

HOUSE OF COMMONS

Tuesday, June 18, 1996

The House met at 10 a.m.

Prayers

[*English*]

POINT OF ORDER

MOTION OF HON. MEMBER FOR KOOTENAY EAST—SPEAKER'S RULING

The Speaker: I am now ready to rule on the point of order raised by the hon. member for Kootenay East on June 12, 1996 concerning the placement under Private Members' Business of a motion for a free conference with the Senate.

I thank the hon. member for raising this matter and the chief government whip for his contribution to the discussion.

In his submission, the hon. member argued that because his motion seeking a free conference with the Senate on the accountability process for the main estimates dealt with the maintenance of the authority of the House on the management of its business, it should be considered under Motions, under the rubric Routine Proceedings, pursuant to Standing Order 67(1)(p). He also requested that this matter be dealt with expeditiously in light of the timelines established for the supply process. I have tried to accommodate his request.

[*Translation*]

I have examined the arguments and precedents and, in my opinion, there are two aspects to this point of order: the first, whether or not free conferences can be employed to deal with matters such as the one proposed by the hon. member and, second, under which heading on the Order Paper this motion should be dealt with by the House.

[*English*]

In a bicameral Parliament such as ours, the two Houses share in the making of legislation. Throughout the legislative process, the House of Commons and the Senate communicate with each other by means of messages. Historically, on occasions where the two Houses had reached an impasse on amendments to a bill, they had resorted to a free conference, a meeting of the representatives of

the House and the Senate at which they attempt, through negotiation, to resolve their differences on the amendments in dispute.

• (1005)

In the Canadian context, free conferences have occurred only in relation to amendments to bills. Although the possibility of resolving conflict by means of a conference is provided for in our standing orders, it has not been used since 1947. As the hon. member acknowledged, Beachesne's sixth edition, citation 748 states in part:

Conferences between the Houses are now obsolete, since their main function, that of providing an occasion for communicating reasons for disagreement to amendments to bills, has been taken over by the modern practice of sending Messages.

In the present situation, in my view it is not for the Chair to decide whether or not a free conference is the appropriate mechanism to deal with the substance of the hon. member's notice of motion. The matter before the Chair is its placement on the Order Paper.

[*Translation*]

Over the years, various kinds of motions have been categorized and assigned their own place in the daily programme, including private members' motions, motions for leave to introduce bills, and motions to adjourn under Standing Order 52.

These categories have developed over a lengthy period of time in response to the need to adapt to the organization of House business. Some categories are now uniquely reserved for the government or the opposition, whereas others are reserved for private members and some very special categories are reserved for items which affect the transaction of the routine business of the House.

In addition, the kind of motions permissible under "Motions" has been narrowed to those that consist primarily of motions for concurrence in committee reports and motions relating to the sittings and proceedings of the House.

[*English*]

It has become the practice that when private members give written notice of motions pertaining to matters of the type described in Standing Order 67(1)(p), these motions are placed under the heading Private Members' Business on the Order Paper. These include motions seeking to amend the Standing Orders, providing orders of reference to committees of the House, arranging the

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conduct or the management of House business or in some other way dealing with the parliamentary environment.

On many occasions where such motions as enumerated in Standing Order 67(1)(p) have been moved under Motions without notice, both ministers and private members have sought and been granted unanimous consent to do so. However, there are currently no other opportunities for private members to move motions during Routine Proceedings.

Therefore, the hon. member's notice of motion M-266 is properly placed on the Order Paper under Private Members' Business. I thank the hon. member for having brought this matter to the attention of the House.

them, of course, in part because the international circumstances have changed; in part because there are limits to what any one country can do on its own.

I cite the work of the standing committee to underline a crucial point: this House has a real and irreplaceable role to play in the formulation of foreign policy. Parliament is able to consult with Canadians and draw together diverse views in a way that no other national institution can. It has an honourable tradition of public involvement and consciousness on leading issues, and has demonstrated an acute sense of how to promote, even provoke, new ideas.

[Translation]

I want to turn to Parliament once again. I want to present on the occasion of the tabling of the annual report on military exports the main features of our security policy. I encourage the Parliament to make new recommendations.

[English]

First I want to describe briefly the international context in which we operate, and give a sense of what Canada is now doing in the security field.

Canada has long put international security at the centre of foreign policy. In the years immediately following the second world war, General Andrew McNaughton led the movement to place atomic power under multilateral control, and to assure that atoms would be used for peaceful purposes.

In the 1960s, Tommy Burns was an inspiring force behind the drive to establish the international machinery for arms control and disarmament negotiations. In the late 1970s and early 1980s, Pierre Trudeau led the call for nuclear sanity, including a proposal for a strategy of suffocation to halt the risk of nuclear proliferation.

In recent years, however, the focus has been changing, and changing in ways that enables Canadians to play to our unique national traditions, strengths and aspirations.

At the end of the cold war, the prospects of interstate conflict are diminishing rapidly. Instead, we are more concerned about conflict within states, that wreak havoc on domestic populations and occasionally threaten to spill over into neighbouring countries.

If internal conflict does erupt, as we have seen in Cambodia, Bosnia, Haiti and elsewhere, it can prove even more vicious and murderous than wars between states, and can have enormous destabilizing effects on global security.

When internal conflict finally does end, we still face enormous challenges of building the peace. A ceasefire between states is much easier to monitor and enforce than a cessation of hostilities within states. There is no clear border to separate belligerents, no clear difference between populations.

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[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 10 petitions

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FOREIGN AFFAIRS

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 1995 annual report on the export of military goods from Canada and a Canadian strategy document on reduction of military expenditures in developing countries.

* * *

EXPORT OF MILITARY GOODS

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, in 1992 I was a member of the Standing Committee on External Affairs and Trade which issued a report on ways to improve Canada's control of the export of military goods and ways to diversify the defence industries and promote greater conservation toward civilian production. It was a good report and my colleagues on the committee worked hard to come up with realistic recommendations that would help move government policy forward in imaginative ways.

• (1010)

As the Minister of Foreign Affairs, I can say that a number of those recommendations are now being implemented. Not all of

We must also deal with the new emerging security threats such as crimes of narco-trafficking, with environmental degradation and displaced populations. A recent round of UN conferences on habitat, social development, women's rights, etc., demonstrate that security of the individual is now a key element of any foreign policy.

New instruments are being developed requiring new forms of international co-operation. Last year, for example, Canada chaired a meeting of G-7 ministers to improve our efforts to combat terrorism. Our police forces are working more and more closely with our counterparts throughout the world to address the serious problem of ruthless criminal organizations.

[Translation]

Similarly, we know that democracy, responsible government and respect for human rights are fundamental building blocks of durable stability and security. But our support for these principles should not take the form of hectoring from the sidelines.

Therefore, we are working with countries—with their governments, their non-governmental organizations, their citizens—to build vital, civil institutions that promote human rights and democracy.

The Dayton accords reflect this approach. Canada played an active role in supporting the human rights elements of these accords and is strongly committed to continue providing resources to this end.

[English]

Prevention of conflict is always the preferred option, but sometimes there is no stopping the slide into war. What do we do then? Peacekeeping has been a major achievement of the last 40 years, but in more and more cases the traditional forms of peacekeeping do not apply. International military units have been used in recent years to help deliver humanitarian aid in the middle of war. They are being used to enforce the peace, as NATO is doing in Bosnia.

Canada is responding to new forms of conflict in new and, we hope, more effective ways. For example, we believe that the early and rapid deployment of well-trained UN forces can help smother emerging conflict before it flames out of control. We have established a training centre at Cornwallis, Nova Scotia. Our soldiers are training their counterparts in Asia, Latin America, eastern Europe and elsewhere in the techniques of peacekeeping and we have seen in the last few years that these new peacekeepers are increasingly making a major difference.

• (1015)

We also prepared a major study involving experts from Canada and around the world on how to improve the UN's capacity to get

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peacekeepers in the field much more rapidly. We have a series of practical, affordable recommendations which we are now developing at the United Nations.

[Translation]

A third focus is peacebuilding. We know that it is not enough to simply stop the war. We must also build the peace. What Canada is doing in Haiti is a good example. There, we are working with the local government to build political and civil institutions that can address the needs of the Haitian people. Police from the RCMP and the Sûreté du Québec are training up a new Haitian police force.

[English]

We know that hate messages can poison a population and make peace impossible. Therefore Canada recently launched an initiative in Europe to promote free, democratic media as a counter to the kind of distortions that helped trigger the war in the former Yugoslavia. We are beginning to look at broad issues of how the new information technologies and our high level of skills in broadcasting can become an effective role and tool of our foreign policy.

[Translation]

These three strands of conflict prevention, rapid response and reconstruction and peace building are distinct, but they do reinforce each other. They have to be drawn together into an effective approach to conflict. Our resources are finite. Choices have to be made about what we can do best. This is an area where the views of Parliament are most welcome and necessary.

[English]

Even as we make these changes we are still faced with a world arms production still standing at almost \$200 billion per year. Granted, there has been progress in recent years in reducing nuclear weapons through the START process. The steep cuts to the arsenals of the former Soviet Union and the United States are welcome.

We now face the prospect of growing nuclear and in most cases chemical and biological capacity in other states, particularly the so-called rogue nations which recognize no international norms and rules. This represents a very serious threat to our security. For this reason the extension of the nuclear non-proliferation treaty was crucial. The indefinite extension of the NPT was seen as virtually unachievable a few years ago, yet with determined effort in east-west co-operation we made it happen.

At the extension conference last year Canada played a central role in drafting a Declaration of Principles and Objectives and a Declaration of Enhanced Reviews that broke the logjam and made success possible. The latter is of great significance because it pledges all signatories to review every five years. Preparations for each meeting will take several years and that is the time to get our

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ideas into play. Again, I would consider that Parliament has a major role to play.

We need new approaches to those regions where proliferation risks are the highest. Members of Parliament will remember only a few years ago the great anxiety about the future of nuclear weapons in Ukraine. After some initial hesitation the Ukraine government realized that nuclear weapons were an obstacle rather than an entry card into the wide community and today Ukraine is free of nuclear weapons. It is also the beneficiary of considerable financial help. This year under Canadian chairmanship the G-7 concluded an agreement with Ukraine to shut down the Chernobyl reactor.

We have to consolidate the gains of recent years in reducing nuclear weapons. One major problem is what to do with the nuclear weapons grade plutonium which has accumulated from the destruction of existing weapons in the United States and Russia. At the nuclear summit in Moscow our Prime Minister announced that Canada is prepared to consider converting some of this material into nuclear power generation in Canada.

Our offer is contingent of course on whether the program can meet strict security and environmental standards. If we go ahead the program would substantially reduce the stockpile of weapons grade material that can find its way into countries bent on illicit nuclear weapons production.

Equally important for attaining security against non-proliferation is a need to sign a comprehensive test ban treaty by this fall. The Canadian role has been important both in pushing for the treaty at Geneva and in providing the scientific work needed for verification.

Weapons of mass destruction raise the most serious questions about the future of our planet, but we must never forget that conventional weapons are the ones that still do the killing in the conflicts that have raged over the last several years. To limit them is even more complex than in the nuclear, chemical or biological fields. In this area the end of the cold war may only have made matters worse. There is an excessive supply: weapons made redundant by the end of the east-west competition find their way cheaply into third world countries. There is a heightened demand for high tech weapons. Countries that once looked to one or the other superpowers now feel obliged to protect themselves.

There has been some modest progress but the emphasis is on modest. The UN register of conventional weapons is a useful tool. However there are loopholes and real problems of voluntary compliance. We as Canadians are now working to improve it, but progress unfortunately will be slow.

• (1020)

More optimistically, there are promising signs of the emergence of new world co-operation and co-ordination regarding the control

of conventional arms and dual-use exports. For decades a NATO led organization called COCOM established tough barriers to cover the flow of weapons. The cold war is over and the Russian federation and former Warsaw pact members in eastern Europe are now just as concerned about the destabilizing weapons programs of rogue states as we are.

Last December Canada, its former COCOM partners, as well as its former Warsaw pact adversaries joined forces to announce a new regime, the Wassenaar arrangement, to promote greater transparency and responsibility in global arms and dual-use trade.

Canada is also leading international efforts that could result in a global ban on anti-personnel mines. Justified as legitimate weapons of war a few years ago, we have seen recently how these terrible devices have become instruments of terror against civilians.

[Translation]

On January 17, we announced a moratorium on the production, export and operational use of antipersonnel mines. This provided a dramatic push to international efforts. A year ago we were a mere handful of hopeful countries and now, a large network of countries are thinking along the same lines as Canada.

Along with Canada, 35 countries, including the U.S.A., Germany and South Africa, have now declared their commitment to work for a total ban. Last month, during his visit to Ottawa, Foreign Minister Kinkel of Germany agreed to work closely with Canada on winning international support for a ban. The Mexican Foreign Minister did the same.

We have also the commitment of the Central American presidents. Furthermore, we are working in NATO, in ASEAN and in consultation with our G-7 partners.

[English]

This coming fall we will break new ground by hosting an international strategy session in Canada to reinforce work on securing a ban. We are now mobilizing support for a UN resolution at the general assembly.

We accept that countries have the right to self-defence, to maintain militaries and to arm those militaries in a manner consistent with their legitimate defence needs. Aside from the so-called rogue states that have removed themselves from all reasonable international standards of behaviour, there are still others whose weapons procurement appear to go well beyond the limits of actual need. The question is: What is legitimate and what levels of power, sophistication and expense are warranted?

This is particularly worrying in developing countries that divert scarce resources from economic development toward military

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build-up. Do aid flows free up money so that governments can spend their domestically generated funds on weapons? Or, if aid funds were held back, would these governments spend their money on weapons anyway?

The relation between aid policy and military in recipient countries is now a matter of priority for Canadians. Canada has taken a leading role internationally in garnering support for further study and concrete action. Canada raises the issue consistently in international fora such as the World Bank and the IMF, and has formed a group of like-minded countries who meet regularly to define innovative ways to target development co-operation efforts in this regard.

At the G-7 summit in Halifax last year, G-7 ministers adopted Canada's proposal to urge multilateral development banks to take account of military spending. Recently we have proposed that the OECD conduct a series of case studies on this subject. Today I tabled a strategy paper and I hope it will be the source of major debate in this Parliament.

To reinforce our commitment on conventional arms control we need to look continuously at our record. Export controls are the most important tool in limiting military exports and most responsible countries have them in one form or another.

Canada's controls are among the toughest in the world, but I intend to tighten them further to ensure as far as possible that our exports do not end up in the wrong hands or end up being used for unacceptable purposes. I have instructed my officials in the following way: to carry out more rigorous analyses of the regional, international and internal security situations in destination countries to forestall the possible destabilizing effects of proposed sales; to apply a stricter interpretation of human rights criteria, including increasing our requirements for end user certificates and other end use assurances to further minimize the risk that Canadian military equipment might be used against civilians; and to exercise the strictest controls over the export of firearms and other potentially lethal weapons to satisfy me that gun control laws and practices in recipient countries are adequate to ensure that Canadian firearms do not find their way into illicit arms trade nor fuel local violence.

Today I have tabled the sixth annual report on Canada's military exports. I am pleased to report that military exports decreased 12 per cent in 1995 and remain low as far as lower income developing countries are concerned.

I want to make Canada an even more responsible player in the global military goods market and I want Canada to continue to play a leadership role in the multilateral Wassenaar arrangement. Again I would invite Parliament to take an active interest in defining this role.

• (1025)

I have talked today about the ways our foreign policy is being refashioned around the new security policy principles and objectives. I am confident we are on the right track but I want to make sure we continue to move ahead, to look to the future by building on our solid foundations.

I mentioned earlier the work of Generals MacNaughton and Burns and of former Prime Minister Trudeau to bring some sanity to the world, to reverse the rush toward greater and more destructive weapons. At that time many mocked their efforts as idealistic dreams or worse. Today their ideas are commonplace, the starting point for current discussions. I hope parliamentarians will join us in this search.

[*Translation*]

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, I am pleased to rise in the House today to speak about Canada's security policy, more specifically about the tabling of the sixth annual report on the export of Canadian military goods.

However, before I get to this last topic, I would like, first of all, to say a few words about the extremely cavalier manner in which this government, and more specifically the Department of Foreign Affairs, have acted, given the circumstances surrounding this debate.

Once again, the opposition parties and the official opposition to which I belong were not advised until the very last minute that a debate on Canada's security policy had been scheduled in the House. In light of this fact, it is extremely difficult for our political party and for the other parties represented in the House to perform their duties properly since we cannot prepare ourselves in advance. If the minister truly wants thoughtful, cohesive and lively debates to take place in this House, then he must give parliamentarians sufficient time to prepare themselves.

Unfortunately, the same thing happened in the case of the debate on renewing the mandate of Canadian peacekeepers in Bosnia. There again, the government failed to notify the opposition parties or the official opposition until the very last minute, despite the fact that this was a matter of utmost importance. Indeed, the debate centred on whether or not the government should renew the mandate of our peacekeeping forces stationed in a hostile theatre of operations. We deplore the attitude taken by the government here, as it does not appear to have learned anything from that unfortunate incident.

The situation is even more regrettable given that the new Minister of Foreign Affairs had shown some sensitivity and openness toward opposition members by giving them adequate time to prepare for the debate on Canada's peacekeeping mission in Haiti. In addition to notifying us in advance of the debate and of the motion to be debated, the minister invited us to attend a briefing on the subject and gave us more than enough advance notice. It would

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now appear that this was nothing more than a chance occurrence on the part of this government and that improvisation has now become once again the order of the day.

I must also deplore the fact that the government is asking us to speak about an annual report on which we have yet to lay our eyes. How can we properly comment on a report which only the minister and his officials have seen? The official opposition has an important role to play in a democracy. However, it must be allowed to properly assume this role. Unfortunately, we see that once again, the government was unwilling to or did not take the necessary steps to allow us to properly take on our role. Otherwise, it would have given us the chance to read and comment in advance on the report on the export of Canadian military goods. Is this not what we are doing here in the House today?

Furthermore, the minister even took the liberty of giving the National Press Club of Canada a sneak preview of his speech earlier this morning, before the House even had a chance to hear it. What a paradoxical attitude to have toward Parliament, an institution that the minister professes to respect and whose opinions he claims to value.

However, I cannot remain silent when our work is made even more challenging by virtue of the fact that the federal government, which prides itself on being the champion of official bilingualism, displays shocking arrogance by sending us the foreign affairs minister's speech in English only. This reflects a blatant lack of respect for my political party as well as for all francophone parliamentarians in the House. The message the federal government has conveyed to the francophone population is therefore one of contempt.

• (1030)

I demand that the minister give us his assurances that this intolerable situation will not occur again in future.

Regarding the sale of Canadian military goods abroad, it should be noted that in 1994, sales to third world countries increased by 40 per cent, setting a new record. In fact, sales to developing countries rose from \$242.2 million in 1993 to \$342.6 million in 1994, an increase of over \$100 million.

Canada managed to increase its share of the market at a time when other global arms suppliers were experiencing a general decline in sales. It will be interesting to see whether Canadian arms sales to developing countries will have registered another increase in 1995.

Yet, the minister mentioned in his speech that exports of Canadian military goods had declined by 12 per cent in 1995. Despite the decrease, sales of arms and of Canadian military goods to developing countries remain very strong.

In fact, they remain so strong that the U.S. Congressional Research Service, the leading authority on the transfer of conventional arms to developing countries, ranks Canada seventh among all third world arms suppliers for the years 1991 to 1994. This agency estimates that Canadian arms sales to developing countries totalled \$800 million over this four year period.

Moreover, it should also be noted that in 1994, Canada sold some of these military goods to countries with repressive regimes guilty of systematic human rights violations. Unfortunately, this is happening despite government guidelines aimed at curbing exports of this nature. The government was either unable or unwilling to stop the sale of military goods to these countries.

How can the Minister of Foreign Affairs be proud to announce to us that Canadian arms sales declined by 12 per cent this year, when the 1994 annual report on the export of military goods shows an increase of 48 per cent over the previous year? This means that, compared to 1993, Canadian arms sales are up 36 per cent. Those are the real figures.

The Bloc Québécois is not opposed to trade. Quite the contrary, in fact. However, when it comes to arms sales, we believe that we must remain vigilant in the face of the Liberal government's choices.

In this case, we know for a fact that military goods produced in Canada are not always used advisedly. For example, in 1994 Canada sold \$1.2 million worth of arms to Indonesia. Yet, we know that this country has been illegally occupying East Timor for the past 20 years and has been responsible for over 200,000 deaths, according to Amnesty International.

How can we believe that the goods produced here were not used to put down this country's population? How can the minister claim that he is toughening his criteria in order to draw up a list of countries that can purchase arms from Canada? What the minister is not saying is that arms sales to Thailand increased from \$620,000 in 1993 to \$20.621 million in 1994.

Nonetheless, it is ironic to hear the Minister of Foreign Affairs give us an overview of his government's record of arms sales to foreign countries, when as recently as last year, this same government was seriously negotiating the sale of its fleet of 63 CF-5 fighter aircraft to Turkey.

I even put a question about this issue to the minister of defence in March 1995. Need we remind the House that the Turkish air force and artillery were pounding civilian Kurds in northern Iraq at that very moment?

Even though Canada ultimately sold 13 of its fighter aircraft to Botswana, the mere fact that it even dared to negotiate the sale with

Turkey is reprehensible. There was reason to be concerned that these fighter aircraft would be used to bomb civilian targets. The Bloc Québécois refuses to compromise where this issue is concerned.

• (1035)

The minister also talked about antipersonnel mines. I would simply remind the House that the Bloc Québécois members have expressed only partial satisfaction with the announced moratorium on the production, export and operational use of antipersonnel land mines.

Admittedly, the moratorium is a step in the right direction. However, in our view, the government missed a golden opportunity to show some leadership by refusing to destroy its own stocks of land mines.

The Bloc Québécois believes that Canada should take the lead in destroying these weapons.

Nevertheless, I do want to say that the Bloc Québécois wholeheartedly supports Canada's participation in UN mine clearing operations in many countries. Canada must spare no effort to help toughen up the restrictions on the use of land mines, until such time as these are completely eliminated from the world's arsenal of weapons.

On the subject of arms exports, I would like to remind the Minister of Foreign Affairs of his government's profligate spending on arms, particularly at a time when it has no qualms whatsoever about slashing blindly at the expense of most disadvantaged of all to make up part of its annual financial deficit.

Simply as an example, consider the defence department's recent decision to purchase 1,600 new anti-tank missiles at a cost of \$23.6 million. This brings the total cost of the procurement program to over \$230 million.

One has to wonder what the army did with the first 4,500 missiles it ordered in 1993. Why did the government order an additional 1,600 missiles when it never really had any use for the ones it ordered in the first place?

I can understand that we need to be prepared, just in case. However, I would remind the minister that it is time for his government to stop imagining enemies hiding behind every bush, to stop making preparations for war and to put an end to costly and unjustified large-scale procurement programs.

This government's stubborn insistence on purchasing new submarines, the usefulness of which has never been proven, speaks volumes about its logic.

On the one hand, the government is quick to purchase useless military toys while on the other hand, because of cutbacks, the level of government assistance to the poorest nations will be the lowest it has been in nearly 30 years.

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An OECD report released in Paris yesterday shows that the level of official development assistance fell by 7 per cent last year in Canada to .39 per cent of GNP, whereas internationally, the level was .7 per cent of GNP.

Canada's contribution has not been so paltry since 1969. This is deplorable.

In conclusion, it is my hope that the new guidelines announced by the minister this morning for the export of military goods will be applied much more stringently and consistently, something which we have grown accustomed to since the government took over the reins of office.

[*English*]

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, I appreciate the opportunity to comment on the minister's statement. As it was very extensive and as I have received it only recently, I will not comment on everything but I will focus on a few of the most important issues dealt with in the statement.

I share the minister's opinion that conflict within states constitutes the major security threat in the coming decade. Our recent experience in Bosnia, Rwanda and Haiti bear this out.

Unfortunately the UN has been woefully inadequate in dealing with such conflicts and an increasing burden has been placed on countries like Canada to intervene on their own to save the day. This is not acceptable.

The UN must undergo a fundamental restructuring and reform from top to bottom over the next few years, not decades, if this trend is to be reversed. As it stands now there is little political support for the UN on many occasions and even less financial support.

It could easily be argued the UN is teetering on the edge of bankruptcy. This will continue if countries like Canada do not lay down the law at the UN and bring about a fundamental reform.

We can be leaders in the area of fulfilling this role. I firmly believe the security of the entire world depends on our creating that reform within the UN or a similar agency. It is necessary. We need a leader and I think Canada could fill that role very well.

• (1040)

There is more to the problems of international conflict resolution than the UN. It can be traced to this Parliament. We all acknowledge peacekeeping is one of Canada's great contributions to building world peace, but look at how Parliament deals with the peacekeeping issue.

We have in the past held sham debates with inadequate information about the mission and no votes. How can the minister argue he really cares about the opinion of Parliament when mission after mission this continues to happen?

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It happened repeatedly with the Bosnia mission where there was a totally inadequate mandate and no long term plan. Now it appears it could be happening with Haiti.

The minister well knows the mandate for the Haiti mission expires at the end of the June, but we still have no long term plan. Canada has not established clear criteria or conditions under which we are prepared to continue with this mission. Once again the minister is getting ready to sign a blank cheque to continue the Haiti mission.

Does the minister really think this kind of nonsense is acceptable? Helping Haiti is a worthy cause but there has to be a plan. There has to be broad based international support including financial support. There have to be clear criteria for Canadian participation and there has to be a reasonable chance of success in an acceptable timeframe.

Yet Parliament has heard nothing about these things. There has been no information. The UN is still floundering around in typical fashion and I do not think this bodes well for the future of the mission, regardless of the good intentions of Canada and the very commendable work of our soldiers and RCMP and other police forces and the hardships they have had to endure in Haiti.

Moving on to another topic, I would like to talk about combating terrorism. Reform fully supports the government in this effort and we encourage the minister to take bold steps to cut off any terrorist funding flowing from Canada. In addition, we want to see quick progress in international co-operation to punish terrorists who use borders as shields against justice.

On human rights and democratic development, I agree that isolation and hectoring, to quote the minister, is not productive. We must assist in the building of institutions which support human rights and democratic development throughout the world. This is in our interests and this is what Canadians would want us to do.

With respect to the proliferation of nuclear, chemical and biological weapons, Reform agrees this is an urgent problem. That is why we firmly supported the government in its efforts to indefinitely extend the nuclear non-proliferation treaty. That is also why we have repeatedly urged the government to take all steps to ensure the comprehensive test ban treaty is signed as quickly as possible. We particularly refer to China which we hope will very soon become a signatory.

The minister's statement also mentioned anti-personnel land mines which should be banned worldwide. He stated how on January 17 of this year the government announced a moratorium on the production, export and operational use of these weapons. I guess the minister forgot to mention that it was Reform that first proposed this long before the government ever got around to doing it.

I congratulate the Reform member for Esquimalt—Juan de Fuca who has worked diligently on this topic and who introduced a private member's bill to deal with this issue last year.

On the minister's proposal for tightening conventional arms control, Reform broadly supports this concept. However, we wish to examine the details of the plan before we would comment further.

There are many areas of security policy on which I believe there is a broad consensus between parties. However, we need action, not just endless words.

