

The judges, in fact, in both the P.E.I. case and the Bodner case, specifically stated that it is Parliament's responsibility, not the government's responsibility, but Parliament's responsibility to make that determination. That is a constitutional principle. That is not a prerogative of the government. That is not an undertaking that the government takes at a whim. It is a constitutional responsibility that the government has. The Bodner case and the P.E.I. case say that the government has the responsibility to set those salaries and that the government can take into account the various factors identified in those cases.

The government in the response to the report has indicated why we disagree with the commission and on that basis exercise our paramount constitutional responsibility, a responsibility that transcends the independence of the commission. The commission is a

secondary level that is surpassed by the responsibility that the member has as a parliamentarian.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the reason that the commission was put in place of course is its independence of the judiciary. That is why conditions were put in for when the government was going to vary those recommendations. The government would have to explain it. There had to be good, rational, defensible reasons, not simply done on a whim.

Is there anyone who really thinks that the amount of the change in the percentage of the judges' pay would have a major effect on the fiscal position of this country? No one believes that. A \$13 billion surplus was available. The change was a small amount. The principle of the independence of the judiciary is ingrained in the Constitution and is a foundation of our society. How could anyone believe that someone who pays them and changes their salary would not have an effect on their decisions? That is why the commission was set up, so that there would be good solid reasons.

The witnesses who testified before the committee were very upset. They did not believe that the government's rationale for these changes under the situation of a \$13 billion surplus held weight nor were they reasonable reasons for making this change.

Hon. Vic Toews: Mr. Speaker, I can simply repeat what I have already said. It is interesting how the member attempts to simplify what is actually a very complicated process. He said that the government has a \$13 billion surplus and what it should have done is paid judges more money. That is his priority as a member as to what should be done with that money.

The government has other competing interests. There are, for example, issues of collective bargaining generally, or issues of other pressing demands upon the treasury.

The government established those priorities. The government indicated that in the context of all those priorities it decided that this was fair. Given that the government felt that the commission overstated two principles that inappropriately inflated the rate, we exercised our constitutional responsibility to do what we did.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, Bill C-17, an act to amend the Judges Act and certain other acts in relation to courts, is the bill before us. It is my pleasure to give the opposition response to this bill going to third reading.

The bill deals with judicial salaries and allowances, judicial annuities and other benefits. Bill C-17, to put it in its historical context, is the second government response to the 2003 Judicial Compensation and Benefits Commission. The previous government had introduced Bill C-51 on the same subject. Historical context is very important because the people of Canada can see that action was undertaken by all governments with respect to this stagnant file.

Government Orders

As usual, Bill C-51, the predecessor legislation brought in under a Liberal government, was far more comprehensive and far more meaningful. It proposed a whole bunch of items that dealt with more than just the strict recommendations of the commission. There were a number of court related reforms, including the expansion of the unified family courts across this country.

In my own province of New Brunswick, there is a serious backlog of Family Court cases. Bill C-17 did not deal with this issue. I know the member for Tobique—Mactaquac would be interested to know that there are women waiting in all judicial districts of New Brunswick for dates for hearings before justices of the Family Court to deal with serious issues of child custody and the making of payments for support and maintenance. These are very serious matters. These matters touch everyone in the country. I thought it was important to underline that they hit home; they hit New Brunswick. The paucity of regulations in Bill C-17 as opposed to Bill C-51 just show how the government is not concerned with holistic or wholesome justice reforms, but just piecemeal ones.

Sadly, Bill C-51 did not proceed beyond first reading. It died on the order paper with the dissolution of the last Parliament.

• (1705)

[*Translation*]

In the reference case, the Supreme Court of Canada also concluded that government delays in responding to the reports of judicial compensation commissions can damage judges' morale. It could even cast doubt on the independence of the judiciary.

[*English*]

Indeed, the independence of our judiciary is very much at stake in this bill as presented. Many times courts and commissions have established how critical the financial security of judges is, not only for maintaining judicial independence and impartiality, but also for attracting persons most suited by their experience and ability to be excellent candidates for the bench.

There seems to be a general attack on the judiciary presented by the government in its totality of justice bills. When we combine the effects of Bill C-17, which strikes at the heart of judicial independence, with the effects of Bill C-9 on conditional sentences, which is taking away the discretion of judges, and when we even combine it with the process involving the approval of Justice Rothstein to the Supreme Court of Canada, although it met with great success in that instance, it still puts the independence of the judiciary in question. It is as if the government has something in its craw about judges.

The bill completes the picture in striking at the heart of the independent findings of the commission. The report of the commission, and that was the McLennan commission, recommended that federally appointed judges receive a 10.8% salary increase effective April 1, 2004. As we know, Bill C-17 proposes an increase of 7.25% as of the same date, April 1, 2004, so where does the difference come from?

The commission reviewed Canada's economic situation. I was curious to note that the minister pretended as if the commission did not review the economic conditions prevailing in society. He would therefore lead us to infer that the commission irresponsibly would

avoid looking at the economic conditions pertaining in this country and still recommend a salary increase.

Of course it looked at our economic conditions, and thanks to the great economic stewardship over the past decade or more of the member for LaSalle—Émard, this country has an enviable economic situation. For the minister to say that this was not considered sufficiently by the commission is in fact wrong. It is wrong in fact and it is wrong in opinion.

Canadians can see through this. They can see that this agenda of law and order also means that judges should do as the government feels they should. They should not be independent. They should be tethered to the purse of the government and its agenda with respect to justice issues.

Instead of simply establishing whether the government had sufficient funds to comply with the salary recommendation of the independent commission, the government believes that consideration also should be given to the other economic and social priorities of the government. It is curious to note that it is not the economic and social priorities of the community, but of the government, for on the same day that the Conservatives received news of a \$13.2 billion surplus, they announced cuts of over \$1 billion, hurting the most disadvantaged and helpless people in the community.

Does this mean that federal judges' salaries and, most important, their independence, is not a priority for the current government? Clearly Canadians are smart enough to draw that assumption from the government's actions. It is not important that judges be independent, the government says, so it will cut their salaries. It will also find judges whose beliefs the government believes in and put them on the court.

After cutting a billion dollars in social programs on the same day they received the news of the \$13 billion-plus surplus, how can the Conservative government argue that it is refusing the conclusions and recommendations of the independent McLennan commission in this context? Is the minority government once again putting its own partisan agenda before the needs and the greater good of Canada? Are the Conservatives once again leaving Canadians behind in favour of their own political agenda?

I am not the only one questioning the government decision to come up with another number for the judges' salaries. The Canadian Superior Court Judges Association is also concerned by the rejection of the independent commission's salary recommendations.

I know that the member for Nepean—Carleton will be very interested in the accountability aspects of the bill. Having sat with that member for Nepean—Carleton in the hearings for Bill C-2 in the legislative committee last spring, I know he is keenly interested in the issues of accountability.

Government Orders

●(1710)

How accountable is it that the recommendation emanating from the independent commission, the independent judges salary commission—and members of the House will know that Bill C-2 is replete with the word independent—was rejected by the government? How accountable is that? I can only echo the concerns of the Canadian Superior Court Judges Association. It seems to me that we would have to go a long way in the history of this country to see political activism from our judiciary.

I echo those concerns. I am troubled by what seems to be the government picking up another salary figure and justifying it by criticizing the independent commission for not having accepted its arguments in the first place. It is as if the Conservatives should have picked Gwyn Morgan or some other Tory contributor to sit on the commission so they could have had the results they wanted. That, in their minds, would have closed the accountability loop.

Once again, this is a narrow approach that we have heard a lot about in recent years from our southern and formerly governing Republican neighbours, who say, “If you're not with us, you're against us”. The government seems to reject the independence of a commission. Those members in fact reject the good judgment of our judges and they are piercing a sword in the very muscle of judicial integrity and independence in this country.

Canada does not work like that. Canadians do not like that kind of play. They like fair play. Bill C-17 is not about being for or against the commission recommendations per se. It is about independence and accountability and the impartiality of our judges.

Judges interact with the citizens of Canada, both victims and criminals, with people in the judicial system. They must be above reproach from any political incursion. They must be independent. They must have integrity. Above all, they must have the respect of all Canadians.

How are we to respect a government that does not respect the fact that people in Canada want their judges to be above politics and not to be besmirched by any cheap political process, which this non-accountability act compliant provision provides?

It is all about doing what we can to maintain the highest standard of judicial independence. We cannot jeopardize judicial independence in our system, the system that is from the common law that pertains throughout many countries in the world, and we cannot do it, foremost, to promote a partisan agenda. This is not acceptable.

Having said that, I will say that this bill going to third reading has some good aspects, as Bill C-51 did, aspects that the Canadian people should know about.