On the issue of handing over blank cheques to the UN and blindly supporting peacekeeping missions, the government needs to rethink its approach. Reform has frequently commented on these issues and I know the minister privately agrees with much of what we have to say.

It is up to him to assume responsibility for correcting these problems and he should do so without delay.

* * *

● (1045)

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 22nd report of the Standing Committee on Procedure and House Affairs in relation to its order of reference from the House on the matter of the communiqué published by the hon. member for Charlesbourg on October 26, 1995 concerning the members of the Canadian Armed Forces.

The issue before the committee was a narrow one: Does the communiqué from the hon. member for Charlesbourg constitute a contempt of the House of Commons? The committee came to the conclusion that the hon. member's actions were irresponsible. The committee cannot find reasonable grounds to show that he was in contempt of the House or that a breach of parliamentary privilege had occurred.

The committee does not countenance the actions of the hon. member for Charlesbourg in sending out the communiqué in the terms it was, nor does it feel that the hon. member for Okanagan—Similkameen—Merritt was acting in an entirely non-partisan way in raising the matter as a question of privilege when he did.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I am pleased to speak at this stage to give some explanation as to the reason for the Bloc Québécois's dissident report on the whole issue examined by this special committee.

Routine Proceedings

We, the Bloc MPs, have come to the rather easy conclusion that silence gives consent. That is exactly what the Liberals have done in this totally insipid report, in spite of everything the committee heard and mostly did not hear concerning the extremely serious and precise accusations made by a Reform member of Parliament against my colleague, the member for Charlesbourg. During the three months of hearings held on the accusation of insurgency, no proof was submitted. The Liberals came up with this cowardly report and we would be their accomplices if we did not speak up.

When reading the Bloc's dissident report, you will see that, unlike the Liberals' report, it is truly honest.

[*English*]

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, as would be expected, the Reform Party also tabled a dissenting report to what amounted to a Liberal opinion from the committee.

The Deputy Speaker: The hon. member is aware, I believe, that he will need unanimous consent in order to make a similar statement as was made by the previous member.

Is there unanimous consent?

Some hon. members: No.

The Deputy Speaker: There is not unanimous consent. Accordingly, the Reform Party is not permitted to make a dissenting opinion in the House today.

HUMAN RIGHTS AND THE STATUS OF PERSONS WITH DISABILITIES

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Human Rights and the Status of Persons with Disabilities.

In accordance with its mandate and under Standing Order 108(3)(c), the committee has considered the upcoming 50th anniversary of the United Nations Universal Declaration on Human Rights. The committee has requested that the government provide a comprehensive report to the recommendations found in this report pursuant to Standing Order 109.

* * *

ROYAL CANADIAN MOUNTED POLICE
SUPERANNUATION ACT

Hon. Jon Gerrard (for the Solicitor General of Canada, Lib.) moved for leave to introduce Bill C-52, an act to amend the Royal Canadian Mounted Police Superannuation Act.

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

• (1050)

PRISONS AND REFORMATORIES ACT

Hon. Jon Gerrard (for Solicitor General of Canada, Lib.) moved for leave to introduce Bill C-53, an act to amend the prisons and reformatories act.

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

* * *

[*Translation*]

PARLIAMENT OF CANADA ACT

Mr. Eugène Bellemarre (Carleton—Gloucester, Lib.) moved for leave to introduce Bill C-316, an act to amend the Parliament of Canada Act (oaths or solemn affirmation).

He said: Mr. Speaker, I have the honour to introduce a bill to amend the Parliament of Canada Act.

[*English*]

This bill would require a federal member of Parliament to take an oath of allegiance to Canada and the Constitution in addition to the present oath to the Queen.

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

* * *

EXCISE TAX ACT

Mr. Stephen Harper (Calgary West, Ref.) moved for leave to introduce Bill C-317, an act to amend the Excise Tax Act (small supplier carrying on a taxi business).

He said: Mr. Speaker, today I am tabling this bill to amend the Excise Tax Act so that a small supplier carrying on a taxi business is no longer required to be registered for the purposes of the goods and services tax.

When the GST was introduced a category of suppliers was created which was exempt from registering, collecting and paying GST saving many small business owners from the regulatory burden of this abhorrent tax. Strangely, upon implementation of this tax a whole category of workers, taxi drivers, were excluded from becoming small suppliers although there had been strong indications that they would be permitted small supplier status.

I am hereby submitting this private member's bill to correct this injustice and allow these workers the same flexibility that other workers enjoy. This is but a small step on the way to freeing every business person from the regulatory burden of the GST.

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

*Government Orders***PETITIONS**

GENERIC DRUGS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have a petition from members of United Senior Citizens of Ontario Inc. who reside in Peterborough. They say that the safety of consumers and senior citizens in particular is at risk because brand name drug manufacturers are attempting to force generic drug manufacturers to market their equivalent products in a size, shape and colour different from the brand name medication.

Any action that affects the look of generic drugs could endanger patient safety through improper use of medicines. Therefore, the petitioners request that Parliament regulate the longstanding Canadian practice of marketing generic drugs in a size, shape and colour which is similar to that of its brand name equivalent.

JAMES BAY NORTHERN QUEBEC AGREEMENT

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have another petition which is from the citizens of Peterborough.

They draw attention to the fact that section 327 of the James Bay Northern Quebec Agreement discriminates against James Bay Crees who no longer live in James Bay, Quebec by virtue of their not living there. The clause states that if the original inhabitants of James Bay, Quebec leave James Bay territory for longer than 10 years, they are no longer eligible for any benefits under the James Bay agreement.

The petitioners request that Parliament revoke section 327 of the James Bay Northern Quebec Agreement due to its contravening the Canadian Constitution of 1981.

• (1055)

PROCEEDS FROM CRIME

Mr. Pat O'Brien (London—Middlesex, Lib.): Mr. Speaker, I am pleased to present three petitions from constituents of London—Middlesex and other Londoners.

These petitioners note that Canadian law does not prohibit criminals from selling their stories and financially benefiting thereby. The petitioners ask Parliament to enact Bill C-205 which has been moved by my colleague from Scarborough West. Such a bill would prohibit criminals from profiting from their crimes. I am very pleased to present these three petitions today.

HUMAN RIGHTS

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, I have six petitions from another 500 constituents.

Petitions continue to come in from people concerned about the addition of sexual orientation to the Canadian Human Rights Act.

They are concerned this will mean the eventual extension of benefits to same sex couples. They are asking that that not happen.

It appears to be slightly late now, but I am happy to table these petitions on their behalf.

[*Translation*]

The Deputy Speaker: I wish to inform the House that because of the ministerial statement Government Orders will be extended by 35 minutes.

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Translation*]

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, for the fourth time now, I would like to call to your attention the fact that, on March 11, 1996, I put four questions on the Order Paper concerning the choice of Shawinigan instead of Trois-Rivières as the site for the Department of Human Resources' regional management centre.

I will say outright that I am counting today on your support to make all necessary representations to the parliamentary secretary in order to get legitimate responses to these questions before the House adjourns for the summer.

[*English*]

Mr. Zed: Mr. Speaker, as I have previously indicated to my hon. colleague on the points he has raised, the answers he is looking for are being assembled. The information is being put together as we speak. It is certainly my great hope that before we rise for the summer my hon. colleague will receive that information.

GOVERNMENT ORDERS

[*English*]

STANDARDS COUNCIL OF CANADA ACT

Hon. Jon Gerrard (for the Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec) moved that Bill C-4, an act to amend the Standards Council of Canada Act, be read the third time and passed.

He said: Mr. Speaker, I am pleased to rise to support the Minister of Industry on the third reading of Bill C-4.

Let me begin by thanking the Standing Committee on Industry for the prompt review of the bill. I would also be remiss if I did not thank the more than 1,000 Canadians who participated in the consultations which led to the development of this amendment and this amended bill.

[Translation]

Its first objective is to provide a structure giving more adequate support to the efforts of the 14,000 Canadian volunteers who give of their time, energy and expertise to the national standards system.

[English]

Modern, effective standards are an integral part of creating the right marketplace conditions to encourage economic growth and jobs for Canadians. Marketplace framework laws like the amendments here to modernize the Standards Council of Canada help create an environment in which Canadians can make the decisions needed to create jobs and growth. These changes define the rules of the marketplace to balance the interests of all parties: businesses and consumers, small and large enterprises, buyers and sellers, the private and the public sectors.

• (1100)

When marketplace framework laws work effectively, governments can stay on the sidelines, like referees, and let the private sector get on with the job.

Marketplace framework laws have been at the core of the government's program to revitalize the Canadian economy. The changes proposed here fit well with our overall strategy.

When the Minister of Industry tabled the agenda for jobs and growths in the publication "Building a More Innovative Economy", he outlined how Industry Canada would address four key elements to help the private sector create jobs and ensure growth in Canada. These four elements are trade, infrastructure, technology and the marketplace climate.

The legislation before us addresses one of these elements, the marketplace climate. Standards establish a common benchmark against which the performance of goods and services can be measured. The impact of this legislation will be felt on all the other elements of our jobs and growth agenda.

Standards promote trade both domestically and internationally. Internationally, standards like the ISO 9000 series give Canadian products and services a seal of quality recognized around the world. Within Canada, standards enable different jurisdictions to agree on a benchmark for quality that allows them to eliminate duplication of government services.

Let me give the House an example of how important standards can be to international trade. Twenty years ago Canadian plywood was virtually unknown in Japan. Japanese builders had not

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accepted the wood frame construction we use commonly in Canada. There was therefore no market for Canadian plywood in Japan. Well developed Canadian standards in this area have, however, helped to convince the Japanese building industry of the value of wood frame construction.

The forest industry in Canada worked hard with the government to have Canadian certification recognized. The Canadian Plywood Association became the first organization in the world to gain Japanese approval as a foreign testing organization. Today Canada sells the Japanese 70 million board feet of plywood each year.

Let me also give an example of how participation in standards development leads to expanded trade. Advanced Information Technologies Corporation, a Toronto based company, is working with the International Organization for Standardization to develop standards for passports that can be read by a machine. Its work has opened many doors for its business and last year its sales topped \$34 million, with 80 per cent of the sales coming from the machine readable document business.

Standards are vital in order to build an effective infrastructure. If members want an example of what can happen when uniform standards are not applied, study the early history of the railway industry in North America and in Australia. In Australia each state applied a different standard gauge for railway tracks. Hon. members can imagine the result. No train could travel from one state to the next. Every time one came to a state border the cargo had to be unloaded from its cars and reloaded on to the next train.

We can shake our heads now in wonder at why this happened, but we must ensure a similar situation does not now arise in the case of infrastructure for the next century, infrastructure for the information highway.

This infrastructure requires a great deal of co-ordination in the standards that will apply. The standards clearly affect a number of both federal and provincial jurisdictions, and a wide range of industries are involved in providing both the road bed and the content for the information highway. We do not want to find ourselves in the cyberspace equivalent of having to unload our information railway cars every time we come to a border.

• (1105)

Standards are vital to the healthy development of technology. The government's overall objective is to create conditions where we can build an innovative society in which research and development create technology and the business community adapts and adopts the best technology possible. That is the way to create jobs and growth in the modern context.

One cannot have technological innovation without safeguards. Canadians must be assured their health and safety will not be

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compromised by the new processes, the new products and the industrial designs that make our society innovative.

Canadians want assurances that the buildings erected this year will not topple next year due to unproven techniques. Canadians want assurance that the electrical appliances they buy can be plugged into outlets at home and, once they are plugged in, they want the assurance a short-circuit will not burn their home down.

Canadians want assurances their natural gas lines will not leak, that the gasoline they buy has the right octane levels for their car and that the propane tanks they buy have the right thread fit for their gas barbecues. Canadians value new innovation and the convenience of modern technology. However, Canadians will not compromise safety and security.

This creates clearly a challenge for government. On one hand, we must encourage creativity and the adoption and adaptation of new technology. We do not want to slow down innovation. At the same time we have an obligation to ensure the new innovations will not expose Canadians to unwarranted risks. Standards are an effective way in balancing the need for technological innovation with the need to prevent undue risk. They enable innovators to know in advance the criteria that must be met.

The criteria have been established as a result of consensus on how the public interest can best be protected. This enables the business community, researchers and innovators to forge ahead. Innovators can be as quick and flexible as they need to be in responding to new ideas and to new opportunities.

Innovators know that by using standards set for their technology they will stay within the limits of safety. From my own constituency the needs are particularly important in farm related technology and new machinery as well as in the advancing and roll out of the information highway.

Why has the adoption of standards been part of the government's strategy to create jobs and growth? Standards help business people, they help innovators and they help the consumers of Canada to get on with the task at hand.

People do not always have to be looking over their shoulder to see what the government thinks. They do not consistently have to check for government approval, they just apply the standards that are there and accepted.

The primary objective of this legislation is to make standards a more effective tool for the creation of jobs and growth in Canada as well as to provide safety for Canadians.

Bill C-4 is part of the government's overall strategy to create market conditions where the private sector can get on with the job of building a modern innovative economy.

[*Translation*]

I congratulate all those who contributed to the drafting of this bill and I ask my colleagues to give it their full support.

• (1110)

Mr. Richard Bélisle (La Prairie, BQ): Mr. Speaker, I am going to take advantage of my remarks on Bill C-4, amending the Standards Council of Canada Act, to draw to the attention of the members of this House a series of legislative elements that I regard as extremely significant.

The Standards Council of Canada is a body created by the Standards Council of Canada Act, which is chapter S-16 of the Revised Statutes of Canada. It reports to the Minister of Industry. Its objects are "to foster and promote voluntary standardization" where this is not already "expressly provided for by law", in a number of fields set out in the act, including construction, manufacturing, production, quality, performance and safety of buildings, structures, manufactured articles and products and other goods.

The Standards Council of Canada is made up of representatives of the federal government, the provincial governments and industry, as set out in section 3 of the act. All standards are established on a voluntary basis by the relevant industries, and their purpose is to encourage and facilitate domestic and international trade.

Bill C-4, before us today for third reading, enlarges the mandate and powers of the standards council. In addition to advancing the national economy, the bill tells us, standardization will have to support sustainable development; in addition to benefiting public health, it will have to benefit the health and safety of workers.

The standards council will have an important promotional role to play, in addition to encouraging standardization where it is not already mandatory. In its annual report, the council will have to make recommendations to the minister regarding standards it considers should be mandatory.

Bill C-4 proposes significant amendments to the existing act. It chiefly seeks to make the council less ponderous by reducing the number of its members from 57 to 15. One of those members would be "a person employed in the public service of Canada to represent the Government of Canada".

The bill would also create two advisory committees: the provincial-territorial advisory committee, whose Chairperson and Vice-Chairperson would sit on the council, and the standards development organizations advisory committee, whose Chairper-

son would sit on the council. Provincial and territorial representation would thus be assured by the first of these new committees and representation of expert bodies by the second.

Eleven other people representing the private sector, including non-governmental organizations, would sit on the council, for a total of 15 members.

I think it is important to support Bill C-4 for three main reasons. First, the bill is designed to improve the operation of the Standards Council of Canada, a federal agency. Second, the bill is designed to promote economic growth by eliminating pointless irritants. And finally, Bill C-4 would help to pave the way for a flexible, efficient and viable partnership between Canada and Quebec.

These reasons deserve closer examination. First, the bill is designed to improve the operation of the Standards Council of Canada. Bill C-4 is designed to make the council less ponderous and more functional. This is a very important process. The federal government machinery is imposing, weighty, often not very efficient, and prone to expensive duplication.

The federal government machinery is omnipresent in the Canadian economy and often hampers economic growth by legislation or regulations that put a brake on, or put obstacles in the way of, economic progress.

In this context, measures designed to improve operations are always welcome. All taxpayers will benefit in the long run. The agencies and enterprises that do business with the federal government will also benefit.

Lastly, since governments are constant targets for criticism, the fact that the federal government wants to introduce some real changes may well make the public's view of it more favourable, and fairly quickly, too.

• (1115)

The end result will be the development and maintenance of functional, productive and viable relations between the government and the various components of our society.

Second, promoting economic growth. The importance of Bill C-4 lies in the status and mandate of the organization whose operation it is designed to improve. The standards council plays a key role in regulating economic processes. Its role is to promote voluntary standardization by industry; that is the very core of its mandate.

It would be difficult to argue that standardization does not matter. Without it, the propensity toward diversification characteristic of market economies would in the context of vast trading networks cause an immense variety of problems for the various transactors.

Apart from wasted resources, increased costs and consumer dissatisfaction, both domestic and foreign trade would be seriously

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affected. Scarcity of resources and the principles of rationalization and efficiency demand standardization. Standardization means fluidity, efficiency and effectiveness in trade. Standardization means the elimination of brakes on trade and of obstacles to trade.

Four factors militate in favour of standardization. First, the fundamental dynamic of the economy—the interdependence of trade, competitiveness, productivity, growth and employment. Second, the age-old dependence of the Canadian economy on raw materials: although the service sector has been developing steadily in Canada over the past 30 years, too many of our raw materials are still not processed in Canada, even now.

Third, the context of globalization in the framework of NAFTA and trade with other countries of the world. Forth and last, the trend toward forming local, national and international partnerships.

The principle of voluntary standardization is at the heart of Bill C-4. This key aspect of the standards council's mandate relies on promotion of voluntary standardization being done by industry stakeholders themselves. Encouraging stakeholders to adopt standards on a voluntary basis has obvious advantages.

This approach assumes that each sector knows itself, its products, its needs and its stakeholders. It uses a consensus approach, which minimizes government intervention and control. In the circumstances, and given the council's role and mandate in improving efficiency, this is an approach we support.

The third element I wanted to discuss is the implementation of a Quebec/Canada partnership. This is the third reason for our support of Bill C-4. We believe that very soon now, Quebec will have achieved sovereignty and, as it committed itself to doing in the agreement of June 12 of last year among the Parti Québécois, the Action démocratique du Québec and the Bloc Québécois, it will negotiate an economic and political partnership with Canada—essentially because Quebecers want to maintain a shared economic sphere, and stable, productive and viable political relations, with Canada.

From this perspective, Bill C-4, like Bill C-19 implementing the Agreement on Internal Trade, constitutes in our view an important step toward making such a partnership possible.

In both instances, an effort is being made to improve and consolidate government agencies that will be better able to serve our Canadian friends and that will be indispensable in negotiating the new partnership.

• (1120)

To sum up, our support for Bill C-4 is based on the three reasons I have discussed: it should improve the way the Standards Council of Canada, a federal government agency, operates; it should encourage economic growth; and it should help to lay the groundwork for a partnership between Quebec and Canada that will be flexible, effective and viable.

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We hope that our future Canadian partners will understand that we are looking forward in all good faith to these improvements in federal political institutions.

In conclusion, I would like to add that the bill does not in our opinion seem to pose any major problems. The council's structure would be changed, and to a slight extent its powers, while the way it operates would be made less ponderous. The provinces and territories would drop from 12 representatives to two, but their proportional representation would be just the same. In addition, the proposed provincial-territorial advisory committee would give the provinces and territories the opportunity to make their voices heard.

Standardization is voluntary. This is simple common sense, as the economic sectors or companies that decide not to go along are penalizing themselves at a time when trade is so important, both within Canada and in North America and the rest of the world.

Given the increased trade among the provinces of Canada, between Canada, the United States and Mexico under NAFTA and soon with South America as well, and ultimately with the whole world, standardization will eventually have to be adopted by all parties. This is the only logical conclusion for those who want to trade.

[*English*]

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I am pleased to speak at third reading of Bill C-4, an act to amend the Standards Council of Canada Act.

To begin thinking logically about this subject, two questions need to be considered: What are standards and what role do standards play in Canadian society?

Standards reassure consumers that products and services will work as they are described and as they are supposed to work. They also inform consumers about manufacturer tests for quality and safety and guarantee that human and environmentally safe production techniques have been used in all manufacturing processes.

For example, standards tell Canadians that hockey helmets will not break when players are in a collision on the ice. They tell Canadians that an electrical cord is safe to use and will not spark a fire. Standards tell Canadians that their TV reception will not go fuzzy when they turn on their sets. Indeed, standards ensure Canadians that products and services provide a level of quality on which they can rely.

Standards also play an important role in national and international trade. If a manufacturer in Canada makes a product that does not meet the standards required by another province or another country, it will not be allowed to ship or export that product to the desired destination.

In fact, some countries use unique product standards as artificial trade barriers to restrict foreign imports. It is important, therefore, for Canada to encourage national and international co-operation in the development of common standards.

In that regard, Canada's trade agreements, NAFTA, GATT and the internal trade agreement, prohibit the use of standards as trade barriers.

The development of the Standards Council of Canada reflects the importance the Canadian public places on standards. Established in 1970 as a crown corporation, the Standards Council of Canada promotes voluntary standardization in Canada and encourages international co-operation with our trading partners and standards organizations. It also oversees the Canadian standards system which consists of organizations that write standards, certify products and services, tests and calibrates, and registers standards.

The bill before us today changes the form and function of the Standards Council of Canada in several ways. First, it expands the current mandate of the Standards Council.

• (1125)

Second, Bill C-4 reduces the number of council members from 57 to 15 and adds necessary qualifications for the private sector representatives.

Third, Bill C-4 changes in the English version the titles of the president and vice-president to chairperson and vice-chairperson respectively.

Fourth, it specifies the duties of the chairperson.

Fifth, Bill C-4 establishes the provincial territorial advisory committee and the standards development organizations advisory committee.

Finally, Bill C-4 specifies that meetings of the council and its committees may be held through electronic means.

These are changes to the Standards Council of Canada Act that the Reform Party of Canada supports.

Let me discuss just a few of these proposed changes. First, the expansion of the Standards Council of Canada's current mandate means that it will include all areas where standardization is not already provided for by law. It will involve more Canadians in standards activities. It will oversee the national standards system. It will foster quality, performance and technological innovation in Canadian goods and services through standards. Finally, it will establish long term objectives and strategies.

These changes increase the competitiveness of Canadian industry. Let me explain why. The current role of the Standards Council relates to the maintenance of the national standards system. The Standards Council does not develop or promote a national strategy. This puts Canada at a competitive disadvantage vis-à-vis other countries, as Canada is one of just a few G-7 members that does not have a national standards strategy.

For example, Britain, Germany and France have well established strategies designed to support their industry both domestically and internationally. Often representatives from Canadian steel companies find that potential customers from around the world want to purchase steel according to German standards, an indication of how well the Germans have promoted German products and German standards throughout the world.

British industry improved the image of its export products by complying with international standards for quality labelled ISO 9000.

Japan currently provides assistance to many countries in order for them to adopt national standards based on its system of standards and as a result Japan acquires a competitive advantage.

The United States also aggressively promotes its standards internationally, even though it has not formed a formal national strategy.

A Canadian national standardization strategy would go a long way to support and help build Canada's commercial competitiveness abroad. Other countries would be encouraged to develop our system of standardization and we could gain more credibility by having Canadian industry accredit themselves with ISO 9000.

Renewing the Standards Council of Canada mandate to establish long term objectives and strategies is an important step to increasing Canada's international competitiveness. It is important that the Standards Council does not develop its strategies in secret.

Bill C-4 gives Canadians this commitment. It states that more people will be involved in standards activities. I remind the Standards Council to make sure it consults small and medium size businesses and implements their views in planning national standards strategy. Their interests must not be neglected as they have been in the past by this Liberal government.

Changes to the Standards Council of Canada membership under Bill C-4 is an important step in moving in this direction. The number of public servant members on the council will decrease from six to one. This change will hopefully make the Standards Council of Canada become more representative of Canadian industry, including those from the medium and small enterprises.

• (1130)

The private sector membership of the standards council will also change under Bill C-4. Private sector members would now have to represent a broad spectrum of interests and possess the experience necessary to assist the standards council in fulfilling its mandate. Hopefully the standards council will become more open, accessible and accountable to Canadians and Canadian industry under this change.

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I recommend to the minister to make one change that would improve Bill C-4 in our estimation. That is to follow the suggestions made by the Canadian Standards Association and add a review clause to the Standards Council of Canada Act. The review clause would state that the act be examined on a regular basis such as five year intervals.

Since standards change rapidly in a fast growing technological and global economy, it makes common sense to review the Standards Council of Canada Act to ensure the standards council and the national standards system remain relevant to the needs of Canadian industry and Canadian society.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

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

* * *

PUBLIC SERVICE STAFF RELATIONS ACT

The House proceeded to the consideration of Bill C-30, an act to amend the Public Service Staff Relations Act and the Royal Canadian Mounted Police Act, as reported (without amendment) from the committee.

The Deputy Speaker: There are five motions in amendment standing on the Notice Paper for the report stage of Bill C-30, an act to amend the Public Service Staff Relations Act and the Royal Canadian Mounted Police Act.

[*Translation*]

Motions Nos. 1, 2 and 3 will be grouped for debate. The vote on Motion No. 1 will apply to Motions Nos. 2 and 3.

[*English*]

Motions Nos. 4 and 5 will be grouped for debate but voted on as follows. Motions No. 4 will be separated on separately. An affirmative vote on Motion No. 4 obviates the necessity of the question being put on Motion No. 5. On the other hand, a negative vote on Motion No. 4 necessitates the question being put on Motion No. 5.

[*Translation*]

I will now put Motions Nos. 1, 2 and 3 to the House. Each Member can have a copy of this decision.

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MOTIONS IN AMENDMENT

Mr. François Langlois (Bellechasse, BQ) moved:

Motion No. 1

That Bill C-30 be amended by deleting Clause 1.

Motion No. 2

That Bill C-30 be amended by deleting Clause 2.

Motion No. 3

That Bill C-30 be amended by deleting Clause 3.

He said: Mr. Speaker, I rise today to speak to Bill C-30 just as I did when Bill C-58 was introduced in this House at second reading, on November 17 1974.

We all remember why the government tabled Bill C-58, which has now become Bill C-30. According to a decision of the trial division of the Federal Court of Canada, RCMP officers were basically covered by the legislation pertaining to public service, subject to working conditions established by Treasury Board and, indirectly, to the RCMP's incorporating instruments, the Financial Administration Act and the Canada Labour Code.

• (1135)

That lead to the following situation. First, according to the Gingras decision, the government had to give a bilingual bonus to RCMP officers. It did not appeal the decision from the trial division of the Federal Court. It rather decided to table Bill C-58, which was a kind of backdoor appeal. This is like changing the law after the decision was rendered.

Mr. Milliken: Oh, oh.

Mr. Langlois: I will wait till my colleague from Kingston and the Islands has finished.

An hon. member: He just left.

Mr. Langlois: He just left? Thank you. He probably met his whip on the way out who told him to keep quiet. I would like to thank the member from Glengarry—Prescott—Russell who, for once, succeeded in bringing the hon. member from Kingston and the Islands back in line.

I can now go on. The government tabled Bill C-58 after deciding not to appeal the Gingras decision. What Bill C-58 basically tells us is that RCMP members are not part of the public service, they are not governed by the provisions on public servants or by the working conditions established by Treasury Board. This is getting close to the separate employer status that some have always wanted to give to the RCMP.

There is a much broader problem, a staff relations problem that has been around for a while and which the study of Bill C-58 made apparent. There is a gap between command staff and officers of the

RCMP. The study of Bill C-58 clearly demonstrated that working conditions are not too good.

Some RCMP members wanted to appear before the committee on government operations to talk about Bill C-58 because it was directly affecting them. They were told not to wear their uniform and that they would have to appear in their own personal name, outside regular hours of work. This job atmosphere is pretty weird in an organization where everybody is supposed to have the same goals.

Bill C-58 also touches upon another aspect of working conditions of RCMP members, that is to say their unionization. Some members are unionized. At present, RCMP civilian employees are unionized. The March 1994 Gingras judicial decision definitely opens the door to the possible application of Part I and, of course, Part II of the Canada Labour Code to RCMP officers.

Fearing that its RCMP police officers could unionize, the government introduced Bill C-58 to exclude them from the ordinary rules of law applicable to all other Canadian workers subject to the Canada Labour Code's general rules.

When the minister and RCMP officers appeared before the government operations committee, they were hard put to answer the following question: "For which reasons are you opposed to unionization, to free negotiation of working conditions between RCMP police officers and the government, their employer?"

All they could say was that since RCMP officers had to look after the safety of ambassadors and members of the consular corps, they could not be compared to other Canadian police officers who did not have to perform such duties. However witnesses have shown during committee hearings on Bill C-58 that Sûreté du Québec police officers, Ontario Provincial Police officers, in their respective province, have to look after the safety of consular corps members located in Toronto, Montreal or Quebec City.

• (1140)

Now, all things considered, they are not any different. We realize the distinct status the RCMP command staff is so fond of is like a sacred cow.

A case is still outstanding before the Quebec Court of appeal. I am talking about the Delisle case against the Attorney General of Canada. Staff sergeant Gaétan Delisle, who is now mayor of Saint-Blaise-sur-Richelieu, claims that the freedom of association provided for in the 1982 Canadian Charter of Rights and Freedoms includes the right to unionization.

The government simply wants to ignore court rulings and legislate retroactively to deny some rights. This approach is not appropriate. Let us wait and see what the court rulings on the right to unionization will be as well as the rulings of the federal commissions responsible for implementing the Canada Labour

Code before deciding if, according to them, RCMP police officers can be unionized, and if so, which system should be applied to them.

We could eventually hold an open debate on unionization conditions for police officers that would be acceptable to MPs representing Canadian citizens. Should we have a general system providing for the right to strike, a system providing for compulsory arbitration or a system providing for a final offer? These are all possible options. With a bill such as Bill C-30, let us not exclude other possible courses of action. Above all, we cannot disregard the tension seething within the ranks of the RCMP, tension which last October or November resulted in Staff Sergeant Gaétan Delisle being ordered not to run for the office of mayor of Saint-Blaise-sur-Richelieu.

We have indeed come to a pretty pass when a police force's headquarters seeks to strip one of its officers of his fundamental right to run as a candidate in a municipal, provincial or federal election. A grievance has been filed. This whole matter will be heard by the trial division of the Federal Court. However, this case, like many others, underscores the prevailing tension.

We are coming very close to restricting individual freedom of expression. In the case of the communiqué released by the member for Charlesbourg, an attempt was made to restrict the freedom of expression of a member of Parliament. This member was brought up before the procedure and House affairs committee and an attempt was made to "do a number" on him, as they say, to intimidate him and to restrict his freedom to freely and democratically voice his sovereigntist convictions in an open debate. We have never hidden our true intentions.

The Gingras case, the Delisle case at the RCMP, Bill C-58, Bill C-30, the case of the member for Charlesbourg's communiqué: in all of cases, there is a common denominator, namely an attempt to restrict democratic rights, whether it be the rights of officers of the peace, those of RCMP officers or those of the member for Charlesbourg. To attempt to restrict a member's freedom to voice his opinion about a platform on which he was elected is to take matters too far. That is why we will be voting in favour of the motion at the report stage. We want to have certain provisions stricken from Bill C-30.

[English]

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, with respect to the first group of motions for Bill C-30, the Reform Party is guided by the following principles and policies found in our official policy document, the blue Book.

The blue book policy on the RCMP states:

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The Reform Party supports the traditional role of the Royal Canadian Mounted Police (RCMP) as a police force representative of and responsive to the populations it serves in Canada's regions.

The blue book policy on official languages states:

The Reform Party supports official bilingualism in key federal institutions, such as Parliament and the Supreme Court, and critical federal services where need is sufficient to warrant provision of minority services on a cost effective basis. The Reform Party supports the removal of bilingual bonuses to civil servants as federal cost reduction measures.

• (1145)

Bill C-30 contains provisions identical to Bill C-58, which died on the Order Paper as a result of the government's decision to prorogue Parliament this year.

Bill C-30 removes RCMP officers from the definition of employee and therefore as members of the public service under the Public Service Staff Relations Act, essentially separate employer status. Only civilian members of the RCMP are to be governed by the Public Service Staff Relations Act. The staff relations for police officers of the RCMP are to be governed by the RCMP Act.

Bill C-30 was originally introduced as housekeeping in nature; however, it became evident that the effect of the legislation would have serious implications for the rights of RCMP members. There exists concern that Bill C-30 in its present form would completely eliminate the application of the Canada Labour Code to RCMP members. At present RCMP members have the protection of part II of the code concerning health and safety.

In order for the Reform Party to support Bill C-30, it would require a substantive amendment which would ensure the continued statutory protection of RCMP officers under the Canada Labour Code. In my assessment, none of the amendments put forward by the hon. member for Bellechasse would satisfy this requirement. Therefore, the Reform Party will not support Motion No. 1 which would amend Bill C-30 by deleting clause 1. The Reform Party will not support Motion No. 2 which would amend Bill C-30 by deleting clause 2. The Reform Party will not support Motion No. 3 which would amend Bill C-30 by deleting clause 3.

[Translation]

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, Bill C-30's aim is essentially to overturn the Federal Court of Appeal's decision of March 10, 1994 in the Gingras case. You will recall that the appeal court had concluded, at the time, that RCMP members, most of them law enforcement officers, are members of the public service and must submit to the rules of Treasury Board. And also that RCMP members are entitled to the bilingual bonus of more or less \$800 per year.

In May 1994, the government announced that it had no intention of appealing the Supreme Court of Canada's judgment and that consequently it would pay the bonus to RCMP members, including for some of the years during which the government had illegally

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refused to pay that bonus. In total, retroactive payments amount to approximately \$30 million.

It seems that RCMP management is disturbed by this Federal Court of Appeal's decision since it means, according to some people, that the other rules of Treasury Board would also apply to the RCMP and its law enforcement officers, namely those concerning pay equity, the enforcement of official languages laws and working conditions, except the right to form a union.

But before going further, it would be appropriate to determine the time context as well as the particular group concerned. What is the RCMP? Maybe we should start with this definition. There are 15,500 regular members and special constables, about 2,000 civilian members and also 3,400 public service employees.

The 15,500 regular members are in fact law enforcement officers, the policemen of the RCMP. They are not unionized. The 2,000 civilian members hold support positions such as laboratory technicians, general technicians, specialists in various fields, airplane pilots, and there are an indeterminate number of administrative support staff. The administrative support employees are not unionized either.

The 3,500 public servants are members of the administrative and support staff, such as clerks, secretaries, custodians, etc. They were all hired by the Public Service Commission or came from other departments.

• (1150)

What is worrisome about this bill is the roundabout way it is trying to achieve what is basically forbidden by the legislation. In the case of Bill C-30, the authorities are annoyed because, for a number of years now, there have been pushes inside the RCMP to unionize the agency.

However, three times already, these attempts have failed. Unionization in 1996 is not supposed to be a barbaric act that must be opposed. It is the free expression of a group's desire to protect itself and to present a united front to the employer.

Bill C-30 aims to overturn the Gingras decision of March 10, 1994. Through Bill C-30, members of the RCMP would be excluded from the public service and could not therefore unionize. However, they would be allowed the bilingual bonus, a more or less roundabout way to take into account the Gingras decision.

But what do members of the RCMP think of this bill? On June 14 I received a copy of the magazine *Action* published by the RCMP's staff members association in Quebec. It is probably the special spring edition. It refers to all kinds of documents. This special edition is mostly about Bill C-30. There is even a paragraph and a half where the editor gives his opinion on the bill, and I quote: "By

introducing Bill C-30, the government is trying to reintroduce Bill C-58, the very one which gave such grave concerns to the association and the public. In light of its background, one would have thought the government would have abandoned and pigeonholed it. To our great surprise—I am still quoting the editor here—we learned that only a few days after meeting with you in Toronto the government was introducing Bill C-30 which contained the same provisions as its predecessor, Bill C-58, and announced that the bill was at the report stage. The adoption of Bill C-30 would represent a big setback in labour relations at the RCMP and it would seriously affect the rights of RCMP members".

These last words concerning the very rights of RCMP members are rather interesting. RCMP members are asked, of course, to protect the rights of taxpayers but when their own rights are involved, they are literally sent packing.

In Quebec, the provincial government has just put in place a very interesting program aimed at letting public servants who, in a show of economic and social maturity, deliberately decide to honestly and sincerely discuss what could seem a terrible waste of public monies, a misuse of public funds in order to cut down operational costs without affecting the quality of services provided. In today's discussion, that would be the quality of services provided by RCMP members to Canadian taxpayers.

Bill C-30 obviously snubs all efforts made by these people to expose in the most honest way the abuses committed inside their organization. Bill C-30 confirms that the government wants to turn them into little robots in the service of a small group of individuals whose only aim is to control situations and therefore influence events and the people responsible for fabricating these same events.

In Quebec, the provincial police force is unionized, as are the Montreal and Quebec City municipal forces and many others. The RCMP, however, is not interested, thank you.

According to rumours, the employees tried on three different occasions to unionize. They failed all three times.

• (1155)

This completely flied in the face of the charter of rights but, in Bill C-30, this devious strategy is so well disguised that an official complaint cannot even be made under the charter claiming that the federal government does not want, or is trying to prevent, the unionization of RCMP employees.

The parliamentary process is being used to take certain fundamental rights away from people. But strangely enough the people whose fundamental rights we are trying to take away are the very ones who are responsible for ensuring that the fundamental rights of all Canadian taxpayers are respected.

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To recap, employees who are in a position to find out about abuses committed by certain people and various branches are considering forming a union, so a bill is tabled in order to isolate the only people who have access to documents that might be compromising.

I am sure that, by the end of this Parliament, the Liberal Party will have managed to push through this bill putting the RCMP under the same banner as CSIS—that is, with many millions of dollars to spend, but without taxpayers ever knowing how the money is being spent, and even less who is spending it, and on what.

I fully agree with the motion moved by the hon. member for Bellechasse, who wants to strike out certain provisions of Bill C-30.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I am not very happy, nor am I in a very good mood. I cannot fathom that at the end of the session we are faced with a bill like Bill C-30. I hope you are going to do everything in your power to block this bill that might have found favour in the 19th century, but in the 20th century, when we have a charter and since we had agreed with the Minister of Labour—by the way, where is the Minister of Labour, where is the Solicitor General?—we had agreed on a sort of moratorium regarding labour relations with the minister—

The Deputy Speaker: I would like to remind the hon. member, with the utmost respect, that as he is aware we cannot mention that a member is not in the House. It is very possible that the individual may have been held up by very important business elsewhere.

I ask all members to refrain from mentioning that someone is absent from the House.

Mr. Ménard: Mr. Speaker, I was not referring to his physical presence, I was referring to his intellectual standpoint. After sitting in this House for the past three years, I am well aware that we cannot mention the fact that certain people are not in the House. I apologize if I gave the impression I might want to disobey any of the Standing Orders.

What I want to make clear to those listening to us and to all the hon. members in this House is that it is difficult to follow the government in matters of labour relations. We agreed, the official opposition agreed that we were going to modernize the entire labour code in September; I am the labour critic for my party. When we talk about the labour code, we are talking about part I, which refers to unfair treatment in the workplace, part II, which covers workplace health and safety, and part III, which involves minimum standards.

The proof of what I am saying is that until now the bills that have been tabled on labour relations have been minor ones. We changed the minimum wage to put it in line with provincial rates. By delegating authority, we passed control of nuclear energy over to the provinces.

There was a tacit understanding with the Minister of Labour to the effect that, since the legislation was so important, no fundamental changes would be made until the committee was able to review the entire labour code. How come this argument was not applied in the case of the 16,000 RCMP officers? It would have been more honest for the government to have asked us to study this in committee.

• (1200)

It would have been even more honest, given the situation, which is as follows. There are a total of 18,000 officers involved, and 16,000 of those are demanding the right to negotiate. We are in a situation where there are a variety of tribunals, and I know the Bloc Québécois critic for the Solicitor General has referred to the various common law tribunals. These count for something in our society. What is being said is that the 16,000 RCMP officers are entitled to collective bargaining. They ought to be considered employees of Treasury Board. This is something of significance, after all.

I am issuing a challenge to the ministers, perhaps the Parliamentary Secretary to the Minister of Justice who is currently in the House, to give us one of the examples he has in mind of a situation comparable to that of the RCMP. There is a rule that applies to labour relations. That rule, which has taken on the shape of an underlying principle, is that people are entitled to be involved in determining their working conditions. Not only determining them, but negotiating them as well, given that our society agrees that one of the forms of freedom of expression includes the right to freely negotiate a collective agreement.

That principle, when applied in complete logic, has a corollary. That corollary is that an outside body ought to be the one to make an interpretation when there is any disloyal action within a workplace. RCMP officers are rightfully saying that the RCMP Commissioner, while no doubt an honest citizen, ends up being both judge and party to the action, since he is called upon to act as an administrator and at the same time to settle differences concerning overtime, patrols, mobility and employee benefits. This cannot help but lead to a tainted atmosphere, since it is not compatible with the basic principles of healthy labour relations to have someone be both judge and judged in the same matter.

It is hard to follow the government. Its logic is dubious, to say the least. As I have already said, we had agreed with government not to go ahead with any major legislation on labour relations. Not only is it not respecting this principle, government is reintroducing it.

What happened? I think the RCMP was quite clear on this. The former Minister of Labour, who now holds the heritage portfolio—though we do not really know how things will turn out because, as those who follow current events know, the former minister could become the new minister—had appointed an independent task force chaired by Professor Sims, of Edmonton. You are signifying

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your assent, so I gather you have followed those events with the same enthusiasm as I did.

The Sims task force, including Mr. Blouin from Quebec, had three members at that time. They said very clearly in their report that RCMP staff members should have the right to collective bargaining and that the RCMP should be recognized as an employer under the jurisdiction of the Treasury Board. This is more than reasonable.

Had you been in their shoes, Mr. Speaker, I wonder if you would have showed as much common sense. These people claim the right to collective bargaining, but at the same time, they recognize that their specific responsibilities require them to protect the public, investigate, provide security services—especially in embassies—and that they are under contract to eight provinces on the Canadian territory.

These people show such civic-mindedness, a sense of responsibility and a will to serve their country—which, in truth, is made up of two countries on its territory—that they are not asking for the right to strike; they only claim the right to free collective bargaining. They are willing to submit to binding arbitration. In fact this is more and more the case at the municipal level.

• (1205)

I think you have to be really dishonest, shortsighted, obtuse like this government to introduce today a bill like Bill C-30 as if it were the most natural thing in the world, as if the past meant nothing and as if there were no agreement on developments in modernization of the Canada Labour Code.

Those of us in the official opposition, one of the best you will ever see, have made it very clear that we will do everything to kill this bill, because we consider it undemocratic and because it denies the fundamental right of 16,000 workers in the public service—

Mr. Dubé: Archaic.

Mr. Ménard: Archaic is the word. The member for Lévis, never lacking for the word thanks to his past experience, knows very well that this sort of situation brings no credit to Parliament.

The RCMP union representatives, believe it or not, produced a special edition of the magazine *Action*, in which they proposed the wording of a bill. I am sorely tempted to introduce it on my own as a private member's bill. It would not be the first time this sort of thing has been done, as the member for Rosemont knows.

Finally, I would draw the attention of the House to the fact that, if we are not careful and if we continue to ignore the most basic rights of the members of the RCMP, the work atmosphere will continue to worsen. Nothing good will come out of a situation like this.

I would like to identify five grievances, five statements of fact drawn to the attention of each parliamentarian, which should unite us in our rejection of this bill. Mr. Speaker, I will identify them by order of importance and will do so carefully knowing that you are listening attentively to what I have to say.

What the RCMP says in its special edition is, first, that the denial of the freedom of association and collective bargaining rights for members of the RCMP is unacceptable and this is according to the logic we explained this morning.

We are also saying there were acts of retaliation against RCMP members who dared to support and promote collective bargaining. It is all reminiscent of the underworld, with mobster-style bosses making for an intolerable job atmosphere. That happens when you are both judge and judged. This is the kind of unhealthy situation that can happen when you are unable to distinguish between decisions that you must take as a manager and those you make when adjudicating grievances or litigations.

We also say, it is obvious and members must keep it in mind when they vote on Bill C-30, that the present divisional representation system, being completely controlled by the RCMP commissioner, is essentially aimed at creating an hostile atmosphere for collective bargaining.

Four, there is no independent and binding system for grievance adjudication in matters of discipline or any other known area or type of violation.

Five, Mr. Speaker, since you are reminding me that time flies, I will only mention the tremendous waste of public funds engulfed in this inefficient and unacceptable system. While I have an audience, I am taking the opportunity to denounce the fact that there is no family policy, as we were reminded a moment ago by the heartfelt cry of a young Canadian citizen.

In conclusion, the fact is that, as members of Parliament, we must reject Bill C-30 because it does not respect the fundamental right to collective bargaining and to have a say in their working conditions that all our country's workers are entitled to, including members of the RCMP. I call upon all my colleagues to vote against Bill C-30 and to ensure that it be referred to the labour committee where witnesses can present the House with original proposals concerning the RCMP.

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, I listened carefully to the remarks made by the member for Hochelaga—Maison-neuve, who as you have seen, is an expert in labour relations.

• (1210)

Of course, I am not as experienced as he is in this field. I took interest in the subject in order to give my views on this bill. I must say that the government made my task easier. I studied this bill, which I cannot show you because the rules do not allow me to do

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so. It is an eight-page bill. However, of these eight pages, only two contain clauses, for there are only four clauses in all.

As the member for Hochelaga—Maisonneuve pointed out, it would have been more efficient to examine a bill of broader scope. A bill affecting 16,000 persons is not insignificant. This special bill is an attempt to impose a particular framework on those people. This is in line with the way the government usually works, by introducing piece-meal legislation, in any old way, for individual cases.

Canadians must be disappointed to see their government passing such a bill, containing four clauses and four blank pages. This shows the government's lack of imagination, its lack of depth, its lack of thoroughness. What is surprising is that it is about RCMP employees, who come under the Solicitor General. The role played by the RCMP has always been important in Canada. So has been the role of their counterparts in the United States. We know the matter of the FBI is currently being debated in the U.S. The relationship between the FBI and the government is very controversial in the United States, as is the relationship between the RCMP and the Government in Canada.

What does the government want to do? It wants to go back to an archaic system. I suggested the term to the member for Hochelaga—Maisonneuve, who agreed because it describes the situation perfectly. The government wants to backtrack, which is not fitting for an advanced society belonging to the G-7 such as Canada. It wants to set RCMP employees apart.

I believe we do need a special framework but, and this is the official opposition's position, it should be broader, more comprehensive and all-encompassing. Naturally, Bloc members look at the situation from Quebec's viewpoint.

In Quebec, we have the Sûreté du Québec, therefore the province controls its own police force. It operates within a special framework, but employees still have the rights the member for Hochelaga—Maisonneuve mentioned, namely the right to negotiate, the right to go to arbitration, and the right to take part in setting their working conditions. On the eve of the 21st century, these things are normal.

We would never have expected such a backward bill giving full authority to the commissioner. Let us look at current events. Some things are of great concern to me. I heard a baby crying before, I know he does not understand what is going on, but it brought home how worrisome the situation is.

Cases in point are the RCMP investigation of the former Prime Minister, and the several instances of security breach regarding the current Prime Minister. RCMP officers are being criticized by the government side. I believe they are living in a climate of insecurity harmful to the proper discharge of their duties. It is obvious they are under pressure from the top.

• (1215)

The government wants to subject them to different working conditions. I am concerned because if there is an occupation which needs a very comprehensive code of ethics, this is it, because officers deal with extremely sensitive issues.

As regards the investigation of the former Prime Minister, for example, suppose that, as was the case in the United States, the commissioner feels obligated to respond to requests from the top; officers, having neither job security nor the means to know that there might be some abuse of powers, cannot say no for fear of retaliation.

That is why I find the position of the previous members of the Bloc Québécois very logical, because they are requesting that any part of a bill or a labour code affecting them be much more complete than that. Quite frankly, four clauses and four blank pages do not make a very credible bill when you want to improve a whole situation.

I am talking to members on the other side now present in the House. We cannot speak of absent members, but we can talk to those present, who are few, like always. At least I can ask those who hear us to reconsider their position and declare, as we do, that this is insufficient, incorrect and incomplete.

I know there will be other eloquent speakers specialized in labour relations who will rise on this point. I see the member for Mercier ready to speak and the member for Kamouraska—Rivière-du-Loup who comes from a labour relations environment. I am sure they will want to convince members present that these statements are sound and sensible. As far as I am concerned, I thought it was important to do what the member for Hochelaga—Maisonneuve suggested, in order to illustrate the extent of our opposition to this bill which is too limited and too simple. So I will yield the floor to my colleague, the member for Kamouraska—Rivière-du-Loup.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am rising at the report stage on this bill which provides that only civilian employees of the Royal Canadian Mounted Police will now be governed by the Public Service Staff Relations Act, and that staff relations for police officers be governed by the Royal Canadian Mounted Police Act.

To start with, I have to confess that when I was informed that I would speak on this bill, my thoughts were that, in Quebec, the Royal Canadian Mounted Police is not the police force with the most positive image. We had a few major incidents. I will simply remind hon. members that some RCMP officers were accused of planting bombs. Others stole the list of Parti Québécois members; a list on which I am proud to say I was. The Royal Canadian Mounted Police in the rest of Canada is also a municipal police force. It is a force which is more or less the equivalent of the

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Quebec Provincial Police for Quebecers, since it deals with everything from traffic to Criminal Code offenses.

It seems important to me that a police force like that one should have room to manoeuvre, enough independence to avoid a paternalistic system. When you look at Bill C-30 which we have before us today, and was C-58 in the previous session, we realize that it is exactly what it will bring. We will create a paternalistic system whereby the Commissioner of the RCMP will have almost life and death power over his staff. If, for example, an officer is not satisfied with a given situation, or with the way a case is being handled, and files a grievance, contrary to all the rules of staff relations, the adjudicator will be appointed by the commissioner. Therefore, we will have more or less the situation of a small shop union, a situation similar to what we had in the past in other areas, and this is not very good for staff relations.

• (1220)

This is not healthy in a processing plant, for example, but it is even more dangerous in a police force that has to apply the law in Canada. This may even lead to very difficult situations where police officers who work in Quebec could be asked, in a critical situation, to behave in a manner that is not necessarily in keeping with the law. These officers who are living under a fear regime to a certain extent would find themselves facing unacceptable situations and would have to choose between their job and their loyalty to their vision of things. In this regard, the government is trying, with the bill, to escape a reality, to pull on us a little bill that completely changes the relationship with RCMP officers, which I find unacceptable.

We must remember that this bill is the result of what we call the Gingras decision, where the courts said RCMP officers were like other public servants and should be covered by the legislation governing the public service. And the government decided that was not possible.

Should there not be indeed a special regime for peace officers as opposed to public servants? That is possible. That is very likely the right solution, but not in the form the government is giving it. It seems the government is stretching the limits, is trying because the Gingras decision, which was not favourable to it, to reverse the position in such a way that officers will become a little dependent on the commissioner and RCMP authorities. I think this is wrong in itself.

There are three different types of relations in the federal government labour relations spectre. There is the one governing the public service, with negotiations, which give certain results. On the other extreme, there is the one the government is proposing in this bill, where RCMP officers will ultimately find themselves with a very weak negotiating power. In my opinion, this legislation, if

passed in its present form, is only the prelude to other actions where workers' rights, the rights of those who work as peace officers will be gradually eroded.

Instead of taking advantage of the situation as it is now doing, I think the federal government should take the time to analyze the situation, to really negotiate with the union representing RCMP officers within a framework modelled after other similar frameworks that exist elsewhere. Of course, as we saw in the past, issues like the police's right to strike are very dangerous and can lead to unacceptable civilian situations. However, there is a way to manage labour relations so that RCMP officers still have the power to negotiate beneficial agreements with the federal government while remaining independent and not being in the untenable position of being unable to defend their views.

I think that, in the medium term, this decision benefits the government as much as it does RCMP officers. Because failing to create an acceptable climate could lead to events, to difficult situations, to lawsuits outside the established framework, which could translate into higher costs and situations that will penalize both the employees and the government.

We are not against having a special framework for RCMP officers, but against creating a paternalistic system that will give the RCMP commissioner inordinate powers over relations with the employees he manages.

Striking a balance is important because the police must enjoy sufficient freedom of action. We should heed the old horror stories concerning several police forces back in the 1940s, 1950s and 1960s, when these forces were underpaid or had to work in unacceptable conditions so that officers were forced to moonlight. They were very vulnerable to bribes and that kind of thing. A police force ought to be able to work in conditions that keep such temptation at bay.

• (1225)

At a time when the government is looking to cut everywhere to reduce operation costs to a minimum, it could be dangerous to create a framework where officers are not given enough leeway and where what powers they have and the working conditions they should have are being whittled away. It is not to play very fair to impose a framework like the one the government has in mind now, especially since there will not be only RCMP officers in the organization, but also civilian employees, and these employees will be subject to public service legislation.

This kind of situation, as we saw with the Department of National Defence, causes impossible imbroglios and often results in unnecessary expenditures. There will be cases where we will see two categories of employees competing within the same office. Difficulties will arise concerning hours on call and that sort of thing. The model developed for the Royal Canadian Mounted

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Police officers, constables and so on must be compatible with the existing model in civilian life.

If we want both models to be compatible, then the model they are being offered must allow for real negotiations, where comparisons can be made between what they are offered and what other employees are being offered and where, in the end, a decision can be made that will foster sound labour relations for years to come. What we are doing today—and it is somewhat surprising that it all fits in a bill barely two pages long, containing just four clauses—is completely changing employee-employer relations in this police force. This is not a very serious approach.

If we really want this police force, which is the most prominent one across Canada and which deals with extremely diversified matters—for example, outside Quebec, it deals with everything from traffic offences to criminal offences of all kinds, while in Quebec and Ontario, the provincial police takes care of some of that.

I think that dealing with the whole issue of setting precedents in a bill merely four clauses long will create a climate of confrontation for RCMP officers, their representatives and management, which may well be to the government's disadvantage, because, in these circumstances, the officers, when the time comes to define their—

The Deputy Speaker: Unfortunately, the hon. member's time has expired. The hon. member for Mercier now has the floor.

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, I will pick up where my colleague had to leave off abruptly. This Bill C-30, with its four short sections, simply blocks, voids and erases the effects of the court decision in the *Gingras* case. This bill will anger all police officers and all members of the RCMP.

If I had been told a few years ago that one day I would stand up in the House and support the RCMP, I would have smiled, to say the least. But in this case, the members opposite and the public absolutely have to understand that this police force and many of its members have long sought unionization. But they are mistreated by this bill which negates the result of their action; after all, if a ruling was handed down, it was because there had been complaints, and the case went to court because everything else had been tried first without success.

The bilingual bonus was the focus of the court decision.