On the issues with respect to northern removal, my friend, the member for Yukon, will be interested to know that northern removal as it is defined in the bill has a bit of a negative connotation. It sounds like people are moving from the north and is something like how the member for Fort McMurray—Athabasca wants Maritimers to move out west as part of a migration program from the government. It does not mean that at all.

What it really means is that justice will be done in the northern communities of this country. We often say from sea to sea to sea, and

many Canadians who live in the south do not understand the concept of that third sea, but up near that third sea, as the member for Yukon will know, serving as he does on the justice committee, delivering justice to the citizens of our great northern territories is often difficult. As such, the northern removal procedures set out in Bill C-51 and now carried through with Bill C-17 will do a great deal to improve the quality of justice in the northern parts of our community.

The supernumerary provisions, the rule of 80 provisions, will allow for a much more flexible system of judicial personnel appointments throughout many of our provinces. It will allow judges who have earned the combination of years of service and age to go to supernumerary status and be available essentially as part time judges to serve the provinces in which they reside.

This may do something to make up for the government's glaring error in not following the script of Bill C-51 in appointing a unified family court, particularly in provinces that do not have a unified family court such as New Brunswick, and we hope it does. On this side, we trust the chief justices of this province to manage their courts properly. We give them the respect they are due and hope that this bill aids them in that process.

●(1715)

I leave members with these thoughts about the application of this act and others with respect to judicial remuneration and judicial vacancies. It is to be hoped that we can move forward in the House in a non-partisan way, realizing that the judiciary should be above all aspects of partisanship. The judiciary, when appointed, should be on a pedestal. The judiciary should be above the concerns that often occur in this place and, above all, the judiciary should be respected by the Canadian public.

The Canadian public wants a judiciary that metes out justice and settles the disputes in our communities that happen from time to time in a way that is beyond reproach. It is to be hoped, with the beginning of new negotiations involving the same commission, that the next government, which I sincerely hope for the sake of all Canadians will not be a government made up of people from that side, will respect the principles of judicial independence and the integrity of our judges and adopt the recommendations when they come forward from the next quadrennial Judicial Compensation and Benefits Commission.

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, that member referred consistently to our party's approach with respect to the judiciary and the criminal justice system. I want to give him an opportunity to finally clarify his party's position on the issue of criminal justice.

Government Orders

His party voted to allow convicted arsonists and car thieves to serve their sentences in the comfort of their living rooms instead of behind bars where they belong. The Liberals have been blocking mandatory jail time and have favoured house arrest for violent offenders. They are against our three strikes legislation, which would guarantee that three time sexual or violent offenders would serve a life sentence unless they could prove themselves safe.

They have stood against all of our efforts to toughen the criminal justice system even though during the election they promised they would be different. Why are they trying to hide this record with points of order—

Mr. David McGuinty: Mr. Speaker, on a point of order, it is beyond the pale. The parliamentary secretary obviously has not read Bill C-17. I urge him to read it so that he understands what is in the bill and would be appropriately debating the merits of this bill as opposed to pursuing some other kind of agenda.

I put it to you, Mr. Speaker, that it would be helpful for us to really focus on the details and merits of this bill. What I have just heard speaks in no way whatsoever to the merits of this bill.

• (1720)

The Acting Speaker (Mr. Andrew Scheer): I would ask the hon. parliamentary secretary to try to keep his remarks to the subject and to the merits of the bill that is before the House.

Mr. Pierre Poilievre: Mr. Speaker, my remarks have been a reflection of the remarks made by the member. He was the one who spoke of our criminal justice agenda.

I note that the member for Ottawa South is deliberately trying to distract from his party's weak position on crime. He too believes that convicted arsonists and car thieves should be allowed to serve their sentences at home instead of in jail. I wonder if he ran on that in the last election. Did he make it clear that was what he stood for? What do they really stand for over there?

Mr. Brian Murphy: Mr. Speaker, I appreciate the efforts of the member for Ottawa South, but being a veteran in dealing with the member for Nepean—Carleton, I think I can manage.

Briefly put, Bill C-9 concerning conditional sentencing was saved by the Liberal Party on this side, including crimes that deal with gang violence. Bill C-10 involving mandatory minimums was in fact an extension of a Liberal program first instituting mandatory minimums in 1995. Finally, the three strikes legislation is based on a Republican model, sadly, and the Republicans went down to defeat. We can only wish the same for the members on the other side. This legislation is clearly unconstitutional.

That brings me back to the substance of this bill, which is constitutionality, judicial independence and judicial integrity. Where are the members on the other side? Where was the Minister of Justice at committee yesterday, for instance, to answer this very simple question, "Do you have respect for Canada's judiciary?" Conservatives are not answering the questions the way they should be answered, questions about whether they believe in their country, whether they love Canada, and many other things, and whether they believe in an independent judiciary.

The answer from members on this side to all of those questions is yes, we do.

Mr. David McGuinty: Mr. Speaker, I would like to congratulate my colleague, the member for Moncton—Riverview—Dieppe, because I thought his remarks were very helpful in illustrating for Canadians the merits of this bill.

If I may, I would like to go back to a few points he made that I thought were really telling in terms of his views of how this bill should be treated in Parliament, and also to some of the remarks he made around aspects of partisanship in particular.

I recall from back then that the remarks of the then justice critic and now Minister of Justice were particularly spurious in regard to the appointments process for judges. In fact, I sat with him on a subcommittee at justice for some six months, and during that time his comments were probably classifiable as irrational.

I am trying to get a sense now from my colleague, the hon. member for Moncton—Riverview—Dieppe. Could he give us some understanding of what he has been seeing in the past 10 months from Canada's new government in terms of its partisanship and appointments process?

I would like to point out just one thing to him. Several months ago, the Minister of Justice appointed Bruce McDonald, a very well known Conservative fundraiser and organizer, as a federal judge. He donated over \$11,000 to the Reform, Alliance and Conservative Parties for 12 straight years. I am having a hard time reconciling this with the—

Mr. Pierre Poilievre: Mr. Speaker, I rise on a point of order. The member, whose time is running out, is also failing to be topical in his remarks. He complained that I was talking about the criminal justice system and now he has gone off to talk about individuals who happen to have given donations to political parties. This has nothing to do with the legislation. He is way off topic. He should get back on topic and he might take the opportunity to explain his soft on crime positions.

Mr. Brian Murphy: Mr. Speaker, in fact, because of the rule of 80 the issue of judicial vacancies does arise in this debate. The fact that Bill C-51 was not copied essentially and Bill C-17 omits to talk about unified family court nominations, the issue of judicial vacancies and the administration of justice, or the delivery of justice, is very pertinent. I thank the member for Ottawa South for his question.

We believe in impartiality with respect to the delivery of justice. We know across the country that there are committees in each province made up usually of chief justices, members of the bar et cetera, who recommend names to an attorney general to make recommendations to cabinet. That is the way it has been and it has served us quite well.

The dog and pony show that the other side would like to see is to have hearings and probably elections for most judges. We stand against that.

Private Members' Business

Last night our neighbours to the south, who we speak very fondly of despite the rhetoric of the other side, chose wisely a government that rejects its republican principles in general. I do not think we want seep toward republican type principles with respect to the appointments of judges. I will however refrain from talking about specific cases because it would belie what I said before, that we cannot talk about specific cases once elevated to the bench. These people are judges.

What is disturbing is the evidence from the Minister of Justice yesterday, and the parliamentary secretary from Albert County will know, that it is wrong to infiltrate provincial committees across the country that make recommendations regarding judges. That is happening and that is a sad fact.

The infiltration and interference with the independent nomination process is taking place in the country. It is a shame and the parliamentary secretary for justice, as a proud New Brunswicker, should be ashamed of this intrusion into the democratic process.

• (1725)

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I thank the hon. member for his mention and I am definitely proud to be representing Albert County and proud to be representing my constituents of Fundy Royal.

Is there anything he can do to encourage the Liberal dominated Senate to pass the federal accountability act, so that we can bring and restore some sense of transparency to the appointments process, and so that we can have a director of public prosecutions, and the member is aware of how important that is, so—

Hon. Larry Bagnell: Mr. Speaker, on a point of order, I hope you will continue to enforce the relevance provision.

The Acting Speaker (Mr. Andrew Scheer): I think the hon. Parliamentary Secretary to the Minister of Justice was talking about the appointments process although it was under the guise of a different bill. The hon. member for Moncton—Riverview—Dieppe was talking about appointments in his speech, so I think it is a fair question to allow. Does the hon. parliamentary secretary need to finish his question?

Mr. Rob Moore: Mr. Speaker, our government has in every way followed our constitutional obligations and our obligations to the taxpayers by putting forward a very reasonable proposal. I am very pleased that we followed those constitutional obligations. I would certainly encourage the member to support this legislation, but also, in the area of transparency and accountability, urge him to use all of his influence as the member for Moncton—Riverview—Dieppe to get that federal accountability act passed.