• (1230)

But the decision in *Gingras* was far from limited to the bilingual bonus, because to rule on eligibility for the bonus, the court had to

determine the status of the employees. The legislation was such that, as the library research service has indicated, the only employer of the RCMP would appear to be the Queen. However, there is no direct link between the Queen and the Commissioner.

The judge wanted to determine the status of RCMP personnel. In doing so, he ruled that they were members of the public service and that they could be governed by part II of the Canada Labour Code dealing with occupational safety and health, and that they were eligible to receive the bilingual bonus, something which is not clear in any act, as long as it was also granted to others. In fact, the government complied with the ruling and started paying the bilingual bonus to RCMP personnel. Eventually, RCMP personnel might even have gained the right to become unionized.

For sometime, 16,000 RCMP personnel, 18,000 counting civilian employees, thought that they were public servants within the meaning of the act, and that they were governed by the Canada Labour Code. But what does the bill do? It abruptly eliminates the beginning of such recognition, the ability to have some rights recognized.

My colleague was absolutely right when he concluded by saying this was not good—to say the least—for staff relations. I think it is extremely bad.

When a group—not necessarily everyone—which is often the most conscientious, the most professional and the most vocal one, wants to have a say regarding staff relations, wants to get fair conditions and wants to put an end to paternalism and arbitrary decisions—that is basically what unionization is about—the government is bound to create a great deal of discontent if it resorts to its supreme power, the power to introduce legislation, to take away, with just four small clauses, what these workers thought they had finally won after years of efforts.

It is not good to have people in a position of power such as RCMP officers feel they are treated in a very unfair and arbitrary manner. Their status will almost be like that of the military. It is generally understood—I am not an expert in this field—that, in the army, the commanding officer is the authority. This is understandable, given the structure and the role of the army.

However, police officers must make decisions during the course of their work. They must take part in the organization of their activities. They have a right to be protected by the occupational safety and health regulations. They are professionals who want a degree of responsibility. They are law enforcement officers and they must comply with the notion of authority, but they also wish to negotiate their conditions of work with the authority appointed by the government.

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• (1235)

With regard to the bilingualism bonus, which concerns mostly francophones in Quebec and Ontario, it is particularly sad that the government is using this bill to remove the legal bond that had been acquired to obtain it. We can also understand—we know this is true for military life—that for francophones, life in the RCMP has not always been easy. Contrary to other public servants, they are not entitled to this bonus they have been claiming for a long time. Moreover, thousands of those who are claiming it are now retired. We can then understand the tremendous frustration this bill generates.

I cannot help but totally agree with the recommendation made earlier by the hon. member for Hochelaga—Maisonneuve, our critic for labour relations, who said that the government should not proceed negatively and try to restore a *statu quo ante* that cannot exist any more. Indeed, once a court, setting up a legal precedent with a well-founded decision, has come to the conclusions arrived at in the Gingras ruling, it cannot be just wiped out in four paragraphs. This is impossible.

There is nothing in this bill that says what actual conditions will apply. There is nothing either that says how the workers will be covered with regard to occupational safety and health. This is intolerable. This creates conditions that either feed the anger that is latent or is starting to emerge, or it generates something that is never desirable either in a private business or in a public organization, a feeling of discouragement or rejection. Many are coming to think: “If they give us no more consideration than that, we will act the way they consider us”.

In the area of labour relations—and it is like this also in many areas of life—people behave according to the way they are treated. Thus, it is highly unacceptable for an organization as important as the RCMP to treat its members like irresponsible children, because that is what it amounts to.

Therefore, we, in the Bloc Québécois, will continue to plead for the RCMP to have the means to be a more open police force, more responsible for its operations and also more transparent toward members of Parliament and the public.

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, I am pleased to take part in this debate on Bill C-30, an Act to amend the Public Service Staff Relations Act and the Royal Canadian Mounted Police Act.

As you know, I was active for 19 years in the labour movement in Quebec, and more particularly in the FTQ. Before that, I was a labour relations lawyer in Chile. So this is a subject matter in which I have some proficiency.

The right to organize and to bargain collectively has been considered important for a long time, and it is recognized in all

democratic countries, by the International Labour Organization, and ratified by most countries. This right does not exclude public servants or other public employees. These employees are also covered by the international conventions of the ILO, and more particularly by conventions on the right to unionize and the right of collective bargaining.

• (1240)

All workers in the private sector, in public corporations or in the public sector enjoy this important right. They can organize and negotiate with their employer. In this case, the employer is the government. We should not discriminate against this group of workers, the members of the RCMP, because they are part of a law enforcement organization. They are unionized members just like all other public servants. They should also be able to negotiate with their employer, which is the government. I see no reason why they should not have the collective bargaining right which is provided for in the Public Service Staff Relations Act.

I am against the militarization of police forces. I think the members of police forces have rights that must be recognized, including the collective bargaining right. It helps to create a better and healthier work environment, particularly between the employees and their boss. When working conditions are set unilaterally by the employer, the employees are, of course, annoyed and dissatisfied. However, working conditions resulting from free negotiations between the employees and the employer will naturally have a positive impact on the job atmosphere.

This is why I rigorously object to this bill. I am also against this bill because it excludes this group of public servants, i.e. RCMP officers, from the occupational safety and health provisions, which apply equally to all employees and workers. I do not see any reason why this group of employees should also be excluded from provisions which protect the rest of the workers.

Also, I do not see any valid reason why this group of public servants, employees or workers should not be entitled to the bilingual bonus. This bonus was introduced for all public servants. These people belong to the public service. They should be entitled to this benefit, which is important because they have to work in English, in French and even sometimes in another language, given the increasing number of immigrants who speak other languages, like Spanish or Italian. I was very glad to meet with officers of the RCMP who could speak Spanish, my mother tongue. These people should be entitled to the bilingual bonus if they are bilingual, that is if they speak both French and English.

For all these reasons, I am against Bill C-30 and, of course, I support the proposals put forward earlier by my colleague from the Bloc Québécois, the hon. member for Hochelaga—Maisonneuve.

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[English]

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would like to address my remarks, in a fairly brief fashion, to some of the issues before the House today with respect to the motions that have been put forward by the member for Bellechasse concerning Bill C-30, an act to amend the Public Services Staff Relations Act and the Royal Canadian Mounted Police Act.

• (1245)

With respect to the motions proposed to amend Bill C-30, they seek to do so by deleting three clauses. Each of Bill C-30's four clauses are intended to achieve a specific but interdependent legislative purpose. For that reason none of the individual clauses can be read in isolation from and without reference to the others.

Similarly, changes in one clause are impossible to make without serious consequences for the rest of the bill. The impact of any one of the hon. member's motions if carried would be more legal confusion or uncertainty caused by the conflicting references or gaps in the Public Service Staff Relations Act, the RCMP Act or the Financial Administration Act.

For example, clause 1 cannot be deleted as proposed by the hon. member's first motion. Doing so would leave conflicting references to the RCMP in the Public Service Staff Relations Act. Similarly, doing away with clause 2 of Bill C-30, which is the proposal put forward by the hon. member's second motion, would leave conflicting references to the RCMP under part I of schedule I of the same act.

Conversely, by deleting the third clause of Bill C-30 as proposed by the hon. member's third motion, there would be no reference to the PSSR Act or to the RCMP. If carried, this motion would leave the legal status of all RCMP employees open to question and without legislative basis under federal statute. I am certain the hon. member would not wish to create this type of uncertainty.

The House has examined the first three motions put forward by the hon. member for Bellechasse. I believe the government has clearly shown why these motions are simply not acceptable.

In all legislation brought forward by the government, it is brought forward after due consideration of how modifications to the legislation are consistent internally within the act for which they are presented and also consistent with provisions in other statutes put forward by the government. On a number of occasions, when amendments are brought forward and with respect to all hon. members who bring forward very discrete and distinct amendments to statutes brought forward by the government, often the interrela-

tionship of how these proposed amendments would affect the total bill or how they would interact with provisions in other pieces of government legislation are overlooked. That is the case in respect of the motions which have been brought forward.

A number of issues have been raised by hon. members in discussing this bill. First, the implication was made that somehow this piece of legislation interferes with collective bargaining. That is simply not the case. I will quote from a speech by the hon. solicitor general where he outlines exactly the relationship between the changes that are being proposed in this bill which are merely technical in nature and which merely seek to clarify ambiguities created by a tribunal or court decision in relation to collective bargaining.

Another issue I would like to comment on concerns collective bargaining. It has been suggested that Bill C-58 was drafted to prevent unionization within the force. However RCMP members have never had the legal authority to enter into collective bargaining and Bill C-58 does not change that. Collective bargaining is a completely separate issue from Bill C-58 and would have to be dealt with by the government and Parliament as a separate legislative matter.

I have been advised that collective bargaining is not a natural or inherent right but a right granted by Parliament only. Collective bargaining rights have never been extended to the RCMP members under either the Canada Labour Code, the Public Service Staff Relations Act or the RCMP Act. The Federal Court of Appeals decision in the Gingras case has done nothing to alter this fact.

I would like to observe in passing that the only issue dealt with by the court in the Gingras case was whether RCMP members were entitled to be paid the bilingualism bonus. The plaintiff raised no other issue and the court's ruling did not go beyond it.

• (1250)

I want to indicate that where qualified, individuals in the RCMP within positions that are designated bilingual are and always will be allowed to avail themselves of this bonus as long as the bonus exists.

Since May 1974, the RCMP has had its own system for addressing labour-management issues and which since 1989 has been provided for in regulations made pursuant to the RCMP Act. This is the RCMP division staff relations representative program, the DSRRs for short.

The program is an internal staff relations program intended to provide a communications network whereby members at all levels can voice their views and concerns through elected member representatives. The members of each division across the country elect at least one full time representative and two part time representatives. For example, "E" Division in British Columbia has six full time representatives and 31 part time representatives, all elected by the members of the division. These divisional representatives have direct access to all levels of management including the commissioner and the solicitor general.

The DSRRs also serve on 11 national committees that deal with issues such as pay, travel and relocation, and health and safety to name but a few. Consultation between management and these committees is ongoing. In addition, conferences involving the commissioner, deputy commissioners, all commanding officers and the DSRRs are held twice a year with the DSRRs setting the agenda.

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There is also the RCMP external review committee which provides neutral third party review of certain types of grievances, formal disciplinary and discharge and demotion appeals referred to it from the RCMP.

Furthermore, Bill C-58 does not create a separate employer status for the RCMP. This requires separate and specific legislation. However a consultative process is currently under way in the force involving the DSRs, which is examining the advisability of moving toward such status.

I should also confirm that Bill C-58 gives no additional power or authority to the commissioner. The bill simply confirms the status quo regarding the force that existed before the Gingras decision.

Again and to conclude, the purpose of Bill C-58 is to remove ambiguities raised by the Gingras decision and to confirm that the primary legislative authority governing the operation and management of the RCMP is the RCMP Act.

As I have indicated, the changes that are being brought forward by the government are merely technical in nature. They serve to remove any ambiguity created by the court decision as to how the management of the RCMP resolves that in favour of the status quo. As has been indicated, these are only technical changes. There have not been major changes or anything that would in any manner change substantively the governance of the RCMP.

● (1255)

With the greatest of respect to those who have put forward different points of view and to those who have put forward the points of view that there have been major changes, I wish to inform the hon. members I am certain it is simply a matter of error on their part. Major changes have not been made. To assure this House, if major changes were ever to be undertaken, it would be a significantly larger process than has been dealt with in this case where merely technical changes are required.

* * *

POINT OF ORDER

TABLING OF LETTER BY MINISTER OF JUSTICE

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I rise on a point of order. Yesterday during question period the Minister of Justice was asked if he would table a letter from the RCMP and he agreed to table that letter.

May I request that this letter, which to the best of my knowledge has not been tabled, be tabled forthwith.

The Deputy Speaker: The hon. Parliamentary Secretary to the Minister of Justice perhaps can assist the House on the question just raised by his colleague.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker,

first, we are in the middle of a debate completely unrelated to the point of order that had been brought forward by the hon. member.

The Minister of Justice made his statement yesterday. No doubt he will be living up to that commitment in due course. I would just proffer that statement at this time for the satisfaction of the hon. member.

The Deputy Speaker: Perhaps the hon. member for Cariboo—Chilcotin would indicate whether the letter he is referring to has something to do with the matter before the House now.

Mr. Mayfield: Mr. Speaker, it has to do with the business I raised. That letter is necessary for the continuing discussion. We would appreciate having it tabled.

Mr. Kirkby: Mr. Speaker, with respect to the hon. member, the request that was made yesterday of the minister to which he replied in the affirmative has absolutely as much to do with this debate as nuclear physics has to growing apples.

I would suggest that the hon. member simply await the reply of the minister.

* * *

PUBLIC SERVICE STAFF RELATIONS ACT

The House resumed consideration of Bill C-30, an act to amend the Public Service Staff Relations Act and the Royal Canadian Mounted Police Act, as reported (without amendment) from the committee, and Motions Nos. 1 to 3.

[Translation]

Mr. Bellehumeur: Mr. Speaker, I wanted to take part in the debate on Group No. 1. Is it over?

The Deputy Speaker: Usually, we hear all the interventions before the parliamentary secretary takes the floor but I do not think there is any problem.

Mr. Bellehumeur: No, that is fine. I shall speak on the next group of motions.

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

Some hon. members: Question!

The Deputy Speaker: The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

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Some hon. members: Nay.

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

And more than five members having risen:

The Deputy Speaker: The division on the motion stands deferred. It will also apply to Motions Nos. 2 and 3.

Mr. François Langlois (Bellechasse, BQ) moved:

Motion No. 4

That Bill C-30 be amended by deleting Clause 4.

[*English*]

Mr. Art Hanger (Calgary Northeast, Ref.) moved:

Motion No. 5

That Bill C-30, in Clause 4, be amended by replacing line 4, on page 2, with the following:

“47.6(1) For greater certainty, with the exception of Part II, the Canada”.

[*Translation*]

Mr. Langlois: Mr. Speaker, in his speech on the first group of motions, the parliamentary secretary said that they were only minor changes on which the opposition needs not ask so many questions.

• (1300)

We always thought the opposite, and the government's approach had been to say that they were in fact only technical changes. The bill was referred to the committee on government operations when it should at least have been sent to the justice committee or the human resources development committee, considering the radical and major changes it brings to the overall working conditions of RCMP officers and to their relations with their superiors.

This not an innocuous bill. We were told that it deals only with the payment of the bilingualism bonus to RCMP officers, but then one has to see on what legal grounds the decision was based. That is one of the biggest flaws in the reasoning of the parliamentary secretary.

A few moments ago I said that the Gingras decision was a trial decision of the Federal Court, but, in fact, it was an appeal decision of that court. The Appeal Division of the Federal Court ordered the payment of the bilingualism bonus to RCMP officers only because it could rely on a legal analysis saying that those officers have the same status as public servants. But if the officers are part of the public service, that means that they are covered by all applicable rules that stem from Treasury Board decisions and legislation applicable to the public service, including the bilingualism bonus policy.

The Appeal Division of the Federal Court did not decide on its own that they were entitled to the bonus, it had to make a legal

analysis of the situation. So, the whole question should not be downplayed.

In clause 4, and this is quite revealing, there is a derogation or interpretive clause that has a clearly retroactive effect. The clause reads as follows:

(1) For greater certainty, the *Canada Labour Code* does not apply to members, and members are not part of the Public Service within the meaning of the *Public Service Staff Relations Act*, nor part of the public service within the meaning of section 11 of the *Financial Administration Act*.

The purpose of Bill C-30 is quite obvious. If the government wished to keep this position, all it had to do was go before the Supreme Court and plead its case. In this country, we do not legislate retroactively except in very rare cases and for good reason. It is a way of legislating, referred to as *nunc pro tunc* in latin, by which the government is trying to ensure retroactively that if the officers were to go back to court and if Bill C-30 perchance were passed, they would be told that the law has been changed and that their rights can no longer be recognized.

Canadian courts do not need clause 4 in Bill C-30. It is up to them to determine what the state of the law is pursuant to the general provisions applying to every citizen. One clause, clause 4, is written only for RCMP officers. This clause does not apply to everybody. It applies only to one class of citizens. The government takes their measurements, the size of their coat, pants, shoes, and hat if they need one, and says that these people, RCMP officers, are not covered by the Canada Labour Code.

As my colleague for Kamouraska—Rivière-du-Loup mentioned a few moments ago, as did my colleague for Mercier, labour relations are a serious problem in the RCMP. There is an unhealthy climate, and a constitutional state such as ours cannot tolerate that labour relations be subject to the pleasure by the prince, in this case the commissioner of the RCMP, who dictates working conditions and refuses to share his supervisory powers with the country's regulatory agencies. We believe there should be a system, which could be unique to the RCMP, that would give members of this force the right to free collective bargaining.

• (1305)

Such free collective bargaining does not exist. Of course, there are divisional representatives who do their best but, as I was saying in my remarks on the first group of motions, the climate is such that the basic trust that should normally exist between management and employees is just not there. There will be a need for an outside agency to come in and help settle the disputes and legitimate grievances that may arise.

The myth that the RCMP exists outside our society must be destroyed. RCMP members are first-class citizens who have the right, like everybody else, to have their grievances heard by courts that are not prejudiced against them. When you look at the existing

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grievance adjudication process, the adjudicators can only make recommendations. They cannot make binding decisions.

I mentioned earlier the case of Staff Sergeant Gaétan Delisle, mayor of Saint-Blaise, who was reprimanded and who basically received a notice of discharge because he was a candidate in an election. That shows how serious the problem is. No other police force in Canada could have done this. Members of the RCMP are no different from members of the Sûreté du Québec, members of the OPP and members of most municipal police forces. Their right to free collective bargaining must be recognized.

The Gingras decision does not say explicitly that members of the RCMP can be unionized under Part I of the Canada Labour Code, but it opens the door. So let us allow the legal debate to take its course. Given that RCMP officers are considered members of the public service, does Part I of the Canada Labour Code apply to them? If so, they can be unionized under the Code. If, after this is done, it becomes apparent that it is not the appropriate regime for their collective bargaining framework, there will still be time to legislate a different framework, which could resemble what has been done in the case of the Sûreté du Québec.

The vast majority of RCMP officers are not claiming the right to strike. We could therefore consider a binding arbitration, or final offer, mechanism, as was often mentioned. In this sense, I support the motion to delete clause 4. The motion presented by my colleague, the hon. member for Calgary Northeast, is nonetheless a lesser evil, in the sense that if we had to include the right of police officers to unionize by leaving clause 47.6 in Bill C-30, the recognition that Part II of the Canada Labour Code, as it relates to health and safety at work, applies, would at least be a consolation prize.

I am therefore in favour of the motion by my colleague, the member for Calgary Northeast, but only for these reasons. I believe that the deletion of clause 47.6 basically resolves the entire issue and that the right to collective bargaining under the Canada Labour Code is the same everywhere in Canada.

[*English*]

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, in reference to the motions in group 2, in order for Reform Party members to support Bill C-30 fully, we seek a substantive amendment which would ensure continued statutory protection of RCMP officers under the Canada Labour Code. I do not believe the motion by the member for Bellechasse really satisfies our concern.

Motion No. 4 which states that Bill C-30 be amended by deleting clause 4, cannot be supported by members of the Reform Party.

Motion No. 5 asks that Bill C-30 be amended by adding directly following "for greater certainty", the words "with the exception of part II", which refers to the Canada Labour Code. Bill C-30 was

originally introduced as a housekeeping bill, but it became evident that the effect of this legislation could have serious implications on the rights of RCMP members.

• (1310)

Some concern exists that Bill C-30 in its present form would completely eliminate the application of the labour code to RCMP members. At present the RCMP has the protection of part II of the code concerning health and safety. There is no valid reason to justify the exclusion of the RCMP from the health and safety regulations listed in part II of the Canada Labour Code.

This amendment, if adopted, would maintain the health and safety protection of the Canada Labour Code for RCMP personnel. It would still exempt the RCMP from the Canada Labour Code overall, with the exception of part II, and it deals strictly with health and safety. Those are my comments in reference to Motion No. 5.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I believe it is very important to speak on this group of motions because the bill before us was introduced following a court ruling called the Gingras ruling, which has completely changed labour relations for employees of the RCMP.

The government showed very little planning in its response. The bill it introduced sets a very paternalistic framework for the RCMP officers. I believe this legislation is the best proof of it. If this bill is passed in its present form, the officers of the RCMP will find themselves excluded from the protection of the Canada Labour Code in the areas of occupational health and safety. This is astonishing proof of improvisation on the part of the government.

We all know very well that occupational health and safety is a very important issue in the work of police officers. They undergo considerable stress that can have serious physical and psychological effects. Police officers often have to go through stressful situations and have to deal with difficult human cases. This group of our society shows a very high suicide rate, family problems and all kinds of situations due to difficult working conditions.

Because this government is excluding them from the protection of the clauses on occupational health and safety in the Canada Labour Code, the RCMP officers will be somewhat powerless in terms of their rights to occupational health and safety. Yet, this group of workers is more exposed than others to work accidents and we are not talking here about small accidents but situations which can be very difficult, complex and have very serious human impacts.

We should not be holding this debate again today and this is why we believe the House should support this motion because we have

stressed the fact in the previous groups of motions—and I believe we proved our point—that this government is improvising and that this bill will give the Commissioner of the Royal Canadian Mounted Police powers which really are greater than those an employer should have, in a police force.

This motion is an example of the exclusion of RCMP officers from a significant area of particular concern to them, perhaps more than other categories of personnel, because of the impact of work-related accidents and health problems that may be experienced, due to the nature of their work.

Another example concerning police officers. They may develop back trouble, for example, because of ergonomic problems, and these are not recovered from quickly. Sometimes we have a bit of a tendency to scoff at such things, but for the person in that situation it is no joke. Police officers, particularly those in patrol cars, have about the same situation as people who drive for a living. The long hours they spend in a car requires ergonomic studies, processes to ensure that recurring problems are eradicated, for instance all the back problems these people are liable to develop. It would be important to ensure that, should they be dissatisfied with how things are being managed by the RCMP, they would have access to the appeal process and to adequate protection.

• (1315)

There are other safety elements. Police officers carry fire arms, and often have to deal with criminals and with illicit substances. There are many aspects of their work that involve safety, and it seems to me to be inappropriate that their labour relations regime can be modified with a bill containing only four clauses.

It has been decided that, in future, they would no longer be protected by the rules that apply to the public service as a whole. There has been a decision by a judge that they are to be considered members of the public service, but this decision has been modified considerably because the government does not accept it, and is taking advantage of the opportunity to deprive officers of proper protection. What should have been proposed is a model reflecting the needs of these peace officers. But, no. The decision was made to simply include them in the Royal Canadian Mounted Police Act, without any sort of protection.

It is a bit like taking people back to the beginning of the 20th century and forcing them to start a whole series of fights for working conditions all over again. Both employees and employers can be the losers in such fights. If occupational health and safety were not regulated for the public sector across Canada, we would find ourselves in legal proceedings.

Peace officers will perhaps be obliged to follow the traditional legal route, which takes a lot of time and creates a lot more

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frustration but produces essentially the same results in the end. Why would the government not listen to these proposals?

If the government does not want the framework governing the working conditions of the RCMP to be well thought out, it should at least give RCMP officers appropriate protection in matters of occupational health and safety to permit them to do their work in acceptable conditions and to give them recourse when difficult situations arise.

An officer of the RCMP in Quebec is involved primarily in the fight against drugs or similar matters. Elsewhere in Canada, officers also do patrol work. From personal experience, I know that the people in this area need special support to remain in good physical condition and to meet the demands of their work. In many instances, before there were relevant regulations, difficult situations arose.

People had to take legal proceedings, which they sometimes won and sometimes lost. It is not just in the interest of the officers concerned to have this problem properly resolved, it is in the employer's interest too.

These amendments relating to occupational health and safety, in a way, send the government a message that it did its job in a makeshift manner, that it should have provided a labour relations framework which would have allowed negotiation of acceptable work conditions. However, this is not the position the government opted for. Today, we are faced with this situation.

I would not be surprised if, one or two years from now, this framework needed to be changed, if a new proposal was introduced in the House to give back to the RCMP employees an acceptable labour framework. Occupational health and safety is an area where paternalism can be particularly pernicious.

In the field of occupational health and safety, there is a basic principle according to which the best way to address a health and safety problem is to eliminate it at the source. Very often, employers tend to seek solutions for the problem once it already exists. The best example is noise. The first thing that was done was to force the workers to wear ear plugs in order to reduce the decibel level. In the medium term, having a broader vision, it was realized that what needed to be addressed was the source of the noise.

• (1320)

In the absence of a proper framework to address this kind of problem, the employer is often going to close his eyes to cases reported reported to him, and the peace officer concerned will not have the appropriate means of redress. Then, we will be faced with more and more regular referrals to health professionals, more and more regular use of existing legal processes, because when the labour framework does not provide employees with the proper means of redress, they tend to seek justice through other avenues.

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As an employer, the government would be better off if it took the time to change the bill we have before us, to flesh it out so as to ensure that employees can be satisfied with their work conditions, feel more secure and do their jobs properly. The framework for negotiations will allow employees to change regularly their working conditions without necessarily having the Sword of Damocles over their heads in the person of the commissioner, who could say: "With the authority given me, I can take action if you make too many demands".

I hope the House, or in fact the Liberals, will accept to act on these amendments concerning occupational health and safety in order to give RCMP officers adequate working conditions and also to avoid numerous legal proceedings for employers, which would create significant costs and spoil the job atmosphere for police officers. If this were the case, it is mostly the client, the citizen that pays the price of such internal conflicts and, therefore, the government would not be carrying out its mandate to serve the population adequately.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, what a pleasure to speak to you again about this new group of motions.

I do not know if the government is finally going to agree with the official opposition that the situation we are in is of great concern, as the member for Kamouraska—Rivière du Loup said. We cannot behave as if the charter of rights did not exist. What is the use of having a government constantly reminding us about principles? How often have ministers risen in the House, the Prime Minister first and foremost?

How can we forget the Prime Minister's cries straight from the heart, sincere cries no doubt, telling us that we live in the greatest country on earth, a country based on freedom and democracy?

How, then, can this be compatible with the bill before us today and the way the government is going to treat these workers, these honest citizens, who have a particular mission to carry out in our society as police officers and rehabilitation workers, and who have to face situations that are sometimes critical or extremely thorny?

The truth is, and we must repeat it for the benefit of our listeners who have just tuned in, that in spite of decisions rendered by various courts of law and supreme courts, this heartless, stubborn government that is not listening, this doomsday government, which is coming to the end of the session and is akin to a government at the end of its mandate, is ignoring the most basic principles of democracy.

Let me review the facts. If the government implements this measure, 16,000 persons will be denied a very fundamental right, one which is the basis of democracy, that is the right to participate in the definition of their own working conditions. It is also the right

to be judged, in the event of a dispute, a conflict or unfair practices, by a third party who is neither judge nor party, as is the case for all public servants.

• (1325)

Why such an obstinate attitude? What is going on in the heads of the government members? What can the leaders of this government be thinking of to violate a moratorium whereby we were to examine the Canada Labour Code in September, just a few weeks from now, in accordance with the Sims report. You will recall that the former labour minister, who is now Minister of Canadian Heritage, had created a task force presided by Mr. Sims, a specialist in labour relations in western Canada, who, with the help of an industrial relations specialist, Mr. Blouin from Université Laval, and other members, decided to make some very specific recommendations to the government suggesting that the Canada Labour Code be updated, since no thorough review of that code had been done since 1972.