Mr. Brian Murphy: Mr. Speaker, I assure the member that I will use every influence I have in this place to assure that true accountability is actioned upon this House and the Canadian public. The member will know, interestingly speaking of constitutionality and legal issues, that his government with Bill C-2 tried to introduce provisions that were found to be unconstitutional which would have meant opening up the Constitution with respect to the independence of Parliament.

The Library of Parliament submitted a brief. It was found that the Minister of Justice and presumably the Parliamentary Secretary to

the Minister of Justice and Attorney General of Canada did not do their research and they would have posited a law that included unconstitutional provisions. It is shameful. I know we can do better.

I look forward to the cooperation of the hon. member for Fundy Royal and I look forward to being didactic in showing him that unconstitutional laws should not be presented by attorneys general or parliamentary secretaries.

[*Translation*]

The Acting Speaker (Mr. Andrew Scheer): Resuming debate. The Hon. Member for Hochelaga has two minutes before the division bells ring.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, unless there is consent to call it 5:30 p.m.—

An hon. member: No.

Mr. Réal Ménard: No? If the House really wants to hear me, Mr. Speaker, I will proceed. I will do anything to please the Conservatives.

Bill C-17 proposes an increase in the salaries of the judiciary of 7.25%, whereas a commission appointed in 2003 recommended an increase of 10.8%.

There are three extremely important principles concerning the judiciary: judges must be independent, that is to say free from any partisan interference; judges must be well paid to avoid any inclination to corruption where they might be tempted to do anything other than their duties as magistrates; and judges must be irremovable, except for misconduct, in which case a mechanism for dismissal involving both houses is provided. From 1999 to 2003, judges and members of Parliament were linked by a common mechanism for salary adjustment.

The problem with this bill, is that the previous Prime Minister, the member for LaSalle—Émard, abandoned that principle and established a very unfortunate precedent. That is repeated in this bill, so much so that if the bill were adopted, the Chief Justice of the Supreme Court would have a higher salary than the Prime Minister. With all due respect for the judiciary, there is a principle of democratic legitimacy which holds that the Chief Justice of the Supreme Court, deserving as she might be, should never have a higher salary than the Prime Minister.

• (1730)

The Acting Speaker (Mr. Andrew Scheer): I am sorry to interrupt the member for Hochelaga but his time has expired.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

INCOME TAX ACT

The House resumed from November 1 consideration of the motion that Bill C-253, An Act to amend the Income Tax Act (deductibility of RESP contributions) be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): It being 5:30 p.m., the House will proceed to the taking of the deferred division on the motion at second reading of Bill C-253 under private members' business.

Call in the members.

• (1800)

[English]

Before the Clerk announced the results of the vote:

The Acting Speaker (Mr. Andrew Scheer): Does the hon. member for Moncton—Riverview—Dieppe wish to clarify?

Mr. Brian Murphy: I voted for the motion.

• (1805)

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

(Division No. 60)

YEAS

Members

Alghabra
André
Asselin
Bagnell
Barbot
Bélanger
Bellavance
Bigras
Bonin
Boshcoff
Bourgeois
Brown (Leeds—Grenville)
Cardin
Chamberlain
Christopherson
Cotler
Cullen (Skeena—Bulkley Valley)
DeBellefeuille
Demers
Dhaliwal
Dryden
Easter
Faille
Freeman
Gagnon
Gauthier
Goodale
Guamieri
Guimond
Holland
Jennings
Karetak-Lindell
Keeper
Laforest
Lavallée
Lessard
Loubier
MacAulay
Malo
Mark
Martin (Esquimalt—Juan de Fuca)
Masse
McGuinty
McKay (Scarborough—Guildwood)
Ménard (Hochelaga)
Merasty
Minna
Murphy (Moncton—Riverview—Dieppe)
Nadeau
Ouellet
Pacetti
Patry
Peterson

Allen
Arthur
Bachand
Bains
Beaumier
Bell (North Vancouver)
Bennett
Black
Bonsant
Bouchard
Brisson
Cannis
Carrier
Chan
Comuzzi
Crête
D'Amours
Del Mastro
Deschamps
Dhalla
Duceppe
Eyking
Folco
Fry
Gaudet
Godfrey
Graham
Guay
Harris
Hubbard
Kadis
Karygiannis
Kotto
Laframboise
Lemay
Lévesque
Lussier
Malhi
Maloney
Marleau
Martin (Winnipeg Centre)
McCallum
McGuire
McTeague
Ménard (Marc-Aurèle-Fortin)
Mills
Mourani
Murphy (Charlottetown)
Neville
Owen
Paquette
Perron
Picard

Plamondon
Rajotte
Robillard
Rota
Savage
Scott
Silva
Simms
St-Hilaire
St. Denis
Stoffer
Telegdi
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)
Thompson (Wild Rose)
Tonks
Vincent
Wilfert
Wrzesnewskyj
Proulx
Ratansi
Rodriguez
Roy
Scarpaleggia
Sgro
Simard
St-Cyr
St. Amand
Steckle
Szabo
Temelkovski
Turner
Wappel
Wilson
Zed- — 140

Private Members' Business

NAYS

Members

Abbott
Albrecht
Anders
Angus
Baird
Bell (Vancouver Island North)
Bernier
Bezan
Blaikie
Boucher
Brown (Barrie)
Calkins
Cannon (Pontiac)
Casson
Chong
Clement
Crowder
Davidson
Day
Dewar
Dykstra
Epp
Finley
Flaherty
Galipeau
Godin
Goodyear
Grewal
Hanger
Hawn
Hiebert
Hinton
Jean
Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)
Lauzon
Lemieux
Lunn
Marston
Mayes
Menzies
Miller
Moore (Fundy Royal)
Nicholson
O'Connor
Oda
Petit
Prentice
Priddy
Richardson
Schellenberger
Siksay
Solberg
Stanton
Strahl
Thompson (New Brunswick Southwest)
Toews
Tweed
Van Loan
Verner
Warawa
Ablonczy
Ambrose
Anderson
Atamanenko
Batters
Benoit
Bevington
Blackburn
Blaney
Breitkreuz
Bruinooge
Cannan (Kelowna—Lake Country)
Carrie
Charlton
Chow
Comartin
Cummins
Davies
Devolin
Doyle
Emerson
Fast
Fitzpatrick
Fletcher
Gallant
Goldring
Gourde
Guergis
Harvey
Heam
Hill
Jaffer
Julian
Komarnicki
Lake
Layton
Lukiwski
MacKenzie
Mathysen
McDonough
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Nash
Norlock
Obhrai
Paradis
Poilievre
Preston
Reid
Ritz
Shipley
Skelton
Sorenson
Storseth
Sweet
Tilson
Trost
Van Kesteren
Vellacott
Wallace
Warkentin

Private Members' Business

Wasylycia-Leis
Williams— 125

Watson

PAIRED

Nil

The Acting Speaker (Mr. Andrew Scheer): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Finance.

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

* * *

FOOD AND DRUGS ACT

The House resumed from November 2 consideration of the motion that Bill C-283, An Act to amend the Food and Drugs Act (food labelling), be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-283 under private members' business. The question is on the motion.

• (1815)

Before the Clerk announced the results of the vote:

The Acting Speaker (Mr. Andrew Scheer): Could the hon. member for Surrey North please clarify which way she voted on the bill?

Ms. Penny Priddy: Mr. Speaker, my vote was yes.