We had agreed that a parliamentary committee would hear witnesses who would speak about the review, the modernisation of the Canada Labour Code, and tell us how to proceed to update the first part pertaining to unfair labour practices, the second part on the OHSC or more precisely occupational safety, and the third part listing the minimum standards that are so important for all workers across the country who do not have a collective agreement.

We could have, in a very democratic and enlightened way, benefited from the debate the Minister of Labour, and member for Saint-Léonard, was hoping for. Instead, we are now in a very upsetting situation. You know that as the official opposition, we have a basic mandate to carry out. We must work to improve the government, to make it more and more efficient, to bring about a more enlightened government when dealing with the issues it brings up.

I do not need to tell you that with the government we have at the present time it is a full time job and, to be frank, we do not see the light at the end of the tunnel. There is no predictable way out for us in a foreseeable future. We do not see any way to improve this government, to improve its practices.

How can you expect any form of co-operation in this House, a co-operation which goes through you, Mr. Speaker, when the government remains as stubborn as it has been. Those who are watching us today, those who would like to understand what is going on in the Parliament of Canada, how are they going to react when they learn that there has been a decision, the Gingras decision, which said that the RCMP, the 16,000 employees—in fact 18,000—are part of the public service? But you know that the government is so—I do not know if you are going to let me say that—astute, although it is not what it really is, you know very well that it is not the word astute that I should be using, but devious,

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even dishonest; the government is so crafty that it is creating two categories of workers within the RCMP.

It allows 2,000 civilian employees to have access to collective bargaining. But it tells the 16,000 others that they do not. This is the extremely harmful, perfidious, age old theory of dividing to conquer.

Let us recall what is happening and watch as government members blush. I hope the Parliamentary Secretary to the Minister of Labour, who is with us today, will listen to what I am saying, because if this man has some conscience, if there is moral fibre in the government members, they must know they are going against decisions that were made by the courts.

The decision was clear and simple. How can government members support a bill that goes against the courts? That is what we are talking about today. We say, and we will repeat it again and again, and we will try, as opposition members, until we get a very concrete result, to have RCMP members obtain the fundamental right, the right that is enshrined at the very core of our freedoms of functioning, of our democratic freedoms here in Canada and in Quebec, the right to freely negotiate their working conditions.

Mr. Speaker, have you ever thought—I am sure you did, because I know you have an alert mind—about the number of hours we spend in the workplace? Sometimes, it seems quite unbelievable, but I must say it is because we spend many hours in the workplace. It is because we are far from having reached the leisure society the generation of the member for Rosemont had promised us that we must have interesting working conditions in a work environment, so that things go smoothly, so that workers are motivated. That certainly means something in a work environment, in a public body such as the RCMP.

• (1330)

Motivation is not without significance. We are convinced that motivation requires the right to negotiate freely, with full knowledge of the facts, as well as the right to be represented by a bargaining agent to determine working conditions.

We would have understood to a certain extent if a government member had risen to tell the opposition: “Yes, but you know that, for those who have a mission as specific as that of RCMP members, the right to strike must be examined very closely”. But this is not the issue. RCMP members, or the 16,000 workers concerned, are so reasonable—and they even have their own draft bill—that they are saying to the government and to the official opposition: “We do not want the right to strike as our last resort. We want what several municipalities have implemented”.

Members will recall that several police forces have exercised the right to bargain freely, and today we, as parliamentarians, are being asked to do something so reasonable that we cannot understand the

government’s refusal to see the facts. They are asking not only for the right to bargain freely, but also for binding arbitration. The word “binding” does have a legal meaning. It means that the parties are bound and must agree to allow a mediator to make a decision. This is the real issue.

We are not very proud of what is happening. We are witnessing the actions of a very petty government. And that is an understatement. These people have chosen to turn a deaf ear and they are about to shamelessly betray a principle which is central to the very functioning of our society. Canadians will not forget and their verdict will be pitiless because they will mobilize. We will help them. They will come to Parliament Hill. They will appear before parliamentary committees.

You know—and I will conclude because my time is running out—that the best way to oppose an idea in democracy is to propose a better one, but not to come to us with a skimpy piece of legislation that has only four clauses. This measure is so skimpy it is laughable. I do hope that the government will have second thoughts about it.

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, once again the hon. member for Hochelaga—Maisonneuve pointed out something important, because this really something lean and mean. This is a small bill. I am repeating myself, but this has to be repeated because it cannot be shown on television. It is incredible: the first page has three clauses and the second, only one, which is the most important. The rest is made of blank pages. This government talks about saving everywhere, but the saving was not well-founded in this case. I am in favour of saving in Parliament, but such a glaring saving of ideas is too much. We were not asking for that much saving when dealing with an extremely important subject.

What does clause 4 say, since it is the most important one? It says: “For greater certainty, the Canada Labour Code does not apply to members, and members are not part of the Public Service within the meaning of the Public Service Staff Relations Act, nor part of the public service within the meaning of section 11 of the Financial Administration Act.” This means that the 16,000 people working for the RCMP are not covered by the Canada Labour Code.

To replace that, the government brings forward this small, lean and mean bill comprised of four clauses. The hon. member for Calgary Northeast is right about the great probability that the government will get this small bill passed. There is a major omission: occupational health and safety. This is important for everybody, including the members of the Royal Canadian Mounted Police. As it is, there is no indication that these people will be protected in the future since it is made very clear that they are not covered by the Canada Labour Code. They are governed by what? This legislation only. Sometimes, people in Quebec say that

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collective agreements are too long, but this is not a collective agreement, it is a piece of legislation that is extraordinarily simple.

• (1335)

Any schoolchild in third grade who knows how to read can understand that. I am not an expert or a lawyer, but I can realize the bill says people in the RCMP are excluded. It does not say, though, what they will get to compensate. We are confronted with a legislative vacuum—maybe not a legal vacuum, because there are other statutes—but there is room for interpretation.

A more serious problem is the enormous power being given to the commissioner over his 16,000 employees. This will be almost unprecedented in Canada. He will have this power not only over trivial matters, but over very important ones too, as important as the RCMP investigation on the conduct of the former Prime Minister of Canada. That is quite something. This fact is recognized, but at the same time, Bill C-30 would set the operational context.

I do not know what judges or commissioners will be able to do when arbitration time comes, but the power of the RCMP commissioner is enormous. That is why I tend to agree with the hon. member for Hochelaga-Maisonneuve when he says that after less than three years in its first mandate, this government is already spent and bankrupt.

Since the beginning of June, Liberal members are silent. If it were not for the official opposition members, I think it would be rather boring, because very few Liberals, who are the ones introducing the bills, present arguments in favour of their bills. What are we to understand? Are they so eager to go on vacation that they simply want to close this place down? Is that it? Then, listeners could well wonder what members are paid for. They may not be overpaid, but they are paid to represent their constituents in the House of Commons. What do they do? They introduce bills, say a few words and then leave.

Opposition members move motions and amendments, as we have just seen, but not one Liberal member rises to speak. Where are they? Are they out playing golf? Have they gone fishing? Where are they? We have been here since this morning and, of course, we cannot speak about the members who are absent, but the least we can say is that they are not exactly present. However, the few members who are here could at least take the floor! They keep silent. These last few months, they have honoured a code of silence. This Bill C-30 could be known at the code of silence legislation, because it is so thin. The Liberal members have stopped speaking in the House of Commons.

What is going on? I think we have here a rather serious political problem. A number of hon. members have expressed their opposi-

tion to the bill allowing Newfoundland to change its education system and the Prime Minister said that there would be a free vote. Thank God for the hon. members of the opposition. I wonder if the bill would have passed without their support.

I do not want to be impertinent, but I have noticed a connection between the series of bills recently before the House and the behaviour of the Liberal members, which have more than one person worried. I find it strange that the media have not picked up on this. Also, they do not seem to be in a hurry at the end of this session, because they are waiting for a specific bill to come back from the other place. In the meantime, they are just marking time, killing time, and not introducing any legislation. But when they introduce bills, they should argue! This is incredible!

• (1340)

I call upon the members across the way. They still have time, in the next two hours, to participate in the debate on this bill so that we can do our work as parliamentarians, that is, the government presents a bill, explains its advantages, and the opposition reacts, criticises and shows the bad sides of that bill.

After that, people can make their own minds. They can also change their minds and propose amendments, but now the situation is inanimate, senseless, nothing is happening. There is no debate because the only team willing to play is that of the opposition, because it takes its work seriously.

We are asking ourselves some very serious questions about the content of the bill. The first three clauses are normal and prompt no comment. The fourth one denies a number of rights which are not replaced by others and are not specified. Where will this lead? I fear an incredible backslide, the emergence of a system where one person has immense power.

There are problems within the RCMP, as shown by the incident at the Prime Minister's house and the inquiry into the case involving a former Prime Minister. I would never dare criticize members of the RCMP because I think they lack supervision and, at the same time, managers, heads of departments and commissioners have too much power.

Given that context, these people act as people will. They go every which way as we say. I ask those Liberal members who have something good to say about this bill to rise and present their arguments so that the Canadian public and the 16,000 members of the RCMP, those guardians of the law and order in our country, will accept it.

I ask them to take advantage of this forum, the Parliament which costs us something everyday and every hour. They should respect Parliament and put forward their positive arguments in support of this bill. I cannot see a single one, but I am very willing to listen.

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Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I thank my admirable colleague for his speech. I would like to ask him—

The Deputy Speaker: There are no questions or comments.

Mr. Lebel: Very well. I was going to ask him a question, but I think I can still do so in my speech. I am certain you will agree with me, Mr. Speaker, as usual.

How are RCMP officers going to react to the fact that they cannot hope to enter into collective bargaining, or have a safety code, in short to do what all other workers are allowed to do today, namely, get together and have their voices heard.

I am afraid that this bill will deprive RCMP officers of any hope to find a balance between their status and the status of all other Canadian workers, who have the right to join forces, and sometimes are compelled to by the social context. From now on, RCMP officers—that is the police officers of the RCMP—will not be allowed to engage in collective bargaining, or to form unions or brotherhoods. All these things that give hope to other workers are henceforth taken away from them.

What is their attitude going to be with regards to their work? What is going to motivate them to proudly discharge their duties if, year after year, their pay scale is going to lag behind those of other police forces, construction workers or workers in any other fields?

Are RCMP officers going to find themselves in the same situation as some members of the armed forces? According to a news item the minister of defence is careful not to comment, military personnel from Quebec who had been transferred to Vancouver had to go to the British Columbia welfare office to cover the shortfall between their military pay and what they need to live on in Vancouver.

• (1345)

I know you agree with me, Mr. Speaker, as always. Except that, do we wish the same thing for RCMP officers? Is this yet another roundabout means, a trick this government has found to make provincial governments pay for a part of its police officers' salary? There is some machiavellism in that. I refuse to recognize there is some good faith in a bill containing four clauses. In fact, it contains only one, because the first three say this is a piece of legislation, which we all figured out here, but there is one that is fundamental, and it is clause 4. It takes away all rights from our police officers' elite.

I think the government is also relying greatly on the fact that the Royal Canadian Mounted Police has been in existence since 1873, I believe, and the member for Bellechasse, who is knowledgeable, may correct me if I am wrong. It has been turned into a religion in some families. First of all they want a priest in the family, then a

RCMP officer. And the government has used that ever since. It used the fact it was a vocation for many who joined the RCMP to underpay them, to impose working conditions that would not have been acceptable anywhere else, but it did so in the case of the RCMP because it was a religion.

Religion means privation, of course. Privation means unfulfilled needs, needs that are not compensated for. It can end up being dangerous. There have been unfortunate occurrences like the recent one involving a career officer in the RCMP who turned his service weapon against himself because he was suspected of some wrongdoing, maybe rightly so, I do not know, because I have not investigated the matter. He was allegedly involved in something improper, according to the media—which I do not always trust—and he killed himself. If this man had been adequately paid, if his dignity had been recognized in his work and duties, if he had had the same opportunities as his fellow officers, if he had been able to afford going to the restaurant once in a while, with his wife and kids, maybe he would not have committed suicide. But these people are asked to behave as if their occupation was a vocation, like priesthood. “You are paid less”. And, in polite terms, they are told: “Shut up. Do not demand anything”.

Things have to get really awful before an RCMP officer complains about anything. I can see that when I sit on the scrutiny of regulations committee. Retired RCMP officers have been cheated for 15 years in the calculation of their pension benefits. But during that whole period, not a single one of them has launched proceedings to argue for his rights before the trial and appeal divisions of the Federal Court of Canada. An RCMP guy never demands anything. Does a priest ask God anything for himself? Never. It is just the same with the RCMP.

Had this problem happened in the public service, it would have been quickly brought before the Supreme Court of Canada, and justice would have been done, but the RCMP is like a religion or like priesthood. You never ask for anything, and if you do, you do so humbly and never demand anything. If your request is not granted, well—

I have seen a member of the Royal Canadian Mounted Police sell his house at something like \$15,000 below market value for fear of making a profit he could be criticized for by his superiors. This is as true as the fact that you are in your seat, Mr. Speaker. I know that you are listening, as always, and I thank you for that.

I would imagine that, coming from so far away, the hon. member for Bourassa has known a police force or two. He must have encountered police officers who not as patient and amicable as our RCMP officers. He has seen it all, the whole range of police forces. He can tell you himself—I am not putting words in his mouth—that we are well served by the RCMP. We have come to rely on the members of the RCMP, who have become, at least in our minds,

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some kind of missionaries. They are paid less than they should be for the work they do. There are members of police forces much less important and definitely not as endearing as the RCMP who are paid better. Personally, I suspect that we pay more for RCMP horses than RCMP officers. This flies in the face of reason. Of course, they do have very fine horses.

• (1350)

All this to say that we must do our police officers justice and throwing bludgeon legislation like this at them is certainly not the way to go about it. How nice: Tourists come here to see the changing of the guard, with the big fur hats and all. It looks good, but the fact is that the person under the hat is not paid or underpaid. This person is not entitled to the same pay as anyone else. I do not know many people who would agree to stand there under a hot sun with a fur hat.

I would therefore ask the sponsors of this bill to reconsider and try to understand where others are coming from, to understand the tragedy for these people of having no bilingual bonus and no collective bargaining. In fact, all they are allowed to do is to ride their horses and shut up. This is really not the sort of life one would expect.

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, I would like to make a few comments on the issue of staff relations between RCMP officers and their employer, the government, from a perspective which concerns me somewhat, namely staff relations and public offices which RCMP members can hope to hold.

I am referring, as you know, to the case of the RCMP officer who got involved in a municipal election and was sharply reprimanded by his superiors. Such is the current staff relations policy within the RCMP regarding this issue. Incidentally, such an attitude also prevailed elsewhere, including in the Quebec public service, of which I am a former member. Until 1976-77, any public servant who got elected in Quebec had to resign from his or her position in the public service.

This, of course, was a serious injustice to public servants, who not only had to make the major decision of whether or not to run for office, but to accept the fact that they would have to resign if they did get elected. I am among those who fought at the time to ensure that the employer, that is the Government of Quebec, treated its employees more decently and more fairly and in a less arbitrary and demanding way.

The act as it stood in 1975, 1976 and 1977—which had been as all acts enacted by men and women—was amended by the Parti Québécois government and nowadays the Quebec public servants who have the honour of being elected in their ridings to the National Assembly of Quebec do not have to resign, since they are entitled to a leave of absence without pay for the whole time they sit as an MNA and when they leave politics they have the choice,

depending on the length of their terms, of simply going back to their jobs in the Quebec public service.

That gives you an idea of how far we are from implementing that type of solution with the Royal Canadian Mounted Police and the Government of Canada and their employees. I met the officer who ran in some municipal election and who brought down his employer's wrath upon himself. That man was badly hurt; he was a victim, I think, of a major injustice, of some kind of abuse of authority, of the latitude given to his employer, because there is no rational or justifiable reason for the Royal Canadian Mounted Police to be so hard on its employees, to be so demanding.

The right thing would be for these people, as for all other workers, to be able to get a leave of absence without pay and to go back to their jobs after their terms, if it is possible, and I am talking here about members of Parliament. We could even stipulate that Royal Canadian Mounted Police officers cannot be elected to the House of Commons, because they would then be part of one of the entities acting as their employer, since the Government of Canada is the employer of the RCMP. But to go so far as to prevent an RCMP officer from running as mayor or town councillor is, I think, an abuse of authority worthy of condemnation.

• (1355)

It seems that with this bill now before us, the government is maintaining that policy which restrains rights. It is a question of fundamental human rights to recognize that someone is entitled to be chosen by his community to represent it. We cannot, for purely—not to say meanly—administrative reasons, deprive someone of a right as fundamental as the right to run in an election.

I am pleased to have the opportunity today to share my personal experience with you. Legislation in Quebec in this regard has changed significantly. If one was a public servant in Quebec, one had to resign after having been elected as a member of the national assembly. This law was passed by men and women.

Today, because the government listened to peoples' demands and representations, the law was changed so that now a leave without pay is granted. Why do we not do the same thing with RCMP officers, maybe with the required differences and subtleties?

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, Bill C-30 concerning the members of the Royal Canadian Mounted Police should be rejected. The decision made on March 10, 1994, by the Federal Court-Appeals Division in the Gingras case was very clear. RCMP officers are members of the federal public service and as such they have the same rights as the other public servants.

They have the right to unionize and to bargain collectively with their employer. These principles are recognized in all democratic countries: The right to unionize and the right to bargain. These principles should also apply to the members of the RCMP. The

International Labour Organization was very clear on this: Those principles apply to all wage earners.

I would like to come back to what my colleague from Chambly said earlier when he commended the RCMP. I agree with him that the RCMP is fulfilling a necessary, an essential function and that it is a democratic and very professional police force. I am satisfied when an RCMP officer is fighting against drug trafficking, for example.

RCMP officers should have the same rights as the other public servants, the other wage earners, that is, for example, all rights in terms of occupational safety and health. A colleague mentioned that they are sometimes exposed to the same dangers—

The Speaker: My colleague, it being almost 2 p.m., you will still have the floor and you will be able to continue after Oral Question Period. We will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[*English*]

ALZHEIMER'S DISEASE

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, Alzheimer's disease affects more than a quarter of a million Canadians. The cost of the disease is over \$4 billion per year.

I recently had the opportunity to meet with the Alzheimer Society of Ottawa-Carleton. It believes it is vital to protect and strengthen the principles of the Canada Health Act to ensure that an effective system exists to meet the needs of Canadians.

Alzheimer organizations across Canada have identified three specific priorities: to reform Canadian tax laws to provide financial relief for Alzheimer family care givers; to recognize Alzheimer's disease as a priority of the national health research development program; to expand federal program grants that benefit people affected by Alzheimer's disease.

Alzheimer groups continue to work hard to address the needs of Canadians who must live with this disease. I congratulate these dedicated individuals and organization on a job well done.

* * *

• (1400)

FARM CREDIT CORPORATION

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, more than a month ago I drew the attention of the minister of agriculture to a restrictive trade practice by the Farm Credit Corporation. He has not yet responded.

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Farm Credit makes feed loans to cattle producers. However, it appears that these are all channelled through Heartland Livestock Services, which then handles all the sales. This puts private auction markets at a severe disadvantage since they are, in effect, forced to compete against federal government money.

Independent dealers have been cautioned that the FCC has first call on sale proceeds from any cattle that they receive bearing a Heartland brand. Thus, besides being subject to unfair competition, the independents must also act as Heartland's collection agency if a producer attempts to default.

Independent dealers' tax dollars are being used to favour a huge competitor. When will the minister get off his duff and investigate this complaint?

* * *

NEW DEMOCRATIC PARTY

Mr. John Solomon (Regina—Lumsden, NDP): Mr. Speaker, the love affair between the media, the Liberals and big business continues. What Canadians want and need is not getting reported fairly by the media or acted on by the Liberals. Canadians need jobs, fair taxes and sensible social programs. The only party in Canada that fights for what Canadians need is the NDP.

Fortunately, ordinary Canadians are ignoring the big business message of the media and the Liberals, and even though the Liberals deny New Democrats full access to Parliament, more and more Canadians are listening to our message.

How do we know this? In Saskatchewan the NDP government was re-elected. In Manitoba the NDP leads the polls. In the recent Halifax byelection the NDP got 65 per cent of the vote. In B.C. the NDP government was re-elected. Last night in the Hamilton byelection the NDP finished a strong second with 26 per cent of the vote.

While the media prop up the Liberals who betray Canadians, more and more Canadians are ignoring both and voting for the party that is on their side, the NDP.

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[*Translation*]

ECONOMIC DEVELOPMENT

Mr. Maurice Godin (Châteauguay, BQ): Mr. Speaker, I am pleased to inform this House that an international event took place in the riding of Châteauguay at the end of May. The Société de développement économique de Roussillon organized the first ever international matchmaking session.

People from fifteen countries took part in this event, their objective being to develop and strengthen contacts with businesses

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from other countries. They came from the United States, Mexico, Europe, Asia and several Canadian provinces.

I want to congratulate SODER, its industrial commissioner and all the volunteers who contributed to making this event, the first of its kind in Quebec, a success. I salute this outstanding initiative which shows the strength of a Quebec that is open to the world, capable of forming partnerships, particularly with the rest of Canada, and ready to take its place within the international community.

* * *

[English]

FISH STOCKS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the government should vigorously pursue efforts to enshrine in international law Brian Tobin's efforts to save marine fish stocks.

Rising world demand, indiscriminate industrialized fishing and environmental changes have stressed global fish stocks to a critical level. This is not a problem that can be solved by any one nation working alone. International action, leading to truly global fish stocks legislation, is necessary.

While putting our own house in order, the Ministers of Fisheries and Oceans, Foreign Affairs and the Environment should continue to push vigorously for international laws to protect straddling fish stocks and highly migratory fish. Protection of particular stocks is a good first step toward global fish stocks management.

* * *

MULTICULTURALISM

Ms. Susan Whelan (Essex—Windsor, Lib.): Mr. Speaker, the Multicultural Council of Windsor and Essex County has just completed its annual Carousel of Nations, celebrating the ethnic and cultural diversity of Canada, this year with the theme of "Art: A World without Boundaries". Every year for two weekends in June this celebration attracts thousands of Canadian and American visitors to the area and provides entertainment, food, a touch of history and the cultural diversity of the various ethnic backgrounds that make up our country.

This weekend, however, was very special. On Saturday, June 15 a new village was inaugurated. With the help of many friends, neighbours and esteemed colleagues, the Canadian Unity Village was opened. This village brought together the special qualities that were demonstrated during the Montreal rally in October. Canada's largest national flag, which highlighted the October rally, was donated to the village by the Windsor Jaycees and provincial flags

lent by my colleagues were mounted to give a panorama of our beautiful country.

• (1405)

The Canadian Unity Village was a tremendous success and the celebrations at all the Carousel villages were wonderfully prepared and visited by thousands of tourists in an atmosphere of friendship and communication.

It is events like these that encourage mutual understanding and co-operation, and show why Canada is ranked number one—

The Speaker: The hon. member for Egmont.

* * *

DOUG MACLEAN

Mr. Joe McGuire (Egmont, Lib.): Mr. Speaker, the Stanley Cup playoffs are over and the coach of the Florida Panthers has returned to Prince Edward Island for the summer.

Doug MacLean, a native of Summerside, has accomplished what no Islander before him and indeed what very few Canadians have accomplished. He coached his team for the NHL finals.

The odds of making an NHL team as a player are very high. The odds of coaching an NHL team and having that team go to the Stanley Cup finals are infinitely higher, but Doug has done it in his first year as head coach of the Florida Panthers. Last Friday, there was outpouring of warmth and pride in Doug's accomplishments from the people of Summerside and P.E.I. in general.

As much as anyone can be, Doug MacLean is a self-made man. His determination and personality have made him the best coach in the NHL. All Islanders have their fingers crossed as we await the announcement of the coach of the year in the NHL.

I urge the House to share in my congratulations to Doug MacLean, his immediate family and parents for a job well done.

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[Translation]

TRIBUTE TO GILLES BEAUMIER

Mr. Bernard Deshaies (Abitibi, BQ): Mr. Speaker, last November, Gilles Beaumier, a letter carrier in Amos, in my riding of Abitibi, was crossing the bridge over the Harricana River when he saw a young woman in the water. Risking his life, Mr. Beaumier did not hesitate to jump into the freezing waters to help this woman whose life was saved thanks to his quick reaction.

I want to salute Mr. Beaumier and to congratulate him, on behalf of all my colleagues in this House, for the bravery and great compassion he has shown. For all his fellow citizens, his action is a mark of exceptional courage.

In recognition of this courageous act, Mr. Beaumier's employer, the Canada Post Corporation, gave him the Golden Postmark Award in the outstanding achievement category.

This official reward is well deserved. We express our admiration and extend our warmest congratulations to Mr. Beaumier.

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[English]

PARKS CANADA

Mr. Cliff Breitkreuz (Yellowhead, Ref.): Mr. Speaker, in April, Parks Canada hiked the price to hike in Jasper and tourists are not taking it lying down. The increased fee structure is not only confusing, it is in complete disarray.

These ridiculous rates are totally outrageous and Parks Canada is dreaming if it actually believes a head tax will balance the books. It is a sad day when the Liberals try to save their economic skins by soaking Canadian families.

Our national parks should be an affordable destination. Families are being discouraged from enjoying the beauty and splendour of our national parks. And thanks to the Liberals, business in Jasper has suffered. Some hotels have seen business decrease up to 25 per cent because people are driving on through to skirt the tax.

When will the Liberals realize that taxes, taxes, taxes kill jobs, jobs, jobs?

* * *

[Translation]

FIRST MINISTERS' CONFERENCE

Ms. Marlene Catterall (Ottawa West, Lib.): Mr. Speaker, today the Prime Minister gave a speech at a joint meeting of the Ottawa-Carleton Economic Development Corporation and of the Regroupement des gens d'affaires. He spoke about the tasks awaiting the first ministers at their meeting later this week.

[English]

This meeting will continue the process of the last two and a half years of governments working together for the good of the nation, following the successful examples of the infrastructure program, Team Canada trade missions and progress on removing internal trade barriers. This first ministers' meeting will be a further step in restoring a healthy economy and together doing all we can to ensure Canadians have jobs and opportunity.

The ministers will work on removing irritating conflicts between federal and provincial roles. They will work to develop a national plan to eliminate child poverty.

S. O. 31

This is not the magic wand and pouf of the Reform Party that would dissolve the nation into provinces—

* * *

[Translation]

HAMILTON EAST

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, the people of the federal riding of Hamilton East have re-elected their Liberal MP for a fourth time, with a very respectable majority.

Our colleague, who will be back with us soon, decided to put her seat on the line after the opposition parties claimed that our government had failed to deliver on its promise to abolish the GST.

• (1410)

Sheila Copps was brave enough to leave the decision in the hands of the voting public. On the strength of yesterday's results, the verdict is clear.

The people in the riding of Hamilton East are in agreement with our government's policies, and particularly our decision to harmonize provincial sales taxes with the GST.

We are confident that Sheila Copps will continue to do everything necessary to represent fully the constituents of Hamilton East, who have again demonstrated their confidence in her.

* * *

AEROSPACE INDUSTRY

Mr. Raymond Lavigne (Verdun—Saint-Paul, Lib.): Mr. Speaker, Mirabel's Bell Hélicoptère Textron has just announced a project to invest over \$400 million. Recognizing the value and the great potential of this project, the governments of Canada and of Quebec have promised to make a repayable contribution of \$13.4 million, in addition to providing tax credits of close to \$2.8 million.

Thanks to the development of this new product, Bell Hélicoptère was able to create 250 new high level jobs, in addition to ensuring the continuation of 260 existing jobs.

This major investment shows once again that greater Montreal is truly the aerospace hub of Canada.

* * *

VOLUNTEERS

Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ): Mr. Speaker, this afternoon, an exceptional citizen of Mégantic—Compton—Stanstead, Mrs. Jacqueline Myre, who is present in our gallery, received an honorary certificate from Voluntary Awards Canada.

Mrs. Myre started several original initiatives to help our senior citizens in the regional county municipality of Haut-Saint-François, in the Eastern Townships. In addition to helping create eight mutual aid networks and four natural helpers' groups, she

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chairs the Senior Independence Committee and the Senior Citizen Abuse Awareness Project. She also developed a regional structure for the Active Living Program, which provides our senior citizens with fitness classes adapted to their needs.

Mrs. Myre, you have all our admiration. Please accept our most sincere congratulations for that well deserved honour.

Some hon. members: Hear, hear.

* * *

[English]

CORRECTIONS CANADA

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, the political hacks at the parole board are a little burnt out these days. An internal investigation revealed yesterday that David Barlow got parole in 1993 because he was a burnt out killer. He was 54 years old. The parole board admitted it ignored important evidence on this career killer.

Never mind the history of violence, including murdering a police officer, killing a 70-year-old store owner in Fredericton and twice escaping from custody, he was probably burnt out so let us let him go.

He burnt out, all right. He burnt out of jail and within a year was charged with robbing a Zellers store at gunpoint and opening fire on the RCMP in a busy mall in B.C.

Never mind the victims, never mind the RCMP, never mind the terrorized clerk at Zellers who had a gun stuck in her face. Barlow is back in the hands of Corrections Canada where "the lowest sentence is the law".

* * *

HAMILTON EAST

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, last night Hamiltonians showed that they will stand up for someone who stands up for them.

Sheila Copps kept her word to the voters of Hamilton East. She put her seat on the line and gave her constituents the opportunity to judge her performance for themselves. The voters made their democratic choice very clear.

What Sheila stood for was fairness, compassion, job creation, clear support of medicare and a strong voice for Hamilton in the government. The people of Hamilton East responded to the message and we all look forward to Sheila returning to Parliament and delivering that message.

I know that Sheila is proud that during the campaign she canvassed every street and every poll in Hamilton East. The people of Hamilton East clearly supported her and her message.

I extend the congratulations of the entire caucus to Sheila Copps. It will be a pleasure to have her back in Ottawa and to resume working with her.

* * *

● (1415)

BILL PARKER

Mr. John Murphy (Annapolis Valley—Hants, Lib.): Mr. Speaker, Acadia University in my riding of Annapolis Valley—Hants is truly losing one of its biggest assets. On July 1, Mr. Acadia, Bill Parker, is retiring from his position as vice-president of external relations after 33 years of service to that university.

Bill's relationship with Acadia was developed during his time as a student 40 years ago. Over the years, his commitment to the university has never wavered. Through Bill's leadership and participation, fundraising drives have brought the university over \$50 million from the private sector since 1963.

As well as helping serve and bringing new buildings to the university and developing new programs and scholarships, Bill is quite simply known as Mr. Acadia.

I have had the honour of knowing him very well over these last number of years and can say honestly that his presence will be greatly missed and his legacy will not be forgotten.

ORAL QUESTION PERIOD

[Translation]

FIRST MINISTERS' CONFERENCE

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, the Prime Minister is getting ready to meet the premiers at a conference where he will probably announce the federal government's intention to withdraw from some areas of provincial jurisdiction in which it is now involved.

My question is for the Prime Minister or the Minister of Intergovernmental Affairs. Will the Prime Minister admit that the federal government's withdrawal from areas of provincial jurisdiction in which it is now involved can only be done by transferring at the same time the funds now spent by the federal government in these areas? Otherwise, this will be nothing but a dumping operation likely to place the provinces in a difficult financial situation.

Oral Questions

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the purpose of the meeting is to enable the two orders of government to work together, even better than they do now, to provide Canadians with better services at a lower cost. And we will succeed.

In some areas, it is important to better clarify the respective roles played by the two levels of government, as in the case of mining and forestry. In other cases, the federal government will transfer substantial amounts to the provinces. For example, \$2 billion will be transferred for active employment measures over the life of this program. The federal government will also transfer \$1.9 billion to the provinces for the management of some 660,000 social housing units.

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, in this regard, given the extremely high cost of renovating our social housing stock, the Prime Minister said he wanted to give this area back to the provinces.

Given, then, the substantial amount of renovation work needed, is the government committed—it is important to set the record straight on this—to withdrawing from this area, but only if it helps pay for the work needed to repair all these social housing units?

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, we are committed to transferring the money we now spend on social housing.

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, what I want to find out from the minister—It is important to set the record straight. The minister talks about the money now spent by the federal government, but we know that the government is not spending anything on repairs to our social housing stock, which has been deteriorating for several years.

My question to the minister is this: Is the federal government preparing to transfer to the provinces apartments in need of major renovation work, thus forcing them to pay exorbitant repair bills? Is this not an example of the kind of federal withdrawal that is tantamount to dumping on the provinces?

• (1420)

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, our commitment is clear. The Leader of the Opposition, however, should make up his mind. Does he want us to withdraw from areas of provincial jurisdiction, yes or no? We said we would continue to contribute the same amounts as at present, to be administered by the provinces. Any savings will benefit the provinces, which will be able to do more with the same amount, as there will now be a single level of management.

The provinces should make up their minds. If they do not want us to withdraw, we will not.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, the Prime Minister gave as an excuse for putting the securities issue on the agenda of the first ministers' conference the fact that it was requested by a number of provinces. Six provinces also asked the Prime Minister to put the GST on the agenda.

My question is for the Prime Minister, the Acting Prime Minister or the Minister of Intergovernmental Affairs. How does he explain his refusal to put the GST on the agenda of the first ministers' conference, as requested by six provinces representing 90 per cent of the Canadian population?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the GST issue will be discussed very soon at a finance ministers' conference.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, when a number of provinces ask that the Canadian social policy be on the agenda, the Prime Minister puts it on the agenda. When other provinces ask that securities be on the agenda, the Prime Minister agrees to put this topic on the agenda. But when six Canadian provinces ask that the GST be on the agenda, the Prime Minister says: "No, we will not discuss the GST".

My question to the Minister of Intergovernmental Affairs is this: Why does the Prime Minister not want to talk about the GST, an issue of interest to the four western provinces as well as to Ontario and Quebec? Is he afraid?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, one of the comments made was that the agenda was quite heavy and that there might not be enough time to deal with everything on it. This is a very good point, but I think that, if we keep a tight schedule, we should be able to go through the whole agenda.

The opposition would like to add yet another item. A number of provinces would like to discuss several other issues. But we have had to make a selection to put the agenda together. If it is too heavy, it will require a great deal of discipline on the part of the ministers to deal with all the issues constructively.

* * *

[English]

TAXATION

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, in his—

Some hon. members: Oh, oh.

The Speaker: The hon. member for Calgary Southwest.

Mr. Manning: Mr. Speaker, in his luncheon speech today the Prime Minister outlined the subject matter of the first ministers conference that will be held later this week.

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In particular he said job creation will be one of the main themes of the discussion. The key to job creation in this country, particularly private sector job creation, can be summed up in two words: tax relief. It is taxes, taxes taxes that kill jobs, jobs, jobs.

If job creation really is an objective of the first ministers conference, why is tax relief not front and centre on the agenda?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the government's record on job creation is already excellent. There have been 600,000 new jobs already created since our mandate began, some 150,000 created in the last six months alone. The job creation record of the government is top notch.

• (1425)

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, its record on job creation is 1.3 million unemployed, 2 million to 3 million under employed and 1 out of 4 Canadians worried about their jobs.

When the Prime Minister goes into that conference at the end of the week, of the ten premiers there, eight will have either balanced their budgets or run surpluses. All those premiers are in a position to actually deliver tax relief to their people, whereas the federal government will be taking \$25 billion more out of the pockets of Canadians next year than in its first year in office.

Is it not true the federal government is at the back of the pack when it comes to tax relief and that is why it is unable to provide leadership on this subject at the first ministers conference?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, speaking of people who are at the back of the pack, despite being at the back of the pack, the Reform Party has suggested in its budget that it would not reduce taxes until the budget was balanced.

Do Reform members want us to reduce taxes before our budget is balanced? Is that what they are suggesting as they change their policy once again? They flip-flopped on the GST time and time again. Are they flip-flopping on their policy on deficit reduction or do they really mean it?

We put deficit reduction first. We have achieved our goals on deficit reduction and we have done a first rate job. We have the strength of the financial markets behind us now.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the parliamentary secretary is supposed to be some sort of economist. He would know that under Reform's taxpayers budget the federal budget would have been balanced this year and tax relief would have been accomplished.

The Government of Ontario has responsibility for the biggest regional economy in the country. The federal job strategy has to be co-ordinated with the job strategy in that province for maximum effect. The Ontario government has taken the position that tax relief is the key to job creation in that economy and has acted on that position in the recent budget.

If the federal government truly believes in co-ordinated federal-provincial approaches to job creation, why does it not follow Ontario's lead and put tax relief squarely on the agenda of the first ministers conference?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, we have put harmonization first. We have put co-ordination first. Why does the hon. member not ask the premier of Ontario why he flip-flopped on the GST, where there are real savings in government, real savings in collection of taxes and real savings to the Canadian people?

* * *

[Translation]

AIRBUS

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, my question is for the Minister of Justice.

The minister said on a number of occasions that he had informed the RCMP about allegations concerning the Airbus issue a few days after being appointed Minister of Justice.

Can the minister tell us if the allegations made by journalists and to which he is referring are the ones he was informed about at the beginning of 1993, when he met with two journalists, as the *Toronto Sun* was told by one of his political advisors, Cyrus Reporter?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the question is convoluted. I have no idea of the *Toronto Sun* article the hon. member is referring to. The chronology of the facts is clear from what I have already put on the record.

In November 1993 I was given information by two journalists. I consulted with the deputy minister and with the solicitor general. After that consultation I communicated the information to the Royal Canadian Mounted Police.

In doing that I was acting responsibly as the chief law officer of the crown. As I have observed in the House already, I was also conducting myself in exactly the same way as predecessors in office have done, including the Right Hon. John Turner.

• (1430)

[Translation]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, the Minister of Justice repeated in this House that he was not aware of the negotiations between the lawyers representing the government and those representing former Prime Minister Mulroney.

How then does the minister explain that, yesterday, he indicated negotiations had stopped when he said that it is difficult to negotiate with someone when, 24 hours after an informal meeting takes place between lawyers, all the details are on the national news?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I said exactly that. I saw, along with everybody else, the report on the nightly news.

It became immediately obvious to me there is no point trying to discuss anything with anybody when that information gets directly on to the national news. It is no way to conduct any such discussions.

* * *

TAXATION

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, the GST has hijacked the meeting this week of the finance ministers.

The finance ministers across the country are trying to meet to discuss true pension reform this week. Instead they have to talk about how the Liberals are pitting provinces against each other with a billion dollar GST harmonization pay-off.

My question is for the minister of the GST. If the harmonized GST is such a great and fair deal, why are 63 per cent of the people of Nova Scotia dead against it?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the finance ministers will be discussing a number of issues at their meeting today, including CPP, which is an important part of the meeting and an important issue. They may also be discussing the GST.

We have support from business groups and consumer groups across the country for a harmonized GST. Every major business and consumer group supports the harmonization project.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, it seems fairly clear that 63 per cent of Nova Scotians, the very people the Liberals are trying to butter up to buy into this harmonization program, are not supporting it. How can the minister say every major group across the country is?

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The GST still puts the financial screws to Canadians every single time they go to the cash register. Now it is causing bitterness and division instead of progress at the finance ministers meeting.

Remember how we got into this mess in the first place, Mr. Speaker, you were here: a Tory tax, a public outcry, a Liberal promise; and now crass manoeuvring by the finance minister to distract attention from his own broken promise.

Why does the minister continue to divide Canadians with this harmonization scheme? Why will he not unite Canadians by living up to the election promise to scrap, kill and abolish it? When will he do that?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, it is always nice to listen to the Reform Party.

We especially listened to it when it came out with its minority report from the finance committee on the GST. It said harmonizing was the way to go. That is what we did, but here we have the Reform Party squabbling again.

* * *

[Translation]

COAST GUARD

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

On Saturday, *Le Journal de Montréal* released the content of a coast guard internal document entitled "Fleet Merger" and dealing with the cuts affecting the coast guard. Once again, the Minister of Fisheries and Oceans is displaying a blatant lack of judgment by cutting everywhere, except in his province of Newfoundland.

After favouring his province with the fee structure for commercial traffic, how can the minister justify that he is about to make drastic cuts of \$25 million in all regions of Canada, except in his own province, where the cuts will only total \$140,000?

[English]

Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, my response to the hon. member in this instance in essence is the same as it was in the previous instance.

What is happening to the coast guard is the result of a number of studies that went back to 1962, 1975, 1990 and which ended in the mix of DFO and the coast guard. As part of this we are rationalizing this fleet of 162 ships, reducing it by over 30. The decisions have not been made. The discussions are still continuing.

• (1435)

I am not familiar with the document to which the hon. member refers, but I can assure him that in this instance, as in any other

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instance with the government, there will be no favouritism. The decisions will be made with fairness and equity for all.

[Translation]

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, the minister did not comment on the figures mentioned in *Le Journal de Montréal*. I am asking him the same question again.

How can the minister so blatantly favour his province of origin, considering the coast guard budget for Newfoundland is the same as for Quebec and British Columbia, even though traffic in Newfoundland ports is lighter, and in spite of the fact that the coast guard is less busy in that province?

[English]

Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the hon. member is trying to compare different aspects of a very complex program. Whatever the figures are, I am not sure where they came from, because a decision has not yet been made.

My advice to the hon. member is to read the reports with a certain amount of circumspection and a certain amount of understanding because the decisions have not been made.

I will tell him one more time that when the decisions are made they will be made with fairness, equity and just treatment for all.

* * *

TAXATION

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, last week the finance minister denied that his changes to the GST were increasing taxes. Here is a real life example of the damage these changes are causing.

Dave Quest from Kallal Pontiac Buick in Tofield, Alberta had a customer come in to sell a truck. As a direct result of the new GST changes, this dealership's profit has shrunk from about \$1,000 to \$80 on the truck; a \$920 tax grab for the government.

I want the government to explain to Dave and all the thousands of other small businessmen out there why it is continuing to pursue taxation policies which gut business and kill jobs.

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, I thought the Reform Party was playing for political points when its members asked this question every day for the last week or so, but it seems they really do not understand it. Let me give them an example for Dave or for whomever out west.

A used car under the old system was subject to the same GST tax as it is under the new system. A new car under the old system was subject to twice as much GST as—

Some hon. members: Oh, oh.

Mr. Peters: We put an input tax credit on it and the net is exactly the same. The new system and the old system have exactly the same GST.

Mr. Monte Solberg (Medicine Hat, Ref.): He really straightened me out, Mr. Speaker.

Let us look at the RV business. Don Sneyd at Ruston RV Centre in Burlington said the GST change has directly cost his business \$13,000 since April 23. Dave McKee from the Hitch House in Barrie says his losses have been closer to \$25,000 in the last seven weeks.

They laugh at that. They think that is funny, but I know there are Liberal members who are lobbying the finance minister and the revenue minister over these very changes.

Why does the government continue to deny these GST changes are anything but a tax grab? When will the minister admit and recognize that taxes, taxes, taxes kill jobs, jobs, jobs? When will the government get rid of this boondoggle?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the Reform Party has demonstrated its ability not only to come last but to misunderstand government policy.

The taxes raised under the new and old system of the GST are identical. They are exactly the same.

How these dealers can lose money when they are paying exactly the same tax is beyond me. I will be glad to explain it to the hon. member when he has time.

* * *

[Translation]

U.S. HELMS-BURTON BILL

Mr. Benoît Sauvageau (Terrebonne, BQ): Mr. Speaker, my question is for the Minister of International Trade.

When a Canadian citizen inquired of the head office of American Express why he had not been able to use its travellers' cheques in Cuba, he was told that it was the policy of that company and of all of its affiliates throughout the world to follow to the letter the American embargo on Cuba.

• (1440)

Since American Express is clearly violating the current Foreign Extraterritorial Measures Act, does the minister intend to prosecute the Canadian subsidiary of this American company as promptly as possible?

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, we expect companies incorporated in Canada to follow Canadian law. That is what the Foreign Extraterritorial Measures Act which was brought in in 1984 is all about. The

amendments we announced yesterday that would be subsequently presented to this House deal with strengthening that act in terms of the provisions of the Helms-Burton law.

I would be pleased to look into the particular case the hon. member raises because we expect that company and all other companies to abide by Canadian law.

[Translation]

Mr. Benoît Sauvageau (Terrebonne, BQ): Mr. Speaker, I am pleased to announce to the minister that his officials have known for two years that American Express is breaking the law, yet they have done nothing.

As he prepares to propose to beef up the present legislation on foreign extraterritorial measures, can the minister tell us that it is his intention in future to apply that act more stringently than he has to date?

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, our intent in the amendments is to neutralize the effects of the Helms-Burton law. It is a last resort measure. It is one I hope we never have to engage in. It is a framework law which allows that if a company is sued in the United States courts, we could either block them from getting any of the assets of the Canadian company here in Canada or a court action could be instituted here in Canada to recover any funds. It is to neutralize the effect.

I hope that it acts as an effective deterrent and that companies think twice before they proceed in the U.S. courts under Helms-Burton.

The United States government's quarrel is with the Cubans. It should not be drawing the Canadians or any other country into that quarrel.

* * *

CYPRUS

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, yesterday my private member's motion on the demilitarization of Cyprus as the first step in finding a just and viable solution to the Cyprus problem was debated in the House. It received all-party support. MPs from both sides of the House and Canadians of Cypriot origin are looking now to the government for support.

Can the Minister of Foreign Affairs tell this House what he intends to do in response to this unanimous request for action on the part of the Canadian government?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, first I would like to compliment the hon. member on the resolution. It was a very important statement by members of this

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House that, if followed through on, could provide a very important contribution to the reduction of the conflict and the resolution of the differences in Cyprus. We can certainly endorse the position taken by the hon. member and other members who spoke in the House in support of that resolution.

* * *

DANGEROUS OFFENDERS

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, yesterday I and several other MPs received sneering personal notes from child killer Clifford Olson to which he attached his new line of serial killer cards, a collection of police photographs taken of him at different stages in his criminal life.

In his letter Olson brags about his prospect for early release this August using section 745 of the Criminal Code. He claims it is his democratic right within the charter of rights and freedoms and common law.

Why will the justice minister not immediately repeal section 745 to wipe the smirk off of Clifford Olson's face and send the message that early release is not a democratic right or even an option for cold blooded killers?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member refers to Clifford Olson who is serving a life sentence for crimes that are absolutely heinous. He is locked away in a prison cell in an obscurity that he richly deserves.

I would like to know why the hon. member provides this platform and allows himself to be used as the instrument of that man to bring attention to Clifford Olson in this House and in the public.

Some hon. members: Hear, hear.

• (1445)

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, let this House remember it is this government and a previous government that have set the platform for Clifford Olson and other killers and that will never be shut down.

The justice minister refers to section 745 of the Criminal Code as the faint hope clause. He tells Canadians that section 745 is necessary because killers need a glimmer of hope. What the justice minister is reluctant to say is that 80 per cent of the killers who apply for release under section 745 receive some type of early parole. So much for faint hope. Section 745 is a sure bet clause.

Each time a killer makes an application under section 745, the families of the victims are forced to relive their tragedy. I ask the minister, will he or will he not give the families of murder victims a glimmer of hope called closure? Will the justice minister scrap, abolish, repeal section 745?

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Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, if the hon. member has any legitimate concern for the families of victims he will stop allowing himself to be used as a dupe for Clifford Olson in raising his name in this House.

* * *

[Translation]

ATOMIC ENERGY OF CANADA LIMITED

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, on June 26, the Minister of Natural Resources will make her decision on moving the offices of Atomic Energy of Canada from Montreal to Toronto. In addition to the terrible economic consequences this move will have on the Montreal area, many people have said that it will save the government nothing, because the Montreal office is cost effective.

How, under these circumstances, can the minister say she will save money by moving the offices of Atomic Energy Canada from Montreal to Toronto? What information is she using to make this decision?

[English]

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, the potential decision to which the hon. member refers is not one made by the Minister of Natural Resources. It is one made by AECL, a crown corporation in an arm's length relationship with the Government of Canada. We do not micromanage AECL.

I presume that AECL will make the best decisions it can within its budgetary constraints based on the best information it has. I am sure that information will be made public.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, is the minister saying that the government has no input, no say and nothing to do with investments like those of Atomic Energy of Canada when the consequences will be disastrous for the Montreal area? I would like to know how she would react if the problem were in Calgary, for example?

[English]

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, let me assure the hon. member that this government is always concerned with the implications of necessary budget cuts. It is always concerned about the implications of those cuts for individuals and their jobs.

Let me reiterate that AECL has had its budget cut, its direct subsidy from the taxpayer of Canada, from \$172 million to \$100 million. It has to go through the same process of program review, of restructuring and downsizing, as the government and other crown corporations.

I acknowledge to the hon. member that the decisions which ultimately will be made by AECL will be difficult ones but as I say, AECL will make public the information on which those decisions are based. I have no doubt that the business case will be made.

* * *

FISHERIES

Mr. John Cummins (Delta, Ref.): Mr. Speaker, last summer Oak Bay Marine Group, a Victoria based commercial sport fishing operation, undermined the ability of the department of fisheries to manage severely depressed chinook stocks by refusing to participate in a fisheries department conservation program to protect them and by refusing to supply the department with accurate and timely catch statistics as required by the Fisheries Act.

Last week, to obtain that critical data, a search warrant was executed on Oak Bay Marine's offices. Why, after almost a year of non-compliance, have charges not been laid against Mr. Wright and the Oak Bay Marine Group?

Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the hon. member knows that this matter is before the courts and he also knows that it would be very inappropriate for me to comment in any detail on this subject.

• (1450)

Mr. John Cummins (Delta, Ref.): Mr. Speaker, the issue is not before the courts and charges have not been laid. The question is why?

Bob Wright has said that he refused to provide accurate catch information to the department because if he had, the department would have shut him down.

When is the government going to show that it is putting the conservation of fish before corporate profits and remove Bob Wright from both the Pacific Salmon Commission and the steering committee of the minister's Pacific round table?

Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, acting under the authority of a search warrant, fisheries officers visited the Oak Bay Marina on June 10. The officers requested that they be provided with certain documents relating to an investigation which is currently being conducted.

The marina staff co-operated fully and voluntarily handed over the documents in question. I will say one more time that because of the status of this issue, it would be inappropriate for me to comment irrespective of what the hon. member would like us to do.

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FOREIGN AID

Mr. Jesse Flis (Parkdale—High Park, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Oral Questions

An international report states that the average foreign aid budget spends less than 3 per cent on basic human needs such as health and education. When eight million children die each year before they are one year old, what is Canada's foreign aid record on funding basic human needs? What are we doing to help the poorest of the poor in this world?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, in the throne speech we addressed very clearly as a priority the need to tackle the issue of poverty and deprivation of children around the world.

I can report to the House that in terms of our own international assistance package, 21 per cent of the budget goes directly to human needs. This compares to the 7 per cent of most other countries. We are substantially ahead of most countries in this area.

We are providing a number of important projects in Africa. We are providing education for girls and we have a number of water projects in 15 African countries. Perhaps most important, in the field of health, we have been a major contributor to the almost total reduction of iron and iodine deficiencies in children around the world and to the prevention of the diseases.

My colleague, the Minister for International Co-operation, is now working effectively to take the percentage of the budget up to 25 per cent which will be directed to basic human needs.

* * *

[Translation]

ATOMIC ENERGY OF CANADA LIMITED

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, my question is for the Minister of Natural Resources.

For some time now, the minister has been trying to convince us that research and industry in Quebec are going to benefit greatly from her government's efforts to sell CANDU reactors abroad. But the first thing we hear is that Atomic Energy of Canada is planning to transfer its activities from Montreal to Toronto.

Will the minister admit that if AECL leaves Montreal, she will have deceived Quebecers, since the spinoffs she promised us from the sale of CANDU reactors will no longer go to Montreal, but to Toronto?

[English]

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, not at all. The hon. member should know about her own private sector high tech community in Quebec and in particular in the Montreal region.

There are companies that have and will continue to benefit on the sale of more CANDU reactors. I can assure the hon. member we estimate that for the sale of every CANDU 6 reactor a minimum of \$100 million worth of benefits go to the Montreal economy and

over 4,000 person years of jobs are created. In fact, I have much more confidence in the private sector in Quebec than you do apparently.

The Speaker: The hon. minister would be referring to me and I have a great deal of confidence.

[Translation]

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, what is particularly surprising is that it is the private sector that is complaining about the possible move of AECL from Montreal to Toronto.

The Minister of Intergovernmental Affairs said, and I quote: "The new priority given to the CANDU reactors should result in great benefits for Quebec".

• (1455)

How can the minister stick by such a statement, when we know that CANATOM, AECL's primary sub-contractor in Montreal, might move to Toronto if AECL's offices are transferred there?

[English]

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, again let me assure the hon. member that a thriving, vibrant private sector as it supports the CANDU reactor sales will continue in the province of Quebec and in Montreal.

Let me share with the hon. member some of the companies that benefit: Canatom; Dominion Bridge-Sulzer; GEC Alstom; Velan Engineering; CAE Electronics; Lefebvre Frères—

Some hon. members: Oh, oh.

The Speaker: The hon. member for Kindersley—Lloydminster.

* * *

TRANSPORTATION

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the minister of agriculture wants to sell 13,000 government hopper cars to producers. Individuals from the transport department have stated that the railways under the current operating agreement have right of first refusal which means they can match any offer put on the table and the railways own the hopper cars.

The SEO proposal has failed. The producer coalition is crumbling. Will either the Minister of Agriculture and Agri-Food or the Minister of Transport please make it crystal clear to any groups interested in buying the hopper cars that the railways clearly have the final say as to who purchases these cars?

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, that is not the policy of the government. It may be the policy of the Reform Party but it is not the policy of this government.

Oral Questions

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the minister was supposed to answer the question and he said absolutely nothing, absolutely nothing.

The minister of agriculture has been encouraging producers to put forward an offer, but putting forward an offer costs money. The producers are not interested in spending hundreds of thousands of dollars to make a bid on these cars if the railways can match any bid and then take ownership of the cars.

They deserve an answer. Does the government have a signed commitment from the railways to relinquish the right of first refusal or is this whole bidding process for ownership of the cars an illusion which gives the producer group false hope?

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, the hon. member is simply in error in his facts. We have not put forward any invitation to bid to any producer group, railway, insurance company, finance company or any other company.

We are at the present time, with the assistance of CIBC-Wood Gundy in Calgary, working out possible ways of approaching the issue of disposal of the hopper cars. We have made no requests for tenders to the public. His assumption upon which his question is based that we have done so is simply a false one.