[Translation]

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

(Division No. 61)

YEAS

Members

Alghabra	Atamanenko
Bagnell	Bélangier
Bell (Vancouver Island North)	Bennett
Bevington	Bigras
Black	Blaikie
Bonin	Boshcoff
Brown (Oakville)	Carrier
Charlton	Chow
Christopherson	Comartin
Crowder	Cullen (Skeena—Bulkley Valley)
Davies	Demers
Dewar	Dhaliwal
Freeman	Godfrey
Godin	Goodale
Graham	Holland
Hubbard	Julian
Kadis	Karygiannis
Lavallée	Layton
Lévesque	Lussier
Malhi	Malo
Maloney	Martin (Winnipeg Centre)
Masse	Mathysen
McDonough	McGuinity
McTeague	Ménard (Hochelaga)
Minna	Murphy (Moncton—Riverview—Dieppe)
Nadeau	Nash
Neville	Priddy
Savage	Scarpaleggia
Scott	Siksay
Silva	St-Cyr
Szabo	Temelkovski
Wappel	Wasylycia-Leis— 64

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen
Ambrose	Anders
Anderson	André
Angus	Arthur
Asselin	Bachand
Bains	Baird
Barbot	Batters
Beaumier	Bell (North Vancouver)
Bellavance	Benoit
Bernier	Bezan
Blackburn	Blaney
Bonsant	Bouchard
Boucher	Bourgeois
Breitkreuz	Brison
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Calkins
Cannan (Kelowna—Lake Country)	Cannis
Cannon (Pontiac)	Cardin
Carrie	Casson
Chamberlain	Chan
Chong	Clement
Comuzzi	Crête
Cummins	D'Amours
Davidson	Day
DeBellefeuille	Del Mastro
Deschamps	Devolin
Dhalla	Doyle
Dryden	Duceppe
Dykstra	Easter
Emerson	Epp
Eyking	Faille
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Folco
Fry	Gagnon
Galipeau	Gallant
Gaudet	Gauthier
Goldring	Goodyear
Gourde	Grewal
Guay	Guergis
Guimond	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Jennings
Karetak-Lindell	Keoper
Kenney (Calgary Southeast)	Komarnicki
Kotto	Kramp (Prince Edward—Hastings)
Laforest	Laframboise
Lake	Lauzon
Lemay	Lemieux
Lessard	Loubier
Lukiwski	Lunn
MacAulay	MacKenzie
Mark	Marleau
Marston	Mayes
McCallum	McGuire
Ménard (Marc-Aurèle-Fortin)	Menzies
Merasty	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	Mills
Moore (Fundy Royal)	Murphy (Charlottetown)
Mourani	Norlock
Nicholson	Obhrai
O'Connor	Ouellet
Oda	Pallister
Pacetti	Paradis
Paquette	Perron
Patry	Petit
Peterson	Plamondon
Picard	Prentice
Poilievre	Proulx
Preston	Ratansi
Rajotte	Richardson
Reid	Robillard
Ritz	Rota
Rodriguez	Schellenberger
Roy	

Private Members' Business

Sgro
Simard
Skelton
Sorenson
St. Amand
Stanton
Stoffer
Strahl
Telegdi
Basques)
Thompson (New Brunswick Southwest)
Tilson
Tonks
Turner
Van Kesteren
Vellacott
Vincent
Warawa
Watson
Williams
Wrzesnewskyj

Shipley
Simms
Solberg
St-Hilaire
St. Denis
Steckle
Storseth
Sweet
Thibault (Rimouski-Neigette—Témiscouata—Les
Thompson (Wild Rose)
Toews
Trost
Tweed
Van Loan
Verner
Wallace
Warkentin
Wilfert
Wilson
Zed- — 198

Davidson
Dryden
Epp
Goldring
Harris
Kramp (Prince Edward—Hastings)
Martin (Winnipeg Centre)
McTeague
Mills
Norlock
Preston
Rajotte
Ritz
Schellenberger
Simms
Stoffer
Thompson (Wild Rose)
Turner
Wasylycia-Leis

Dhaliwal
Easter
Godin
Hanger
Hubbard
Mark
Masse
Miller
Murphy (Moncton—Riverview—Dieppe)
Plamondon
Priddy
Richardson
Rota
Scott
Sorenson
Storseth
Trost
Vellacott
Watson- — 58

PAIRED

Nil

The Acting Speaker (Mr. Andrew Scheer): I declare the motion lost.

* * *

HERITAGE HUNTING, TRAPPING AND FISHING PROTECTION ACT

The House resumed from November 1 consideration of the motion that Bill C-222, An Act to recognize and protect Canada's hunting, trapping and fishing heritage, be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): The House will proceed to the taking of the deferred division on the motion at second reading of Bill C-222 under private members' business. The question is on the motion.

• (1825)

[*English*]

Before the Clerk announced the results of the vote:

The Acting Speaker (Mr. Andrew Scheer): Could the hon. member for Edmonton—Sherwood Park please clarify to the House which way he meant to vote on the bill?

Mr. Ken Epp: Mr. Speaker, I am incredibly embarrassed. I voted yes and then I went to work. My colleagues were all standing up and in a moment of sleepiness, I stood again. I voted yes.

• (1830)

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

(*Division No. 62*)

YEAS

Members

Allen
Angus
Bagnell
Benoit
Blaney
Boshcoff
Brisson
Brown (Barrie)
Cannan (Kelowna—Lake Country)
Cullen (Skeena—Bulkley Valley)

Anders
Asselin
Bell (North Vancouver)
Bezan
Bonin
Breitkreuz
Brown (Leeds—Grenville)
Calkins
Chan
Cummins

Abbott
Albrecht
Ambrose
André
Atamanenko
Bains
Barbot
Beaumur
Bell (Vancouver Island North)
Bennett
Bevington
Black
Blaikie
Bouchard
Bourgeois
Bruinooge
Cardin
Carrier
Chamberlain
Chong
Christopherson
Comartin
Crête
D'Amours
Day
Del Mastro
Deschamps
Dewar
Doyle
Dykstra
Eyking
Fast
Fitzpatrick
Fletcher
Freeman
Gagnon
Gaudet
Godfrey
Goodyear
Graham
Guarnieri
Guergis
Harvey
Hearn
Hill
Holland
Jean
Julian
Karetak-Lindell
Keeper
Komarnicki
Laforest
Lake
Lavallée
Lemay
Lessard
Loubier
Lunn
MacAulay
Malhi

NAYS

Members

Ablonczy
Alghabra
Anderson
Arthur
Bachand
Baird
Batters
Bélanger
Bellavance
Bernier
Bigras
Blackburn
Bonsant
Boucher
Brown (Oakville)
Cannon (Pontiac)
Carrie
Casson
Charlton
Chow
Clement
Comuzzi
Crowder
Davies
DeBellefeuille
Demers
Devolin
Dhalla
Duceppe
Emerson
Faille
Finley
Flaherty
Folco
Fry
Galipeau
Gauthier
Goodale
Gourde
Grewal
Guay
Guimond
Hawn
Hiebert
Hinton
Jaffer
Jennings
Kadis
Karygiannis
Kenney (Calgary Southeast)
Kotto
Laframboise
Lauzon
Layton
Lemieux
Lévesque
Lukiwski
Lussier
MacKenzie
Malo

Private Members' Business

Maloney
Marston
Mathysen
McDonough
McGuire
Ménard (Hochelaga)
Menzies
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Mourani
Nadeau
Neville
O'Connor
Oda
Owen
Paquette
Patry
Peterson
Picard
Prentice
Ratansi
Robillard
Roy
Sgro
Siksay
Simard
Solberg
St-Hilaire
St. Denis
Steckle
Sweet
Temelkovski
Basques)
Thompson (New Brunswick Southwest)
Toews
Tweed
Van Loan
Vincent
Wappel
Warkentin
Wilson
Zed— 201

Marleau
Martin (Esquimalt—Juan de Fuca)
McCallum
McGuinty
McKay (Scarborough—Guildwood)
Ménard (Marc-Aurèle-Fortin)
Merasty
Minna
Murphy (Charlottetown)
Nash
Nicholson
Obhrai
Ouellet
Pacetti
Paradis
Perron
Petit
Poilievre
Proulx
Reid
Rodriguez
Scarpaleggia
Shiple
Silva
Skelton
St-Cyr
St. Amand
Stanton
Strahl
Szabo
Thibault (Rimouski-Neigette—Témiscouata—Les

Tilson
Tonks
Van Kesteren
Verner
Wallace
Warawa
Wilfert
Wrzesnewskyj

Bagnell
Barbot
Bélangier
Bell (North Vancouver)
Bennett
Bigras
Blaikie
Bonin
Boshcoff
Bourgeois
Murphy (Oakville)
Brown (Barrie)
Cannis
Carrier
Chan
Chow
Comartin
Crête
Cullen (Skeena—Bulkley Valley)
Davies
Demers
Dewar
Dhalla
Duceppe
Eyking
Folco
Fry
Gaudet
Godfrey
Graham
Guay
Holland
Julian
Karetak-Lindell
Keeper
Laforest
Lavallée
Lemay
Lévesque
Lussier
Malhi
Maloney
Marleau
Martin (Winnipeg Centre)
Mathysen
McDonough
McGuire
McTeague
Ménard (Marc-Aurèle-Fortin)
Minna
Murphy (Moncton—Riverview—Dieppe)
Nadeau
Neville
Owen
Patry
Peterson
Plamondon
Proulx
Rodriguez
Roy
Scarpaleggia
Sgro
Silva
Simms
St-Hilaire
St. Denis
Stoffer
Telegdi
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)
Tonks
Vincent
Wasylcyia-Leis
Wilfert
Wrzesnewskyj

Bains
Beaumur
Bell (Vancouver Island North)
Bellavance
Bevington
Black
Blaney
Bonsant
Bouchard
Brison
Brown (Leeds—Grenville)
Cannan (Kelowna—Lake Country)
Cardin
Chamberlain
Charlton
Christopherson
Comuzzi
Crowder
D'Amours
DeBellefeuille
Deschamps
Dhaliwal
Dryden
Easter
Faille
Freeman
Gagnon
Gauthier
Godin
Guarnieri
Guimond
Hubbard
Kadis
Karygiannis
Kotto
Laframboise
Layton
Lessard
Loubier
MacAulay
Malo
Mark
Marston
Masse
McCallum
McGuinty
McKay (Scarborough—Guildwood)
Ménard (Hochelaga)
Merasty
Mourani
Murphy (Charlottetown)
Nash
Ouellet
Paquette
Perron
Picard
Priddy
Robillard
Rota
Savage
Scott
Siksay
Simard
St-Cyr
St. Amand
Steckle
Szabo
Temelkovski
Wappel
Watson
Wilson
Zed— 154

PAIRED

Nil

The Acting Speaker (Mr. Andrew Scheer): I declare the motion lost.