* * *

NOVA CORPORATION

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, my question is for the Minister of Foreign Affairs. It has to do with events in the San Alfonso Valley in Chile in recent days. I have written to the minister about this.

Earlier this day members of Parliament from three different parties held a press conference to express their concern that NOVA Corporation of Canada, the majority shareholder in GasAndes which is building the pipeline from Argentina through to Santiago, is associated with a police action against a blockade in the San Alfonso Valley that in our opinion is dragging the good name of Canada through the mud and is bringing Canada's reputation into disrepute.

Is it the minister's intention to express concern on behalf of the Canadian government at the way the Chilean police are behaving and the way in which NOVA Corporation is associated with that police action?

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, it is regrettable that people were injured in the clash between demonstrators and riot police on June 13. Although we do not have the details of the incident, we understand that the police intervened to remove demonstrators who were blocking a

national highway. According to some reports, some individuals threw rocks at police, injuring some people.

NOVA corporation is a lead partner in the GasAndes consortium. This consortium has gone through every single required approval by Chilean authorities including an environmental impact study. Amendments were made. It has completely abided by the law and I am told that many of the standards are very similar to the standards that exist in this country. They are following the law completely.

The incidents that occurred in the demonstration were most unfortunate although we have very little information at this point in time.

* * *

• (1500)

COMPETITION ACT

Mr. Glen McKinnon (Brandon—Souris, Lib.): Mr. Speaker, my question is directed to the Minister of Industry.

In June 1995 the Bureau of Competition Policy outlined a review of the Competition Act. At that time a discussion paper was circulated to obtain feedback on several proposed changes to this act.

The Canadian Federation of Independent Grocers produced a paper which outlines strong arguments against the bureau's recommendation to repeal the price discrimination and promotional allowance provisions of the act.

Would the minister assure the House and the independent grocers across Canada that their concerns will be explored before any other changes to the act are adopted?

[Translation]

Hon. John Manley (Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, may I begin by stating that, when the bill is introduced this fall, my colleague, the Secretary of State for the Federal Office of Regional Development—Quebec, will be responsible for it, being a Canadian expert on the Competition Act.

[English]

Second, I take very seriously the arguments that have been made by a number of representatives from the small business community, including the independent grocers, that the existence of provisions relating to price discrimination and promotional allowances gives them some protection from actions of large suppliers, although those provisions have never been used.

Having taken heed of those arguments we will not be recommending that those provisions be eliminated from the act.

PRESENCE IN GALLERY

The Speaker: Colleagues, I would like to bring to your attention the presence in the gallery of one of our visitors. I refer to Professor Oliviu Gherman, President of the Senate of the Parliament of Romania and an accompanying delegation.

Some hon. members: Hear, hear.

The Speaker: My colleagues, I have two questions of privilege but I will hear first a point of order. You will see the reason why.

* * *

POINTS OF ORDER

HON. STANLEY KNOWLES

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, I rise on a point of order. I hope to beg the indulgence of the House to have all members of the House of Commons join me in wishing the honorary clerk at the table and the former member for Winnipeg North Centre, Mr. Stanley Knowles, a happy birthday on his 88th birthday.

Some hon. members: Hear, hear.

• (1505)

The Speaker: I have received notice of a point of privilege which takes the form of a personal statement. I would like to explain to you before the statement is made that it will be made simply as a solemn declaration. It is not meant to in any way incite debate.

I recognize the hon. member for Charlesbourg.

* * *

[Translation]

PRIVILEGE

SOLEMN DECLARATION BY THE MEMBER FOR CHARLESBOURG

Mr. Jean-Marc Jacob (Charlesbourg, BQ): Mr. Speaker, if I may, I wish to make a solemn declaration today relating to a question of privilege raised in this House on March 12 by the hon. member for Okanagan—Similkameen—Merritt, a question of privilege you yourself described as extremely serious, and to which you attached vital importance, stating, and I quote:

The House today is being faced with one of the more serious matters we have been faced with in this 35th Parliament. I believe the charges are so grave against one of our own members that the House should deal with this accusation forthwith.

I hereby declare that the hon. member for Okanagan-Similkameen-Merritt, through his overzealous accusations of call to arms and sedition, has deliberately led the House and yourself astray,

Privilege

thus bringing doubt and suspicion to be cast upon a member of the House of Commons, without any proof, since his charges were based solely upon false interpretations of my press release dated October 26, 1995.

The report by the Liberal majority and the dissenting report by the Bloc Québécois issued by the Standing Committee on Procedure and House Affairs conclude that this entire question is a matter of political debate and ought never to have been raised before the House on a question of privilege, particularly one supported by unfounded accusations.

What is of the most concern to me, apart from the attack on the rights and privileges of a parliamentarian, is that it is also an attack on the freedom of expression of all Quebecers and all Canadians.

Some hon. members: Oh, oh.

The Speaker: My colleague, solemn declarations are generally free of what I might call any additional accusation. At this point, although the Chair has a decision to make, I find, with all due respect, dear colleague, that the words being used today tend more toward a debate than a solemn declaration. I would like to put an end to the statement at this point.

Some hon. members: Oh, oh.

The Speaker: Oder, please. My colleagues, I would prefer this matter to remain closed at this time. I have made my ruling on behalf of all of the hon. members and I would ask you to respect it.

• (1510)

[English]

This point of privilege, this statement, is terminated. I would ask members to respect my decision as your Speaker. I ask you that with the full authority of the House and of my position.

I will now hear a second point of privilege from the hon. member for Lethbridge.

* * *

PRIVILEGE

PRIVATE MEMBERS' BUSINESS

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, I rise on a question of privilege with regard to a personal charge that is against me in this assembly, a charge that is criminal in nature and which reflects on my reputation. This has and will continue to affect my ability to function effectively as a member of Parliament while the matter remains unresolved.

On March 22, 1983, at page 24027 of *Hansard* the Speaker ruled:

A reflection upon the reputation of an Hon. Member is a matter of great concern to all Members of the House. It places the entire institution under a cloud, as it suggests that among—

Speaker's Ruling

The Speaker: Perhaps the hon. member would withhold this point of privilege. I am prepared to rule on the point of order to which the hon. member has referred. I would propose to do that after I have heard any other points of privilege that come up, if the hon. member permits.

Mr. Speaker (Lethbridge): Mr. Speaker, I certainly agree with that procedure.

* * *

POINT OF ORDER

PRIVATE MEMBERS' BUSINESS—SPEAKER'S RULING

The Speaker: I am now ready to rule on the point of order raised on May 9, 1996 by the hon. member for Lethbridge concerning the procedural acceptability of Motion M-1 standing on the order of precedence for Private Members' Business in the name of the hon. member for Glengarry—Prescott—Russell.

The hon. member for Lethbridge argued that the motion is procedurally unacceptable because it contains allegations of contempt by one member against another and yet had not been designated as votable by the Standing Committee on Procedure and House Affairs. In other words, the House must be capable of taking a decision on any motion which contains a charge against a member. In addition, he questioned the current rules governing Private Members' Business which have allowed this situation to occur.

[*Translation*]

The rules governing private members' business are indeed complex. Members may put bills or motions on notice, and then those members whose names have been chosen in a draw decide which item they wish to put forward for debate in the House during private members' business hour.

Once the chosen items are placed on an order of precedence, the Standing Committee on Procedure and House Affairs selects which ones will come to a vote of the House. In the case of Motion M-1, the Standing Committee on Procedure and House Affairs chose not to designate this item as votable.

• (1515)

Pursuant to Standing Order 92(2), the report of the committee concerning votable items is automatically deemed adopted, and therefore stands as a decision of the House. This is how the House has decided, through its Standing Orders, to deal with private members' business.

The hon. member is quite correct in his assertion that the conduct of a member can be brought before the House only by way of a specific charge contained in a substantive motion. Often, in such cases, members will choose to raise the matter on the floor of the House without giving the required 48-hour or two-week notice

and ask the Speaker to give it priority or right of way for immediate consideration by the House, thus putting all other regular House business aside.

[*English*]

What is at stake here is whether or not your Speaker can override the rules governing the transaction of Private Members' Business in order that such motions come to a vote even when the sponsoring member has selected to bring it before the House under that procedure. I humbly must admit that unless the House changes its rules I do not have that power.

For the benefit of the House, please allow me to point out that this is not the first time this type of motion has come before the House without the possibility of a vote.

On a number of occasions on supply days the opposition has moved non-votable motions to condemn or challenge ministers for their actions.

In one case a motion condemning a minister for "failing to provide full and satisfactory information on the blatant conflict of interest situation involving the minister" was moved as a non-votable motion on a supply day.

I refer members to the *Journals* of the House of Commons of May 12, 1986, page 2160: "In at least one other instance, a non-votable supply motion contained a specific charge of contempt of Parliament against the minister". The text of this motion can also be found in the *Journals* of June 17, 1982, page 5025.

The content of the motion and the fact that it has not been designated as a votable item under Private Members' Business does cause the Chair some difficulty.

I understand the concerns of the hon. member for Lethbridge. As your Speaker I suggest this situation could be corrected either by the hon. member for Glengarry—Prescott—Russell, the hon. member for Lethbridge or, for that matter, the House itself. There are procedures at the disposal of the House to ensure that a sense of fair play prevails in all of its proceedings so that members are not placed in this type of position.

In the current circumstances I find that the rules for Private Members' Business have been followed and that there is therefore no point of order.

[*Translation*]

I would like to thank the hon. member for raising this point and the hon. member for Glengarry—Prescott—Russell for his contribution to the discussion.

[*English*]

The hon. member for Lethbridge on a question of privilege.

Mr. Speaker (Lethbridge): Mr. Speaker, based on your ruling, I would like to rise on a question of privilege.

The Speaker: I understand the hon. member wants to rise on a question of privilege. If the hon. member wishes to do so today, I will listen to his question of privilege.

If he, however, would like to take some 24 hours and return to the House, I would be willing to hear him tomorrow.

Mr. Speaker (Lethbridge): Mr. Speaker, I am prepared to proceed today with my question of privilege under the circumstances.

Motion No. 1 is still on the floor of the assembly. Because of that—

The Speaker: The hon. member now has the floor on his question of privilege.

* * *

• (1520)

PRIVILEGE

PRIVATE MEMBERS' BUSINESS

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, in light of your ruling and based on the fact that Motion No. 1 is still on the floor before us, I rise on a question of privilege with regard to that matter which is a personal charge against me as contained in the motion put forward by the member.

In a sense that charge is one that is criminal in nature and reflects upon my reputation. This has and will continue to affect my ability to function effectively as a member of Parliament while the matter remains unresolved.

On March 22, 1983 on page 24,027 of *Hansard* the Speaker ruled:

A reflection upon the reputation of an hon. member is a matter of great concern to all members of the House. It places the entire institution under a cloud, as it suggests that among the members of the House there are some who are unworthy to sit there. An allegation of criminal or other dishonourable conduct inevitably affects the member's ability to function effectively while the matter remains unresolved.

The Speaker was concerned with the matter remaining unresolved. I raised a point of order with regard to private member's Motion No. 1 in the name of the member for Glengarry—Prescott—Russell.

I thank you today for considering that and I appreciate the ruling you have placed before this assembly. This type of motion and the affect of this motion is considered an anomaly of the rules. Although the motion is in order, I would like to demonstrate that its presence infringes upon my and other members' privileges in the Chamber.

The motion accuses me of intimidation and coercing others to intimidate. The member for Glengarry—Prescott—Russell's

Privilege

charge against me is in the form of a motion and so he is allowed on a technicality to get away with what I believe is unparliamentary language.

For the purpose of my question of privilege, the fact that the charge against me is in the form of a motion is immaterial. What is important is that the motion is non-votable. It is non-votable by the virtue of our standing orders. It is unresolvable and therefore *prima facie*.

I would also like to address at this time the issue of raising this question of privilege at the earliest opportunity. Before raising my point of order regarding Motion No. 1, I felt it necessary that the motion be at least scheduled for debate, and I believe we are at that course of events here today.

The member for Glengarry—Prescott—Russell agreed with me because despite the impression I was under at the time, the motion was not before the House that day and the member for Glengarry—Prescott—Russell argued that he ought not bring the matter up until it was before the House. For once I agreed with him. Fortunately I was allowed to present my argument on that day in May.

The fact that the motion of the member for Glengarry—Prescott—Russell is a product of our rules led me to originally pursue the matter as a point of order.

At this point my only hope for a remedy to resolve this charge against me a question of privilege because the matter remains unresolved, as you have said so eloquently, Mr. Speaker.

In the ruling I referred to earlier from 1983, the Speaker considered:

The question for the Chair to determine, therefore, is whether the hon. member for Lincoln should seek his remedy through the courts, or whether, in order to bring the matter to a swifter resolution, the Chair should accord this question of privilege precedence over other business.

As you are fully aware, Mr. Speaker, I do not have the luxury of bringing this matter before any court. The member for Glengarry—Prescott—Russell is protected by parliamentary privilege.

The Speaker in 1983 had another concern:

Given the precedence I have studied, it is clear to me that while the hon. member could seek a remedy in the courts, he cannot function effectively as a member while this slur upon his reputation remains. The process of litigation would probably be very lengthy and there is no knowing how long it would take before the issue is finally resolved.

Once again there is the emphasis on resolving the matter.

The Speaker was also concerned here with the length of time the matter was to be unresolved. The member for Glengarry—Prescott—Russell could, through a series of trades, avoid debating the motion. If we do finally get a debate on the motion it will disappear from the Order Paper after one hour of debate.

Privilege

• (1525)

Regardless of those two scenarios, the matter will never be resolved by this motion. My reputation will be hanging out to dry forever. As Speaker Sauvé was concerned with, the entire institution of Parliament will be left under a cloud without ever being resolved.

Joseph Maingot's *Parliamentary Privilege in Canada*, page 210, states that the practice relating to taking up the conduct of members is a matter of privilege.

If the member for Glengarry—Prescott—Russell raised this as a question of privilege the matter would have been dealt with, but it was not.

To protect my reputation and the reputation of the House I must raise this matter as a question of privilege. Mr. Speaker, if you rule this to be a *prima facie* question of privilege I will be moving the following motion:

That the member for Lethbridge and the Reform Party of Canada be exonerated of the allegations levied by the member for Glengarry—Prescott—Russell of attempting to coerce, intimidate or incite others to coerce the hon. member for Welland—St. Catharines which are contained in his non-votable private member's Motion No. 1; and that the matter of the use of non-votable motions to charge members with contempt of Parliament be referred to the Standing Committee on Procedure and House Affairs.

Mr. Speaker, if you do not consider this a *prima facie* question of privilege I would appreciate your guidance and maybe that of the law clerk on how I can resolve this allegation against me of criminal intent. I cannot allow this motion to stay on the Order Paper all summer. This charge has been hanging over my head long enough. It must be resolved now.

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I wish to take but a moment to respond to what has been stated by the hon. member for Lethbridge.

The hon. member for Lethbridge essentially says today that his reputation is somehow tarnished by this motion's being on the Order Paper. He says it is further damaged because the issue is non-votable and therefore whenever the issue is dealt with in the House no conclusion will have been arrived at and therefore his name will not have been cleared, if I understand the allegation properly.

The member also says the accusation in question, which appears in my Motion No. 1, ballot item No. 3 on the Order Paper, is criminal in nature.

I will begin by dealing with the last issue. It has been suggested on at least two occasions in the remarks of the hon. member that the allegation listed in Motion No. 1 is criminal in nature.

Mr. Speaker, I remind you of a report tabled in the House earlier today which clearly indicates to the House that those things that are

criminal in nature are not to be dealt with in the House on matters of privilege and that a motion should not contain that, and I believe it does not, and that those issues would be dealt with elsewhere even if they were in the motion.

To refresh the House's memory, the motion states:

That, in the opinion of this House, the attempt by the hon. member for Lethbridge and the Reform Party of Canada to coerce, intimidate or incite others to coerce the hon. member for Welland—St. Catharines—Thorold (the Hon. Gilbert Parent), in his capacity as Speaker, to make certain decisions in regards to the status of the Official Opposition in Parliament, constitute a contempt of this House and consequently that the hon. member for Lethbridge be ordered to the bar of the House to be admonished by the Chair.

I do not believe that someone's being admonished by the Chair in Parliament constitutes criminal behaviour. If criminal behaviour was there I suggest the punishment would be rendered by someone else and it would probably not be an admonishing by a Chair that would be the proper sentencing if that kind of criminal behaviour had been what was done. We are not talking about that at all.

The issue that was brought before the House had nothing to do with what the hon. member has just suggested. What was brought before the House is what was believed to have been and still believed to be a case of someone's doing things to the most senior officer of Parliament. That is what is contended as being the case of contempt listed in the motion.

• (1530)

I have in hand a memorandum dated January 11, 1996 entitled "To all Reform constituency presidents, regional organizers and executive councillors". This letter says in part: "What I am asking you to do is to help launch a high pressure phone, fax and letter writing campaign to", and it lists your name, Mr. Speaker. "The objective is simple: to make it clear to him that as he contemplates his decision", this is the decision to choose who the official opposition is in this House, "that Canadians will no longer tolerate a separatist official opposition".

It goes on to say that time is running short and that this high pressure campaign against the occupants of the Chair of this House should be commenced immediately by fax, letter writing, telephone calls, and so on so that Mr. Speaker, can and I conclude "do the right thing". Presumably Mr. Speaker would rule based on pressure put on to intimidate him to give a favourable ruling to those who had asked for the ruling.

That is what is in the motion that was brought by your humble servant. What was put in that motion is not an allegation of criminal behaviour. It is an allegation that something wrong was occurring against the occupant of the Chair of this House, this House being the institution that all of us cherish.

That is what occurred and nothing else. I am sure that deep down in his heart the hon. member knows this.

Point of Order

Mr. Speaker, there is even a draft letter to be sent to the occupant of the Chair with his fax number preprinted on the form. This draft letter, prepared by the Reform Party and attached and sent by the hon. member for Lethbridge, is an instruction to the occupant of the Chair of this House to rule not according to what is right, but to rule according to the pressure applied to him as organized by a member of this House.

Mr. Speaker, that is what was asked of you as the occupant of the Chair of this Chamber. You were asked to rule that way for the reasons I have enunciated.

I do not pretend that it is criminal and I never will. I never suggested so, either in my press releases or in the motion that is today before the House.

[*Translation*]

What I did say, however, is that this sort of behaviour should not be how we approach things in this House and should stop. The events occurring a few days after this motion dealt with matters, and we hear no more of the issue today. What I have heard in the House today explains why we have heard no further mention.

[*English*]

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, we listened to the whip for the government side put forward his case. In fact he presented an entire debate on the subject.

The question of privilege that has been presented to you today by the member for Lethbridge is that some method be found to resolve this issue. The issue is not whether the government whip is allowed to bring this motion forward. The issue is the dilemma that my hon. colleague from Lethbridge finds himself in. It cannot be resolved. It cannot be voted on. It cannot be debated. It is just hanging over his head like a sword.

That is the issue of privilege, not the motion itself.

The Speaker: With regard to this point of privilege I will take the information I have under advisement. If the House will permit me I will reflect on it and I will come back to the House, if it is necessary, to rule on the point of privilege that the member for Lethbridge has brought to the House.

* * *

• (1535)

[*Translation*]

POINT OF ORDER

MEMBER FOR CHARLESBOURG

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, as a member of this House and a colleague of the member for Charlesbourg and further to the report of the Standing Commit-

tee on Procedure and House Affairs, I today demand a public apology in the name of all the members of this House.

I therefore demand a public apology from the member for Okanagan—Similkameen—Merritt for having misled this House by making false accusations that called into question the honesty and integrity of the member for Charlesbourg. I demand an apology from the member, otherwise there is nothing to prevent gratuitous accusations of all sorts from being made against anybody at all.

[*English*]

The Speaker: Your Speaker is fully aware of the importance of the statement that the hon. member for Charlesbourg began today.

It was explained before the hon. member began his statement it was a solemn declaration. It was not a declaration which would incite debate. I was dealing solely with the statement itself.

There is, of course, an avenue for the hon. member or for the Leader of the Opposition if they so wish to make a further statement, a broader statement. The particular avenue that was chosen today, in my respectful view, is evidently not the one that is going to fulfil what the hon. member wants to do.

If the hon. member for Charlesbourg wishes to pursue the matter, then either the hon. member or the Leader of the Opposition or any member of this House can file a notice of concurrence in the committee report. That can be done by giving a notice to the Clerk of the House. At that point there is an avenue for hon. members to express themselves.

But in the case of this particular statement, my decision is that this is not the vehicle to be used for making such a statement. That is why I have asked hon. members to respect the decision of the Chair, knowing full well that if members want to pursue it, it can be done by the method which I have suggested.

• (1540)

[*Translation*]

Mr. Duceppe: Mr. Speaker, I understand your ruling on the solemn declaration. We may disagree on how we see things, but I accept your ruling.

However, I raised a point of order, and, unless I have misunderstood, I have had no response to my point of order. I did, however, very clearly insist on apologies from the member concerned for having misled the House by intentionally spreading falsehoods about the member for Charlesbourg. This is a point of order and not a solemn declaration. I therefore await your ruling on this.

[*English*]

The Speaker: The hon. member has asked me to rule on the point of order. I will take his request under advisement. I will think about it and if it is necessary I will come back to this House.

*Government Orders***GOVERNMENT ORDERS***[Translation]***PUBLIC SERVICE STAFF RELATIONS ACT**

The House resumed consideration of Bill C-30, an act to amend the Public Service Staff Relations Act and the Royal Canadian Mounted Police Act, as reported (with amendments) from the committee, and of Motions Nos. 4 and 5.

The Speaker: I believe the hon. member for Bourassa still has 7 minutes or so left. He has the floor.

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, thank you for allowing me to continue my presentation on Bill C-30 concerning members of the RCMP.

I would like to make two comments before resuming my speech. I was stunned by the unfounded accusations made by a Reform member against my colleague from Charlesbourg. I think that, with such accusations, the Reform Party will never have a single member elected in Quebec.

My second comment is this: I would like to draw members' attention to the presence in our gallery of a distinguished citizen from my riding of Bourassa, Victorin Bellemare, who is very involved in the social, community and political life of Montreal North. He is accompanied by his family.

As I said, the Federal Court of Appeal ruled in the Gingras case that RCMP members were also members of the Canadian public service and, as such, had rights like the right to organize, to form a union and to negotiate collective agreements.

They do not claim they have the right to strike, as these police officers provide essential services. If the employer and the employees' union cannot agree on working conditions, the police officers would rather resort to arbitration than go on strike.

But they still have legitimate rights. They have rights in terms of occupational health and safety and, like all other public service employees, they sometimes fall victim to work accidents or occupational diseases. Stress, for example, is a very prevalent problem among police officers, who must sometimes work in difficult and dangerous conditions. They should at least enjoy the full protection of all occupational health and safety laws.

I think that, instead of depriving employees like those of the RCMP of their vested rights, the government should set an example for the provinces in the area of labour relations.

• (1545)

It is a disgrace, for instance, that the federal minimum wage is lower than the provincial rates. It is unacceptable that the federal

occupational safety and health legislation is not on a par with provincial legislation like Quebec's. Government should be an example to the private sector, and this is certainly not the case at present. Instead, the government is attacking vested rights of workers, in this particular case the rights of RCMP workers.

Take this other important right: the right to precautionary cessation of work for pregnant workers. This is not a right that federal public service employees enjoy, while it is already provided for in Quebec's legislation respecting occupational health and safety. A pregnant employee who works in conditions hazardous to herself or to her unborn child should be either reassigned or allowed to go on leave for the remainder of her pregnancy.

So far, the federal government has refused to bring down anti-strikebreaking legislation. Quebec and British Columbia both have such legislation. Ontario's legislation was just repealed, but the fact remains that this kind of legislation improves labour relations and helps create a social climate conducive to economic development.

I find that democracy has progressed in our society, but not in the workplace, in businesses and in corporations, where labour relations in certain areas are still dictated in an authoritarian way, as in the case of the RCMP. The commissioner of the RCMP has unlimited rights, while the members of this police force have very limited rights.

This government has not done very much to improve the working conditions and life of workers in Canada and in Quebec. On the contrary, when faced with a legitimate strike of rail workers, it thought it wise to bring in back-to-work legislation in this sector, instead of allowing collective bargaining to operate.

The Liberals' labour relations record is very poor. They have demonstrated a favourable bias for big business, but have not shown much concern for the average worker. Instead of helping workers, there are ministers, including the Minister of Human Resources Development, who attack the Canadian Labour Congress and who have made disparaging remarks about its president, Robert White, as well as myself, but for different reasons.

This government claims to occupy the centre, but we can see that it is moving with ever increasing speed to the right, the former Liberal or neo-Conservative right, and that it has done nothing for the working class as a whole, for the workers of Canada and of Quebec.

Last Saturday, a women's march ended its journey here in Ottawa. These women had very legitimate concerns. For example, they were calling for a job creation program designed specifically for women. They were also calling for increases in the minimum wage, day care funding, and grants for women's shelters. All the government comes up with is "niet", there is no money. That is

really a shame because I think the patience of Canadians and Quebecers is running out.

What will it take for the government to act? Does it want a revolt? Does it want people to come and demonstrate daily in order to be granted their legitimate rights, rights which are recognized in other democracies, particularly in Europe? Here, they are destroying the social safety net, eliminating social programs. Where is Canadian society headed with this Liberal government?

• (1550)

My time is nearly up and I will conclude by saying that I am very vigorously opposed to Bill C-30.

[English]

Colleagues, I am asking to resume debate. I just want to make sure we understand clearly that we are on report stage of Bill C-30.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have only a few quick words to say in relation to the second group of amendments that have been brought forward by members opposite. In order to bring forth amendments, a number of factors need to be considered.

First, the amendments must be consistent with other amendments that are brought forward and consistent with provisions already in the statute which is sought to be amended by the provisions that are brought forward. In this case the amendments certainly do not assist in that regard. Therefore they ought not to be brought forward because they do not assist with the internal consistency of the act.

Second, the changes that are brought forward need to be consistent with other statutes and laws. Again, this test is also not met. The amendments that are being brought forward conflict with other pieces of legislation. This is the case when amendments are brought forward in a willy-nilly fashion. They are not fully researched and the implications of each of the amendments are not thought out so that we get consistency with other pieces of legislation.

In addition, some of the amendments are also proposing some type of governance changes. They are being brought forward without any type of consultation that would need to be had to make these types of statements.

In any event, I will say that because of these factors, the government will not be supporting the amendments. With respect to the comments made in relation to this bill, these are merely technical amendments to ensure the maintenance of the status quo after court or tribunal decisions have maybe cast some doubt upon the governance. It is simply to maintain the status quo at this time. These things have been vastly overstated.

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The government will not be supporting any of these motions.

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

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): The question is on Group No. 2.

• (1555)

[Translation]

The division is on Motion No. 4. Is it the pleasure of the House to adopt the motion?

Some hon. members: Yes.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Kilger): The recorded division on the motion stands deferred.

[English]

The House will now proceed to the taking of the deferred divisions at the report stage of the bill.

Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Kilger): The vote will take place at 5.30 this evening.

* * *

JUDGES ACT

Hon. Martin Cauchon (for the Minister of Justice, Lib.) moved that Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act, be read the second time and referred to a committee.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I appreciate the opportunity to address the House on Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act.