* * *

EMPLOYMENT INSURANCE ACT

The House resumed from November 6 consideration of the motion that Bill C-269, An Act to amend the Employment Insurance Act (improvement of the employment insurance system), be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-269 under private members' business.

● (1840)

[*Translation*]

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

(Division No. 63)

YEAS

Members

Alghabra
André
Arthur
Atamanenko

Allen
Angus
Asselin
Bachand

Abbott
Albrecht
Anders
Baird
Benoit

NAYS

Members

Ablonczy
Ambrose
Anderson
Batters
Bernier

Private Members' Business

Bezan	Blackburn
Boucher	Breitkreuz
Bruinooge	Calkins
Cannon (Pontiac)	Carrie
Casson	Chong
Clement	Cummins
Davidson	Day
Del Mastro	Devolin
Doyle	Dykstra
Emerson	Epp
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Goldring	Goodyear
Gourde	Grewal
Guergis	Hanger
Harris	Harvey
Hearn	Hiebert
Hill	Hinton
Jaffer	Jean
Kenney (Calgary Southeast)	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lemieux
Lukiwski	Lunn
MacKenzie	Mayes
Menzies	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	Obhrai
Oda	Pallister
Paradis	Petit
Poilievre	Prentice
Preston	Rajotte
Reid	Richardson
Ritz	Schellenberger
Shipley	Skelton
Solberg	Sorenson
Stanton	Storseth
Strahl	Sweet
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Trost	Turner
Tweed	Van Kesteren
Van Loan	Vellacott
Verner	Wallace
Warawa	Warkentin
Williams — 105	

PAIRED

Nil

The Acting Speaker (Mr. Andrew Scheer): I declare the motion carried.

Consequently, the bill is referred to the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities.

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

[*English*]

The Acting Speaker (Mr. Andrew Scheer): It being 6:42 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION ACT

The House resumed from October 3 consideration of the motion that Bill C-285, An Act to amend the Canada Mortgage and Housing Corporation Act (profits distributed to provinces), be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): Order. I would again ask all hon. members who need to carry on conversations with their colleagues to use the government lobby or the opposition lobby so that the House can get to the rest of private members' business.

Resuming debate, the hon. Parliamentary Secretary to the Minister of Citizenship and Immigration.

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, Bill C-285 seeks to require CMHC to transfer funds from its reserve to provincial governments. There is no question that the objective of the bill is laudable in the sense that it encourages social housing. This is something that is already being done by this government and the Canada Mortgage and Housing Corporation.

However, a simple mechanical formula, as that expressed in Bill C-285, is in isolation and without regard to all of the factors that must be taken into consideration and without regard to all the players involved in Canada's housing system.

Canada's housing system involves many players working together to help meet the housing needs of Canadians. The federal government itself, through the auspices of CMHC, is a key player in the system, providing funding and working to promote partnerships that will increase the supply of affordable housing.

Additionally, the federal government helps maintain the existing housing stock and supports research that helps identify new ways to ensure the housing and support requirements of those in need are met.

However, the government does not act in isolation. Provincial governments play a pivotal role in providing housing, funds for housing and support services. Furthermore, municipal governments, community associations and others help with the on the ground delivery and management of housing and associated services. Working with these partnerships is at the core of CMHC's mandate. Through active involvement with partners and stakeholders, CMHC has been serving Canadians for the past 60 years. Beginning in 1946, CMHC was given the job of helping to house more than one million returning war veterans and to lead Canada's national housing programs.

There is also another function of CMHC and that is the insurance and securitization component. In that respect, it is meant to be a commercial enterprise that operates in the private market with others that provide mortgage insurance. With respect to the introduction of mortgage insurance by CMHC relating to building or house loans, it operates as a business, a business that earns its income from insurance premiums and fees but at rates that are competitive with and on a level playing field with other business enterprises offering a similar service.

Private Members' Business

This bill essentially requires, in accordance with an inflexible formula, the transferring of CMHC's mortgage insurance profits to the provinces for social housing purposes. This initiative would not require further parliamentary debate or approval where all parliamentarians would have the opportunity to examine and put the initiatives to the test. It plans to have an arbitrary formula based on specific percentages without regard to those items that might essentially cause a need to have a greater reserve. The bill proposes to have the transfer made automatically without any parliamentary consultation whatsoever.

The clause, as it now reads, intends to amend section 29 that establishes a reserve fund. It states that moneys get placed to a reserve fund after taking into account a series of events like bad debts, depreciation and anticipated future losses. I find that some of those are calculable but the anticipated future losses are dependent, in a large part, on the economy, on interest rates and a whole series of factors. To arbitrarily fix it at a specific rate, as being proposed in this bill, does not bear relationship to those factors and certainly is not something I could support.

While CMHC is not a private insurer, it is subject to the same risks and follows the same guidelines set by the Office of the Superintendent of Financial Institutions for capitalization for prudent management and in order to maintain a level playing field with private mortgage insurers. The reserves required by the OSFI serve to protect the Canadian taxpayer from potential future costs arising from mortgage defaults. If, indeed, the interest rates were to go up substantially, there would be a significant claim on the reserve fund. If that fund were transferred out according to an arbitrary formula and without regard to potential loss, it could have significant effects on the Canadian taxpayer because, in the end, it is the Government of Canada that guarantees the due performance of the mortgages.

In order for CMHC to be competitive with other institutions that are operated privately to provide the same services, it needs to establish a reserve to properly capitalize its assets to ensure that if there is an economic downturn it can cover those losses.

• (1845)

Currently, to purchase a home in a low equity ratio of say 95% or 5%, those loans are insured by CMHC, which is backed by the Government of Canada that has a stake in this matter. It can provide housing to first time homebuyers at a very low down payment of 5% in this case and interest rates that generally would not be available unless one had a 25% down payment. This insurance is financed by premiums that go into the CMHC revenues.

Without a doubt, the CMHC plays a distinctive role in our housing system and delivers substantial benefits to Canadians. For example, CMHC mortgage insurance has helped one in three Canadian families buy a home of their own with as little as 5% down and at interest rates comparable to those for homebuyers with a down payment of 25% or more.

I have less difficulty with the objects of the use of the funds proposed to be transferred from CMHC than the formula suggested to raise those funds. Those objectives are: first, for social and affordable housing purposes; second, to encourage a supply of quality housing at affordable prices; third, to increase housing

choices for the people in the provinces; and finally, to contribute to the creation and development of housing cooperatives.

It is also important to recall that the government is already taking action in all of the four aforementioned areas. For example, through CMHC, the federal government has demonstrated its commitment to social and affordable housing by spending \$2 billion annually, primarily in support of some 633,000 households.

In addition, a major component of CMHC's assisted housing efforts are directed toward Canada's aboriginal population, both on and off reserve. CMHC provides funding for specialized housing construction and renovation programs, capacity development and ongoing subsidies for existing portfolio of assisted housing on reserve.

Moreover, we are encouraging the supply of quality housing at affordable prices. For example, we are moving ahead with the \$1 billion affordable housing initiative and working with provincial, territorial and other stakeholders to deliver affordable housing for Canadians.

More broadly, the one percentage point reduction of the goods and services tax is helping Canadians by making housing more affordable. As well, the budget includes a provision for a strategic investment of as much as \$1.4 billion to establish three housing trusts. These trusts will focus on affordable housing, northern housing and housing for aboriginal people living off reserve.

Likewise, we are also working to increase housing choices. Funding for CMHC's residential rehabilitation assistance program, commonly referred to as RRAP, and several related housing, renovation and adaptation programs has been extended for 2006-07 at a cost of \$128 million. RRAP provides financial assistance to repair homes occupied by low income people. This program is also used to create housing by converting non-residential buildings into residential use.

We are also providing resources for cooperative housing. Across Canada, where CMHC administers, there are about 53,000 households living in some 2,000 non-profit housing co-ops currently in operation. In addition, where CMHC administers on behalf of the federal government, CMHC will provide some \$100 million in 2006 to federal cooperatives under various programs. This is how it should work, where parliamentary appropriations address the needs envisioned by the objectives outlined.

However, the proposal to use profits in a mortgage insurance business for social housing purposes means essentially that the premiums are, in effect, being used for social objectives and are, in effect, being funded by individual homebuyers as opposed to the Government of Canada.

Bill C-285 would lock the government and Parliament into a very rigid formula that would circumvent, not only Parliament's direction but also do it at the expense of first time homebuyers and those purchasing mortgage insurance.

Private Members' Business

It is for these reasons that I cannot support the bill. We cannot use moneys collected from premiums made by first time homebuyers and use those funds for social housing objectives or any other objectives for that matter. Those types of objectives should be made by Parliament and by appropriation from this House where everyone has an opportunity to contribute to the process and actually have a vote because in the end it is the taxpayer that is responsible.

• (1850)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to participate in this debate on private member's Bill C-285, an act to amend the Canada Mortgage and Housing Corporation Act related to the distribution of profits to the provinces.

I think the bill, in terms of its intent, is a laudable goal. In fact, it certainly covers some of the objectives which a number of other programs within the Government of Canada already share.

The bill basically calls for the distribution of profits from CMHC, being a crown corporation, and the appropriation of the profits and the reserves from the crown corporation would be distributed to the provinces on a per capita basis. The bill provides for somewhat of a formula for doing this.

Ultimately, the objective of the bill is to provide for social and affordable housing purposes, to encourage the supply of quality housing at affordable prices, to increase housing choices for the people in the provinces and to contribute to the creation and development of housing co-operatives.

Prior to becoming a member of Parliament, I had the opportunity to serve on the board of the Peel Regional Housing Authority. It was a jointly funded housing authority with the Province of Ontario in cooperation with the region of Peel and Peel non-profit, which is the region's own not for profit housing service.

The Peel Regional Housing Authority took care of some 2,000 housing units. Half of them were senior units, who usually paid their rent on time, and the units were well kept. The other half were family units, 75% of which were lone parent situations, mother-led families usually, often with financial difficulties.

It is an extremely difficult job to be in the social or so-called affordable housing business. It takes the collaboration of not only the municipalities, the regions and the provinces, but also the federal government. A number of initiatives have evolved over the years to ensure that some of these objectives are being appropriately dealt with, whether it be rent geared to income arrangements or rent supplement where people are permitted to pay what they can afford, and it deals with developers.

Housing is not solely a federal responsibility. Social housing is a provincial responsibility and that has been seconded to the regional level of government. I know that our offices often deal with these situations. People who have the pressures of the demands for affordable housing invariably have other problems that they have to deal with. It may be children's issues or personal financial issues and people are looking for some advocacy by their member of Parliament to help them out of a difficult situation. Many times they have other social situations and disabilities within their children. It is probably one of the toughest areas, I must admit,

that has been prevalent in my work as a member of Parliament over some 13 years, and I have tried to be sensitive to the needs.

This particular bill is sensitive to those needs and seeks to look to the Canada Mortgage and Housing Corporation, which is a crown corporation, but is also a commercial business. It has reserve requirements based on its housing stock and on capitalization needs. There are established financial standards within the office of the Superintendent of Financial Institutions. It operates within the guidelines provided to it to ensure there is proper coverage for its portfolio and for its exposures and liabilities, and it must be competitive. When we think about it, some \$2 billion is being made available for the purpose of achieving its overall objectives.

• (1855)

In just a general sense, CMHC, the Canada Mortgage and Housing Corporation, lends money to individuals who do not have enough money for down payments. It offers, for an additional cost, mortgage loan insurance which enables people to buy houses. Potential buyers, who only have 5% of the capital needed to buy a house, can receive a mortgage loan from CMHC in addition to the mortgage loan they receive from the bank. As we can see, a significant role is being played.

There is another aspect to the bill, or that is related to the bill, that must also be taken into account. It has to do with a term that we have discussed quite a bit in this Parliament and that is accountability.

The profitability or the operational income or loss of any crown corporation is consolidated into the consolidated revenue fund. In fact, the financial position and performance, the surplus or deficit for a year, of the Government of Canada on an annual basis includes the operations of these crown corporations to the extent that there are prior year surpluses that have been accumulated to provide the financial protection for the exposure that CMHC has made. These have already been accounted for. To the extent that we take these profits out, one of the things that it will do on an annual basis is actually, on a comparative basis, reduce the surplus or increase the deficit of the government's financial position, simply because prior years had the profitability from this commercial venture.

The other issue is that the bill seeks to have this money simply transferred to the provinces, effectively on a per capita basis. If we were to do that, we would be dealing with matters which relate, not only to equalization but also to program funding, which we have. It means that cash, over and above which has been agreed upon by the provinces, would now be appropriated to the provinces. However, once the federal government loses that or delivers the money, we do not have a string to say that the money is there for this purpose and it should be used for that purpose.

However, what if it is not? What if we do not achieve our objectives? How does the federal government that taxes Canadians to achieve the revenue requirements to support programs and operate crown corporations, to run viable commercial ventures in areas where Canadians need support, and to make a reasonable profit competitive with the industry in which they are participating, take those moneys, which belong to Canadian taxpayers and transfer it to the provinces and not have some sort of accountability? The bill does not provide for that accountability and it is probably one of the biggest flaws of the bill.

Private Members' Business

It is not good enough for any level of government to collect money basically from its constituents, its taxpayers, and to use that money to give to someone else for whatever purpose without having those rigours.

Crown corporations are subject to review and audit by the Auditor General. If those funds are being transferred, the operation and use of those funds would be outside of the purview of the Auditor General. We would not even have a mechanism to ensure that the funds were properly safeguarded and used for the purpose for which they were intended.

As we can see, in general I am sure that all hon. members will agree that the spirit of the member's bill, Bill C-285, is certainly laudable. It is certainly an objective of all Canadians to ensure that affordable housing is in reasonable supply for those who need it.

Social housing is a slightly different issue because now we are talking about those who are unable to have housing. They would be on the streets otherwise and these are generally outside the purview of the Government of Canada in its role as it works. To suggest that this is dealing with both social and affordable housing issues would tend to provide an intrusion of the Government of Canada into provincial jurisdictions. This raises yet another issue and certainly there has to be respect. The Constitution provides for the constitutional responsibilities that have been assigned to the provinces.

● (1900)

Having said all that, I want to congratulate the member on raising an important issue about the need to be sensitive to the needs of Canadians with regard to affordable social housing, but unfortunately, this bill is perhaps not the instrument we need to enhance that objective.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I am pleased to rise this evening in support of Bill C-285, an act to amend the Canada Mortgage and Housing Corporation Act. We believe this bill will help alleviate the housing burden placed on people, not only in my riding but right across Canada.

The bill would have CMHC profits that exceed 0.5% distributed to the provinces for social and affordable housing, to encourage the supply of quality housing at affordable prices, to increase housing choices for people, and for the creation and development of housing co-operatives.

In the city of Toronto, where I come from, there are about 65,000 households on a waiting list for assisted housing. It can take up to 12 years for a family on the list to get a three bedroom apartment. Housing is clearly in crisis.

In my own riding of Parkdale—High Park, a mere 12 affordable homes have been completed since 2001, according to a June 2006 report from the City of Toronto's Shelter, Support and Housing Administration, and another 21 are under development. But this is a riding where there are more than 24,000 people living below the poverty line and more than 10,000 very low income households, that is, households with annual incomes below \$20,000.

These very low income households can afford a rent of about \$500 a month based on the standard calculation that they should

spend no more than 30% of their annual income on shelter. The average market rent in my riding of Parkdale—High Park for a typical two bedroom apartment is \$1,085. This is double what the poorest households can actually afford.

The real culprits behind this crisis are the federal and provincial governments, which have cut funding and then downloaded housing responsibilities. The federal government cut new affordable housing funding in 1993 and Ontario followed in 1995. The federal government downloaded most federal housing programs to the provinces and territories in 1996, and Ontario followed in 1998 by downloading to the municipalities.

As homelessness and housing insecurity have grown following the housing cuts, governments have tried to respond with a patchwork of funding and programs, but the federal homelessness programs are due to sunset at the end of fiscal year 2006. Literally thousands of services that provide critical relief to tens of thousands of homeless people are at risk.

The federal government recently allocated \$1.4 billion of the \$1.6 billion in housing funding from Bill C-48, which was a result of the NDP's amendment to the last Liberal budget, passed in 2005, but that is nothing more than a down payment set against years of cuts, downloading and neglect.

There are some people in this country who are now recognizing that we have a housing crisis even in the province of Alberta. Retiring Alberta Premier Ralph Klein announced Tuesday that he would allocate \$16 million for new affordable housing in Calgary.

He stated this week that the struggle of the homeless and working poor in places like Calgary and Fort McMurray is unfortunately more of a challenge today than ever. He said it is a great concern to see that half of Calgarians who are homeless right now have a job and are simply not making enough money to afford appropriate accommodation.

I should say that I have introduced a federal bill to increase the minimum wage to \$10 an hour, which would also help people who fall under federal jurisdiction.

Mr. Klein at least is doing a little. It is very late, but it is great to see that at least one Conservative is finally starting to get it.

We need now to deal with homelessness and housing insecurity. We need to make sure that the levels of government that have the funds to deal with housing are putting money into housing.

● (1905)

In May 2006 a United Nations committee of experts in Geneva released its latest review of Canada's compliance with international economic, social and cultural rights and called homelessness and affordable housing a crisis in Canada that is a national emergency. I certainly agree with that assessment.

Private Members' Business

I want to emphasize the importance of this bill, especially in light of the Conservative government's cuts to housing funding and affordable housing in general.

It is my grave concern that the money that could come as a result of this private member's bill may not amount to much because the recent changes to mortgage insurance, which opens up mortgage insurance to the market, will negatively affect the profits of CMHC.

CMHC insurance is important to people who cannot afford a full down payment on a home, but still want to have the opportunity to purchase a home.

Mortgage insurance is a good business for the government to be in. It generates money. In 2005 the net income from mortgage insurance for CMHC was nearly \$1 billion. As a crown corporation, CMHC must be concerned about profits, but since the shareholder is the Government of Canada, it has the ability to address the welfare of Canadians instead of just the bottom line.

Assuming the goal is not to have CMHC removed from mortgage insurance altogether, it is very likely that new competitors will take the more profitable and stable contracts, leaving CMHC with only the higher risk and less profitable ones. This would put housing insurance at risk for lower income families as CMHC would have fewer funds to access. Any hopes that profits from CMHC mortgage insurance could be used to create affordable housing in Canada would then be greatly reduced or eliminated.

The real solution here is that we need a national housing strategy that needs all levels of government to make significant investments in affordable, supportive and co-op housing. This bill does not solve all of those problems. We do have a national crisis, a national emergency, in affordable housing in this country, but we believe that this bill is one positive step and that is why we support it.

• (1910)

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, the Bloc Québécois proposes that the Canada Mortgage and Housing Corporation transfer any surplus from its reserve fund to the provinces for them to provide social housing. The Canada Mortgage and Housing Corporation must respect its mission, which is to help Quebecers and Canadians purchase safe, affordable, quality housing, as mentioned in the activity report. To do so, the corporation must first stop accumulating its undistributed profits and setting them aside for capitalization. That is the crux of the matter.

I was talking with my colleague from Vaudreuil-Soulanges and she told me that ordinarily in her riding there is always an accumulation of 30% that is kept with a view to a second phase for housing. There are now accumulations of 75% because this money cannot be used to carry out a second phase. It is actually kept and controlled by the Canada Mortgage and Housing Corporation and consequently transferred to capitalization. This is not the role of the Canada Mortgage and Housing Corporation. Its mission is clearly defined. Its primary role is to provide affordable housing.

For example, in the riding I was talking about a while ago, housing is required so that workers can live near their work. In that region, the cost of a house or a condo is so high that workers cannot

afford them. In such places, the search for skilled middle-class workers is difficult for these companies because there is no easy access to housing. This is the problem the Bloc wants to fix.

First, the corporation must stop accumulating these undistributed profits for capitalization, as it has been doing since 1998, and promote investments in social community, and affordable housing. These surpluses now account for \$5.3 billion. The needs are obvious, in both Quebec and the rest of Canada. In Quebec, there are 450,000 households with pressing housing needs, while for Canada as a whole, there are 1.7 million such households.

The Bloc is calling for negotiations to resume for the complete transfer of responsibility and funds for housing, because, as it correctly says, this is a matter under provincial jurisdiction, and this transfer must take place as soon as possible and as smoothly as possible so that Quebec and all of the provinces are able to direct the construction of this housing, making sure that the cost associated with renewing the housing stock is included.

The purpose of this bill is therefore to limit the capitalization capacity of the Canada Mortgage and Housing Corporation, for the reasons I have stated, and to reinvest those undistributed profits instead of systematically capitalizing them when the need is so urgent. The bill will limit the potential equity of the Canada Mortgage and Housing Corporation to 0.5% of its loan portfolio, or over \$1 billion, which is really very reasonable. This will also enable it to establish an annual reserve of about \$100 million. Those amounts are more than enough to cover any eventualities, particularly if we consider the fact that this is a crown corporation and not a private insurance company.

In more specific and more concrete terms, this bill will limit the power of the Canada Mortgage and Housing Corporation to capitalize, by limiting the amounts that can be retained in the reserve fund to 0.5% of the housing loans for which the corporation insures against risks, and to 10% of its equity. What these measures will do is ensure that anything in excess of the mandated amounts in the reserve fund and in equity will be returned to Quebec and the provinces so that they can invest the money to meet what is becoming an increasingly urgent need, as I said earlier.

If we look at the balance sheet for 2006, 0.5% of \$264 billion amounts to \$1.3 billion. That is the maximum amount that the Canada Mortgage and Housing Corporation may retain in equity, and 10% of \$1.2 billion is \$132 million, the maximum amount that the Canada Mortgage and Housing Corporation may retain in its reserve fund.

• (1915)

The surplus equity, which is nearly \$4 billion, and any surplus in the reserve fund, there being none at present, will go directly to Quebec and the provinces.

Private Members' Business

The Bloc Québécois believes that the federal government, which has the resources, must invest massively in social and community housing. The reinvestment must ultimately amount to the equivalent of 1% of government program spending, or nearly \$2 billion per year at the end of three years. However, as I said earlier, the provinces, and Quebec in particular, must be the ones in charge of all of these reinvestment efforts.

As well, the Bloc Québécois believes that the housing market is a matter within the prerogative of the Government of Quebec. It is important that this transfer carry with it full financial compensation to remedy the historic injustices that Quebec has suffered in respect of social housing.

We would point out that this is not inconsistent with the mission of the Canada Mortgage and Housing Corporation, whose statutory mandate is to encourage residential construction and the repair and modernization of existing housing; to help provide access to a wide choice of affordable homes; to improve housing conditions; to ensure that low-cost financing is available; and to sustain a vibrant housing market. It must therefore stop capitalizing and put the money to work in order to fulfil its own mission.

At the same time, this mandate will be reflected in the corporate plan through the objectives that CMHC has set for itself as the main instrument of the federal government's housing policy. Its objectives will therefore be to improve housing choice and affordability for Canadians and Quebecers, improve housing and living conditions for Quebecers and Canadians, support market competitiveness, job creation and housing sector well-being, and be a progressive and responsive organization. Be progressive says it all. That does not mean become a capitalist business. Quite the opposite, it is about social investment with limits, as provided by the parameters in this bill.

Canada Mortgage and Housing Corporation has an accumulated surplus of \$4.4 billion, which will reach \$7 billion by 2008 if current trends continue. These surpluses are due primarily to the fact that, since 1998, almost all the retained earnings from its insurance activities have been devoted to capitalization.

Liberal critics said at the time all over the place that they were already spending 1% of the government's program expenditures on social housing, except that these expenditures went mostly to paying mortgages on social housing built before 1994. There was nothing new, no new construction.

After that, the federal government completely withdrew from building new social housing units, at least until 2001. Needless to say the federal government's 11-year withdrawal from the building of social and community housing had a devastating effect on moderate-income households in Quebec. Now that the Conservatives have been elected, they remain silent, which is hardly any better.

The Conservative position was very clear during the election campaign. They promised \$200 million a year and federal tax credits administered by Canada Mortgage and Housing Corporation to encourage developers to build and restore affordable rental housing. The funding would be distributed among the provinces on a per capita basis but minimum funding would be guaranteed to the

smallest companies. That is what the Conservatives promised. But now they remain silent.

What I find even more scandalous is the fact that these MPs from the Quebec City area, the 10 Conservative members from Quebec, remain completely silent, not only in this regard but in regard to Kyoto as well. The Kyoto protocol is simply being killed, and they remain silent. They remain silent too on the purchase of military equipment to the tune of \$17 billion without consulting the House. On this social housing project, which is essential to the Quebec City area and all regions of Quebec, they remain silent. Not one of them has risen to defend Quebec's interests. I want to ask them, therefore, if they were really elected to defend Quebec and not just their extreme right-wing party, to rise and defend this bill in the interests of their fellow citizens.

• (1920)

[English]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I welcome the opportunity to speak to Bill C-285. I followed the debate with interest and I am pleased to have the opportunity to contribute to the discussion.

I share the views expressed by my Conservative and Liberal colleagues, who argue that the Canada Mortgage and Housing Corporation should stay the course in terms of prudently managing its self-sustaining commercial activities.

As the House has heard before, 100% of CMHC's surplus relates to the self-sustaining activities and CMHC has a mandate to operate its insurance and securitization activities in a commercially viable manner. To do that, it sets aside capital reserve to ensure that sufficient capital is available to meet future risks.

Let me illustrate this with actual figures. In 2005 CMHC capital reserve was 1.2% of the outstanding mortgages it had insured. More specific, that is \$3.4 billion against \$274 billion in insured mortgages. This is consistent with directions set for private sector insurers by the Office of the Superintendent of Financial Institutions.

Also, CMHC's surplus, including amounts set aside for capitalization, forms part of the Government of Canada's accounts and is included in the calculation of the government's surplus or deficit position. This means that both budgeted and actual federal annual surplus figures include CMHC's net income. CMHC's retained earnings have serviced to reduce the government's accumulated deficit over time.

Beyond the arguments regarding prudent financial management, Bill C-285 would also mandate a rigid approach to housing policy, an approach that would not serve the interests of Canadians as it would legislatively mandate housing investments without regard to the current need of Canadians and how those needs may evolve.

Private Members' Business

Moreover, the bill would distribute funds to provinces on a per capita basis, thus ignoring the needs of aboriginal people, whose housing conditions remain well below those of most Canadians. Housing supply shortfalls, crowding and inadequate housing on reserves in the north and remote communities are of particular concern.

Our first budget recognized these needs and investments in a \$300 million northern housing trust and a \$300 million off reserve aboriginal housing trust. This new funding will be a source of housing solutions for aboriginals and will address the cost of housing and extent of housing needs in the far north. In addition, the budget also included an investment of \$450 million over two years for education, water services and housing on reserves, as well as to generally improve social economic outcomes for aboriginal women, children and families.

Most Canadians never have to wonder whether they have a safe warm place to come home to. However, many segments of our population are in need of safe and adequate housing.

Let me take this opportunity to highlight some of the innovative ways the Government of Canada through CMHC is dealing with some of the issues addressed in Bill C-285.

Imagine, for example, a single mother who is fleeing from domestic violence, trying to raise three small children in a shelter or cramped studio apartment. CMHC's shelter enhancement program assists in repairing, rehabilitating and improving existing shelters for women and their children, youth and men who are victims of family violence. Through its assisted housing programs, CMHC can provide people affected by violence a way of transition out of the shelters when they are ready.

Seniors are a fast growing segment of the Canadian population. Many senior citizens want the simple dignity of being able to stay independently in the house that they have come to call their home for over 30 years. CMHC home adaptations for seniors independence program helps homeowners and landlords pay for minor home adaptations. This means that seniors with low to medium incomes can continue living in their homes longer.

These are just a few examples of how the Government of Canada, through CMHC, is already tackling the issues addressed by Bill C-285.

• (1925)

Moreover, I would like to remind the member for Québec that we also are taking concrete action on housing renovations. Our housing strategies seek to maintain the existing affordable housing stock in addition to creating new units. In this regard, funding for the residential rehabilitation assistance program and several related housing renovation and adaptation programs has been renewed for 2006-07 at a cost of \$128.1 million.

Using these figures once again to illustrate the impact of these programs, in 2005-06, 12,150 units were rehabilitated, close to 3,000 units were repaired on an emergency basis, some 1,220 shelters for victims of family violence were renovated, and 1,945 seniors were helped to live independently.

The Bloc Québécois has suggested during this debate that spending approximately \$2 billion per year primarily in support of some 644 households is not good enough. I would like to remind the Bloc that we are in fact in the process of delivering on the \$1 billion affordable housing initiative in collaboration with provincial, territorial and local partners. Thanks to that funding, new affordable housing is being created in communities across this country as we speak.

As of June 2006, over \$659 million has been committed or announced to create a total of over 27,000 new units of affordable housing. Through agreements with each province and territory, this funding is being used to create affordable housing for a wide range of Canadians, including seniors, persons with disabilities, new immigrants and low income families. Recognizing the importance of affordable housing, the 2006 federal budget also provided for an investment of \$600 million to help increase the supply of affordable housing.

These are all examples of programs and investments that meet the changing housing needs of Canadians. They are in place because, as parliamentarians, we have the ability to ensure that our housing investments do in fact respond to the changing housing needs over time while delivering results and targeting those most in need. In contrast, Bill C-285 would force CMHC and future Parliaments into a rigid, inflexible stance on the question of budgetary reserves.

I have to say that I agree with the Liberal member for Cardigan who stated during the first hour of debate that this bill is problematic from an accountability perspective, noting that it would eliminate parliamentary review of housing expenditures. The hon. member for Cardigan also briefly highlighted the fact that Bill C-285 is problematic in terms of equity of distribution, as he put it.

The federal government has an important role to play in ensuring that the housing needs of Canadians, which are so different from region to region, are adequately met. How would an automatic annual per capita distribution of funds to provinces and territories ensure that federal housing dollars are delivering results where they are most needed? Clearly Bill C-285 would take away the government's ability to be responsive to the changing and diverse housing needs of Canadians. We would not only in effect be tying the hands of future governments, we would also be weakening CMHC's ability to adapt to changing market conditions and to address the true needs of Canadians.

It is for the aforementioned reasons that I urge all hon. colleagues to join me in doing the right thing and voting against Bill C-285.

• (1930)

[*Translation*]

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Québec has five minutes to conclude the debate.

Private Members' Business

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, five minutes is not much to talk about the issue of social housing. I can see that the Conservative Party and the Liberal Party have more or less the same view on this issue, which is nevertheless important for the Canadian and Quebec population as a whole.

When I am given the list of repairs that have been done in social housing that already exists, I have to believe that there have been some. Still, what we want to deal with in this bill is not only the renovation and restoration of already existing housing, which dates to before 1994. Of course attention is required when roofs leak, hot water heaters have to be replaced and windows are broken. So 1% of expenditures for all government programs, or \$2 billion, goes to pay social housing mortgages that already exist, as well as repairs.

What Bill C-285 is seeking is new social housing. When we look at the situation, there are 450,000 households in Quebec that need social housing and \$1.7 million in all of Canada. Why? Because families are living below the poverty line. Families are living with annual incomes of \$10,000, \$15,000 and \$20,000. We know there has been an increase, in all the large Canadian cities and in Quebec, in the cost of housing and rental housing. Rents are higher. So families cannot find affordable housing, social housing.

The Conservatives share the same view as the Liberal Party. They say that we cannot go looking for money from the CMHC in spite of its surpluses because, we are told, it needs its reserves.

I think that the Bloc Québécois is responsible enough to recognize that reserves are necessary. Even the Office of the Superintendent of Financial Institutions says that it could keep 1% of its capital. If the CMHC has \$233 billion in loan guarantees, there could be 1%, which would mean over \$2 billion in reserve. The \$2 billion remaining could be transferred to social housing.

They try to pass us off as people who lack common sense, who wanted to strangle CMHC, while it could also have a reserve.

I believe that there are urgent needs. We know that CMHC is not a private business but a crown corporation. It must return to its social mission. That is what we are asking for.

To respect its social mission, CMHC could ensure that more Canadians have access to decent housing with the money available in their budgets, which is often very limited.

Often, when a person does not have much money, housing is too expensive; if you earn a low salary and are not able to pay for it. Living accommodations cost at least \$450, \$500 or \$600. Many people living alone cannot afford that on their salary or pension. They need help. In any case, there must be a sense of sharing, a feeling of community, and a social sense to be able to help all the people in that situation get decent housing.

I think it is a slight exaggeration when people say that the Bloc Québécois wants to take all the money, all the assets of CMHC, for affordable housing. I would like to bring CMHC back to a more social vision. I am not surprised by the position of the Conservative party. As for the Liberal party, when they were in power they did nothing; they ignored the problem.

I remind the member who just spoke that 1.7 million people in Canada need social housing. I ask the member who just spoke to lean a little more to the left, to have a heart that is a little more sensitive to the reality of people who often live in housing that is not only unaffordable but also unhealthy because they cannot get anything better.

● (1935)

In looking at my colleague, I realize that what I am saying does not arouse in him the least sensitivity toward the situation. I have the feeling that I am talking to a blank wall.

The Acting Speaker (Mr. Andrew Scheer): The time provided for debate has now expired.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Acting Speaker (Mr. Andrew Scheer): All those opposed to the motion will please say nay.

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Andrew Scheer): Pursuant to Standing Order 93, the division stands deferred until Wednesday, November 22, immediately before the time provided for private members' business.

[English]

It being 7:38 p.m., the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 7:38 p.m.)

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