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Hon. members are aware that crimes of indescribable brutality have been perpetrated on tens of thousands of people in the former Yugoslavia and Rwanda. A Canadian judge, Madam Justice Louise Arbour of the Ontario Court of Appeal has been requested by the Secretary-General of the United Nations to serve as chief prosecutor of the UN International Commission on War Crimes for the former Yugoslavia and Rwanda.

The appointment of Madam Justice Arbour to this very important and prestigious international position is without doubt a great honour to Canada. A necessary condition imposed by the United Nations for Madam Justice Arbour to take up this appointment is that her salary and expenses are to be paid by the United Nations during the period in which she will be serving as the chief prosecutor. This requirement relates to the UN's own requirements for the independence of its chief prosecutor and it would require Madam Justice Arbour to take leave without pay from the Ontario Court of Appeal and to receive a salary from the United Nations.

There is no provision in the Judges Act as it is currently constituted for a federally appointed judge to be granted leave of absence without pay to work for an international organization such as the United Nations. Nor does the act permit the salary and expenses of a judge during the period of leave to be paid by any organization or entity other than the Government of Canada. The amendments contained in Bill C-42, which have the full support of the Canadian Judicial Council, would permit this type of arrangement to be entered into by Madam Justice Arbour, and should another appropriate occasion arise, by other Canadian judges.

This bill makes other minor amendments. The bill transfers from cabinet to chief justices the authority to approve judicial leaves of absence of up to six months. This recommendation was made by the 1992 Triennial Commission on Judges' Salaries and Benefits and is endorsed by the Canadian Judicial Council. It allows a judge to request maternity or parental leave without having to seek cabinet approval.

• (1600)

Bill C-42 also recognizes the importance of the Court Martial Appeal Court of Canada by including the chief justice of that court on the membership of the Canadian Judicial Council. The requirements of the chief justice of the Court Martial Appeal Court arising out of the representational duties and functions that are inherent to that officer are also reflected in the bill which authorizes the payment of a modest representational allowance of up to \$5,000 per year to the head of that court. The chief justices of the Courts of Appeal of the Yukon and Northwest Territories are being granted similar representational allowances.

Bill C-42 would also permit the appointment of up to three judges Canada wide to the provincial courts of appeal which have been experiencing increasing workloads and backlogs over the past number of years.

Finally, the bill corrects some technical errors and clarifies some ambiguous language in the Judges Act.

Bill C-42 is a modest legislative measure but at the same time a significant one because it will permit a Canadian judge to respond to a request by the Secretary-General of the United Nations to take on an international assignment of the utmost importance to the world at large.

I would respectfully urge all hon. members to approve the quick passage of amendments to the Judges Act.

[*Translation*]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, the Judges Act we are being urged to amend through Bill C-42 is based on sections 96 and 100 of the Constitution Act, 1867, which provided that the Canadian Parliament could create a general court of appeal for Canada, as well as appoint and pay superior court judges in every province.

This law sets out the working conditions applying to the judges of the Supreme Court of Canada, the Federal Court, the Tax Court of Canada, the appeal courts and the superior courts in each of the provinces. This law is like a collective agreement for federally appointed judges. It also establishes the Canadian Judicial Council, whose mandate is to make superior jurisdictions and the Canadian tax commission work better.

Through this law, the legislative power exerts obvious control over the judiciary. It is the legislative power that decides how much judges should be paid, what pension and other benefits they should receive, how much leave they can take, and what activities they can participate in.

We are being called on today to review some of the working conditions of federally appointed judges.

Of course, this does not give the government any right to interfere in the judicial process as it has recently, unfortunately, by threatening the Chief Justice of the Federal Court himself to take away all files relating to war criminals and handing them over to the Supreme Court of Canada if the proceedings were not conducted more expeditiously.

Judges appointed by the federal government must be able to perform their duties as their conscience dictates. In order to be independent, they need working relations where the executive branch does not have them over the barrel.

Let us take a look at the main amendments. The existing legislation allows the provinces to create seven positions as judges in addition to the number prescribed by law for each province as well as for the Yukon and the territories. The proposed change to the applicable provision would introduce a degree of flexibility by giving the provinces the power to appoint more judges.

The purpose of the bill is to increase the number of additional judges from seven to ten. The provinces will be able to avail themselves of this provision as required. It seems reasonable to us,

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given that how fast cases go to trial and how much work each judge has to do is dependent on the number of judges.

Several amendments are simply designed to clarify the wording of certain sections without changing the scope of the legislation. Let me give you an example. Subsection 27(2) of the existing legislation states that each judge of the Yukon Territory and of the Northwest Territories "who is in receipt of a salary under section 22" shall be paid an allowance, while in the amendment, reference is made to the act instead of to section 22 specifically.

• (1605)

This amendment was necessary because additional judges are not paid under section 22, but under sections 28 and 29. As you can see, we are really talking about technical details. However, it was clearly not the legislator's intention to deprive additional judges of this isolation allowance.

A new paragraph provides that, from now on, only a leave of absence of more than six months will require the approval of the governor in council. Currently, a leave of absence of more than one month requires the authorization of the government. This provision gives more independence to the courts vis-à-vis the executive power.

In light of the fact that an assistant deputy minister recently interfered with the judicial process by contacting the Chief Justice of the Federal Court, we understand the need to ensure greater administrative autonomy to the judiciary. We must make sure judges do not have to beg as regards their working conditions, so that they do not feel at the mercy of the executive. We support this measure.

The most innovative provision in this bill is undoubtedly the possibility for judges to now participate, with the authorization of the government, in international activities.

Until now, judges had to devote themselves exclusively to their judicial duties. Indeed, section 56 of the Judges Act provides that: "No judge shall, either directly or indirectly, for himself or others, engage in any occupation or business other than his judicial duties, but every judge shall devote himself exclusively to those judicial duties".

There exists, furthermore, a tradition requiring judges to avoid involvement in situations that could oblige them to take a stand in public.

It is therefore a departure from our legal tradition to allow judges to take part in international activities. They should, however, obtain prior approval for leave of absence without pay, but they may receive remuneration from an international organization.

We believe that this new avenue will be of benefit to the international community. It will give Canada an opportunity to

share its *savoir-faire*, to demonstrate its abilities to an international audience, without detracting from the impartiality of our courts.

For judges, this bill increases the possibility of an international career in the context of international co-operation projects, and in the creation and operation of international tribunals. Justice is called upon to cross borders. Many crimes cannot be effectively combatted except through international bodies and co-operation between countries.

If our judges cannot participate in projects involving more than one country, Canada may find itself left out of certain debates, in particular those affecting the development of international law and the creation of international law tribunals. It is also an opportunity for our judges to acquire in other countries knowledge and abilities that could enrich our own institutions.

We are in favour of this bill primarily because it will increase the independence of judges and their exposure to the international context.

[*English*]

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, I rise to speak in support of Bill C-42 which amends the Judges Act.

Bill C-42 sets out the terms on which Canadian judges can participate in international activities, international technical assistance programs and/or the work of international organizations.

Although the bill does not specifically say so, it would appear that these amendments to the Judges Act are to assist Madam Justice Louise Arbour. Madam Justice Louise Arbour is to take up her appointment to the United Nations team prosecuting war crimes in the former Yugoslavia and in Rwanda.

Chief justices are granted the authority to extend leaves of absence to their judges for periods of up to six months. In situations such as Judge Arbour's, the governor in council's approval is necessary as her appointment will be for longer than six months. Bill C-42 will simply ensure that Madam Justice Arbour, and similar appointments for longer than six months, will not require governor in council approval.

• (1610)

The Judges Act does not clearly stipulate who is responsible for the remuneration of UN appointed judges. Bill C-42 does clearly designate the UN as the payer of Judge Arbour's salary and similarly appointed judges' salaries during the time of their UN appointments.

I am confident most Canadians would agree that it should be the responsibility of the UN to pay such salaries. Canadians, in my opinion, would be agreeable to providing legal expertise to the UN but not additional financial support. Therefore they would be

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opposed to paying the moving expenses and other reasonable travel expenses of UN appointed judges as outlined in Bill C-42.

The UN or other international bodies which second Canadian justices should be fully responsible for all moving and travel costs associated with the appointment. We will be introducing an amendment during report stage of Bill C-42 in this regard.

On March 6 of this year the Liberal government amended the Judges Act through Bill C-2. Madam Justice Arbour's appointment by the United Nations occurred in February 1996. Bill C-2 was introduced and passed therefore subsequent to Arbour's appointment. I question why the government did not incorporate the Bill C-42 changes into Bill C-2. Another bill, Bill C-48, is soon to be before the House and proposes additional changes to the Judges Act.

Bills C-2, C-42 and C-48 may streamline administrative matters pertaining to judges, alleviating some judges' preoccupation with bureaucratic concerns and allowing them to get on with the real task at hand: ensuring that justice is served; ensuring that convicted criminals serve time which is proportionate to the severity of their crimes. These bills, really nebulous and inconsequential pieces of legislation, will be of little real significance to Canadians.

Canadians do not really applaud the minister's initiatives in this regard. Canadians' primary concerns are not with these administrative justice matters. What Canadians really care about is their personal security and that of their families. These administrative changes we are spending our time debating today will do nothing to protect Canadians from the murderers, rapists and other sadistic criminals who roam our streets and enter our homes.

Canadians want substantive change within the justice system. They want pieces of legislation that do something to enhance public safety. They want a bill which repeals section 745 of the Criminal Code, not legislation which merely tinkers with that betraying section of the Criminal Code which allows convicted first degree murderers the opportunity for early release.

Canadians want first degree murderers' right to a parole eligibility hearing after serving only 15 years of their 25 year sentence to be completely abolished. Canadians do not want the minister giving killers even a faint glimmer of hope. They want killers behind bars and they want them there for at least 25 years, not 15 years, not 20 years. Canadians overwhelmingly want murderers behind bars for the full length of their life sentence.

Canadians also want dangerous offender legislation brought in by the Minister of Justice and they want the minister to end statutory release. The minister has promised to bring in an omnibus bill which would encompass these two initiatives, an initiative which would significantly enhance public safety. We have yet to see such a bill. Instead we have these three insignificant administrative bills.

The Liberal government's failure to make our homes and streets safer is evident in its lenient justice legislation which has done more to threaten public safety than it has to enhance it. Bill C-37, amendments to the Young Offenders Act, is a prime example of this failure. The government failed to amend the act in accordance with Canadians' frustration with youth violence and frustration with Liberal justice leniency.

Reform believes the age limits covered by the YOA should be changed. We recommend lowering the YOA age definition of a young person to 10 to 15 years of age from 12 to 17. This is in recognition of the fact that there are offenders under 12 years of age who currently slip through the system and go on to be full-fledged youth criminals because the justice system cannot deal with them. This was very evident a few weeks ago in Toronto. An 11-year old boy with accomplices aged 10, 13 and 15 abducted and raped a 13-year old girl. This young offender was well known to the police who had on more than one occasion picked him up. This well known juvenile criminal taunted police with the fact that they could not charge him.

• (1615)

The Liberals believe that 10 and 11-year-olds should not be held accountable for their criminal actions. If the Liberal government had heeded our well-founded advice and amended the YOA under Bill C-37 to include 10 and 11-year-olds, there may well have been one less rape victim in the city of Toronto. One more young person may not have been so brutally traumatized.

Our amendment to the YOA to include 10 and 11-year-olds is supported by the Canadian Police Association and Victims of Violence.

The Liberal government does not believe that 16 and 17-year-olds are mature enough to accept full responsibility for their criminal actions. We believe that youths aged 16 and 17 are old enough to assume full responsibility for their crimes and therefore in all cases of violent crime they should be tried in adult court.

The reverse onus provisions contained in Bill C-37 place the onus on the young offender to demonstrate why he or she should not be tried in adult court. The court will have the discretion to accept or reject the application, all at a tremendous cost financially and resource-wise to the Canadian taxpayer.

Even if the 16 or 17-year old is tried in adult court, they will not receive an adult sentence. Anyone under the age of 18 convicted of first degree murder and sentenced to life can be paroled in between five and ten years. Anyone under the age of 18 convicted of second degree murder and sentenced to life can be paroled after only a maximum of seven years.

This Liberal government, which professes to be making our streets and homes safer and to be improving our justice system, is responsible for the reduction in the parole eligibility of second degree murderers under the age of 18 from a maximum of 10 to only 7 years.

The Liberals believe that the publishing of young offenders' names must be prevented by law. Their priority is the protection of the offender. Reformers believe that the only way to truly make our streets safer is by removing the extra privacy and secrecy provisions of the YOA. YOA records should be accessible and the names of violent young offenders should be published. Our priority is the protection of society, not the protection of criminals.

The Liberal government has continually placed the rights of the offender ahead of the rights of the victim. Under Bill C-37 it continues to emphasize rehabilitation, not victim compensation.

We believe that the sentencing of young offenders must emphasize victim compensation, community service, skills training, education and deterrence to others. Opportunities for rehabilitation must be emphasized in a disciplined environment.

We believe that parents of young offenders should be held legally and financially responsible for the criminal actions of their children if evidence clearly shows that they have not made a reasonable effort to exercise parental control. Despite overwhelming support for this amendment to the YOA, the Liberal government maintains Canadian parents should not be held responsible.

Bill C-41 is another example of the government's failure to make our streets and homes safer. In Bill C-41 the Liberal government introduced alternative measures, which is its answer to the overcrowding in Canadian prisons. Although in some cases alternatives to prison may be acceptable, we are opposed to the system outlined in Bill C-41, as is the Canadian Police Association, because it does not stipulate what offences are to be part of the alternative measures program.

Nowhere in the bill did the Liberal government define alternative measures, nor did it stipulate the limitations to be imposed on the use of alternative measures. This leaves far too much discretion to the courts to interpret what is meant by this portion of Bill C-41. This could lead to an abusive use of alternatives to prison, particularly in areas of the country where prisons are overcrowded or there are backlogs in the courts. Potentially, violent offenders could walk. Does this provide safer communities and safer streets? I do not think so.

• (1620)

Bill C-45 is another example of Liberal leniency. Under this bill the Liberal government, despite our strong opposition, chose to

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continue allowing violent offenders back on the streets before serving their full sentences. We propose that all violent criminals must receive full term sentences. Statutory release, conditional release or parole must not be given to violent offenders.

We also proposed that offenders who commit another offence while on parole must serve the remaining time of the original sentence and then full term for the second offence. The Liberals defeated our amendment. The government defeated a safer measure despite its claim it is making our streets and homes safer.

We also proposed that when the parole board grants parole to violent offenders and that offender commits another violent crime while on parole, an inquiry be held into the original decision of the board to release the offender. The Liberals defeated our amendment. The Liberal government defeated a proposal aimed solely at protecting the Canadian public.

The justice legislation introduced by the Liberal government today clearly demonstrates that it has broken its promise to make our streets and homes safer. What further demonstrates this broken promise is the absence of legislation. The government, despite demands from all across Canada, including the police and victims of violence, has failed to repeal section 745. The Liberal government has also failed to bring in dangerous offender legislation. The evidence is clear that the Liberal government has failed to make Canadian streets and homes safe.

We support Bill C-42 but we do not support the Liberal government's preoccupation with accommodating the growing justice industry while failing to more vigorously protect innocent victims and law-abiding Canadians.

Mr. Kirkby: Mr. Speaker, I rise on a point of order. I wonder if we could have unanimous consent to take all steps necessary to have this bill passed in all stages today.

The Acting Speaker (Mr. Kilger): The House has heard the request for unanimous consent to proceed with all stages of this legislation. Does the House give its consent?

Some hon. members: Agreed.

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

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read the second time and, by unanimous consent, the House went into committee thereon, Mr. Kilger in the chair.)

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• (1625)

The Deputy Chairman: Order. House in committee of the whole on Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act.

[Translation]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, I have a question on clause 1 and, in fact, on the entire bill, as I do not want to go back to every paragraph to ask the same question.

What I would like to know is the total cost of this bill. Could the government tell us how much more will have to be spent on judges as a result of this bill?

[English]

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Chairman, a number of provisions will add cost. First, in clause 1 three judges are being added to the judges pool for the courts of appeal for the provinces, two to fill B.C. court of appeal vacancies. The amount of that expense will be \$200,000 per year per judge effective when the judges are appointed.

With respect to the vacancy to be filled on the Ontario court of appeal there will be no immediate cost there until after the return of Madam Justice Arbour.

There are a number of other provisions. The chief justices of the Yukon and the Northwest Territories courts of appeal now will be entitled to representational allowances. These two individuals will receive \$5,000 a year each. In addition, the chief justices of the courts of appeal and the court martial appeal court are to receive a \$5,000 allowance.

An error was discovered in the legislation which at one time did not allow judges in certain instances to get their expenses. This has been cleaned up, but that will not be an additional cost to the government.

I think that is the bulk of the expense with respect to this legislation.

The Deputy Chairman: Shall clause 1 carry?

Some hon. members: Agreed.

(Clause agreed to.)

(Clauses 2 to 4 inclusive agreed to.)

On Clause 5:

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Chairman, as I mentioned in my intervention on this bill, there is some concern that the bill does not clarify that the international bodies seconding our judges will be fully responsible for all reasonable moving and travel costs associated with the appointments.

Therefore, to ensure that international bodies will be responsible for these costs, I would like to propose an amendment to clause 5. I move:

That Bill C-42 in clause 5 be amended by replacing lines 20 and 21 on page 4 with the following: "reasonable travel and other expenses from an international"

• (1630)

The Deputy Chairman: Before I give the floor to the Parliamentary Secretary to the Minister of Justice, I am of the view that the amendment proposed by the hon. member for Calgary North is in order. I ask the parliamentary secretary to make his remarks and intervention respecting the amendment.

Let me just verify a point with the Table once more. I should like to hear what the hon. parliamentary secretary might add to the debate.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Chairman, with respect to the amendment being proposed by the hon. member, clause 5 contains within it sufficient authorization for the judge to receive payment for the reasonable expenses which are the subject of her motion.

In my view the amendment is redundant. In addition, however, it was my understanding that all parties had agreed that we would take all necessary steps to pass the legislation today without amendment. In any event, the provision the hon. member seeks to bring forward is covered by the legislation.

Mrs. Ablonczy: Mr. Chairman, it would appear that the lines to be replaced in the amendment are lines 15 and 16 on page 4. I will give a copy to the hon. parliamentary secretary. I apologize to him. I did not anticipate that we would be dealing with it right now, but I will make sure he sees a copy of it.

[Translation]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, I would like someone to tell me in French where to find it, because I must admit that, as far as understanding is concerned, it was a bit confusing over here.

• (1635)

[English]

Mrs. Ablonczy: Mr. Chairman, I have now had an opportunity to discuss the amendment with the hon. parliamentary secretary and with legal counsel. I am satisfied the intent of my amendment is covered by the legislation and I am prepared to withdraw my amendment.

The Deputy Chairman: So done.

(Amendment withdrawn.)

[Translation]

(Clauses 5 and 6 agreed to.)

The Assistant Deputy Chairman: Shall clause 7 carry?

Some hon. members: On division.

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(Clause 7 agreed to.)

The Assistant Deputy Chairman: Shall clause 8 carry?

Some hon. members: On division.

(Clause 8 agreed to.)

[*English*]

(Title agreed to.)

(Bill reported.)

[*Translation*]

Hon. Martin Cauchon (for the Minister of Justice and Attorney General of Canada) moved that Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act, be concurred in at the report stage.

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

Some hon. members: Agreed.

(Motion agreed to.)

[*English*]

The Acting Speaker (Mr. Kilger): When shall the bill be read a third time? By leave, now?

Some hon. members: Agreed.

Mr. Cauchon (for the Minister of Justice) moved that the bill be read the third time and passed.

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

* * *

FEDERAL COURT ACT

Hon. Martin Cauchon (for the Minister of Justice, Lib.) moved that Bill C-48, an act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act, be read the second time and referred to a committee.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I address the House today on Bill C-48, an act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act.

Under the Judges Act, judges of provincial superior courts and appellate courts may be appointed from applicants who have at least 10 years at the bar or as provincial court judges. However under the Federal Court Act and the Tax Court of Canada Act eligibility for appointment to each of these two courts is limited to persons who have 10 years at the bar or who are already federally appointed judges.

• (1640)

Since the time served as a provincially appointed judge does not count toward eligibility for appointment to the federal court or the

tax court as it does for appointments to the provincial, superior and appellate courts, this historic anomaly effectively disqualifies from appointment to these two courts any provincial court judge notwithstanding his or her extremely high qualifications who had practised law for less than 10 years prior to his or her appointment to the provincial court.

There is no legal or policy reason for so limiting the appointments to the federal court or the tax court in this way. Furthermore, in all three acts time spent as a provincially or federally appointed judicial officer such as a master or superior court registrar during which the applicant's membership in the bar may have been in abeyance also does not count toward the 10-year eligibility requirement for the appointment to the provincial, superior and appellate courts, the federal court and the tax court.

Bill C-48 would amend all three acts to make the appointment eligibility requirements consistent. Once these amendments are in effect, time spent either as a lawyer, a provincially or federally appointed judicial officer or a provincially or federally appointed judge would count toward the 10 years at the bar requirement for appointment to any federally appointed court, with the exception of the Supreme Court of Canada.

For the supreme court it would continue to be the case that only lawyers of 10 years standing or provincial superior court judges would be eligible for appointment.

The amendments to the Federal Court Act and the Tax Court of Canada Act are being given retrospective effect so as to place the validity of the appointment of a judge appointed in 1990 and another appointed in 1995 beyond any possible doubt regardless of how one interprets the provincial laws governing the status of those judges continuing membership in the bar while they were provincial judges.

That is all Bill C-48 does. It is a very simple bill with a very limited technical objective. I urge all hon. members to pursue quick passage.

I ask at this time for unanimous consent for the House to take all necessary steps to pass and adopt the bill expeditiously today.

The Acting Speaker (Mr. Kilger): The parliamentary secretary has asked for unanimous consent of the House to move the legislation forward today at all stages.

Is there unanimous consent?

[*Translation*]

Mrs. Venne: Mr. Speaker, I wish to confirm that we will in fact be giving our support, because we already indicated it to the parliamentary secretary earlier. We are therefore keeping our promise.

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The Acting Speaker (Mr. Kilger): I still have to ask the House in its entirety. Would the hon. member for Calgary North care to comment, or can I simply ask if there is unanimous consent to proceed at all stages?

Mrs. Ablonczy: Mr. Speaker, we oppose the bill. However we do not oppose the process of passing it through all stages today.

The Acting Speaker (Mr. Kilger): Is the House giving its unanimous consent to proceed at all stages?

Some hon. members: Agreed.

[Translation]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, quite honestly, as for having a great debate on a piece of legislation that simply changes the number of years a judge must sit before being eligible for the federal court or the tax court of Canada, I really could not bring myself to make Parliament or our electors foot the bill for such a thing.

However, I will say that I would like to add a really minor amendment, but only we study the bill in the committee of the whole.

• (1645)

[English]

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, we are discussing Bill C-48, an act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act. This is the third piece of legislation brought before the House since February of this year dealing with amendments to the Judges Act. I have to question why the government is making all of these piecemeal changes instead of bringing in one bill to satisfy all the administrative and technical changes it feels are necessary.

This bill has been brought in specifically to correct a situation where the justice minister appointed a provincial court judge from British Columbia to the Federal Court. On November 29, 1995 the justice minister appointed Douglas Campbell of the provincial court, criminal division, in Vancouver to the Federal Court of Canada. The legislation at the time permitted any judge of a superior county or district court to be appointed to the Federal Court, but Judge Campbell was a judge of the provincial court. We are therefore debating a technical amendment to the Federal Court Act to deal with this oversight.

It is a technical amendment, since the current legislation also includes provisions that a barrister or advocate who has been at the bar of a province for at least 10 years is also eligible for an appointment. Therefore, while Judge Campbell was not from the proper judge pool, he did in fact have the necessary years of experience to qualify.

At the Reform Party's national assembly, which was held in Vancouver two weekends ago, the delegates voted 75 per cent in favour of the following resolution:

Resolve that the Reform Party supports dissolving the current system of appointing federal judges and replacing it with a democratic and accountable method.

We feel that political patronage in the appointment of judges has been an albatross around the necks of Canadians for years and that it has to stop. Only with a more transparent appointment process can Canadians be satisfied that the integrity of our justice system is protected.

For the reasons I have mentioned, the Reform Party will not be supporting Bill C-48. We believe it is time to de-politicize the appointment process in putting men and women on the benches of the courts of our land. This cannot be achieved until the process is open and accountable.

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

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read the second time and, by unanimous consent, the House went into committee thereon, Mr. Kilger in the chair.)

The Deputy Chairman: Order. House in committee of the whole on Bill C-48, an act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act.

• (1650)

[Translation]

Shall clause 1 carry?

on clause 1.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, as I have just said, I did not speak on this, I did not take the time allocated to me because I simply wanted have the time to propose an amendment.

Bill C-48 has our agreement in principle, we agree that certain technical details do, of course, have to be modified, but if changes are going to be made, I feel it would be worthwhile to add my amendment. I shall speak of it now and provide you with the written copy immediately afterwards.

I move:

That clause 1, page 1, line 18, be amended by the addition of the following paragraph:

“(d) is or has been a notary of at least ten years standing as a member of the Chambre des notaires du Québec.”

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This would simply make notaries eligible to become Federal Court judges, which I feel would be a matter of equity. This is something the Quebec notaries have long been calling for, and our having a Civil Code and not the Common Law is no reason we ought not to have the right to have judges from the *Chambre des notaires*. That is the reason I am proposing this amendment.

[*English*]

The Deputy Chairman: Colleagues, on a *prima facie* basis it would appear that this amendment is in order. I would ask the hon. parliamentary secretary who is seeking the floor for his comments.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Chairman, I would suggest that the proposed amendment is out of order.

Section 98 of the Constitution requires that judges of the courts of Quebec be selected from the bar of the province. Notaries are not members of the bar of the province. Therefore it would not be possible to put forward such an amendment.

• (1655)

[*Translation*]

Mrs. Venne: Mr. Speaker, in response to what the hon. parliamentary secretary just said, perhaps I should point out that the charter of rights and freedoms certainly does not encourage discriminating against notaries to favour lawyers.

I think that, if the idea is to make this a constitutional or charter issue, it is up to the hon. members to decide whether they want to do so.

[*English*]

The Deputy Chairman: The hon. parliamentary secretary.

Mr. Kirkby: Mr. Chairman, I would ask the indulgence of the Chair to consult.

The Deputy Chairman: If there are no other discussions, I am prepared to rule on the amendment by the hon. member for Saint-Hubert. I thank both her and the parliamentary secretary for their interventions.

I would submit to the committee that the arguments, while they were of a legal and constitutional nature, my ruling is based on procedural matters and that in fact the amendment is in order. It does not go beyond the scope of the bill and it does not add any charge. Therefore, the amendment is acceptable and I will accept debate on the amendment.

[*Translation*]

I am sorry, but I cannot recognize the hon. member on debate, as she is he one who introduced the amendment.

[*English*]

Mr. Kirkby: Mr. Chairman, I will make my point with respect to the amendment very quickly. The government will not be supporting the amendment. As I indicated before, the amendment is, in the government's view, unconstitutional.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Chairman, it seems, in looking at the merits of this amendment, that it does fly in the face of section 98 of the Constitution. Also, if the argument is that notaries are being discriminated against because they cannot be elevated to the bar, it seems one could make the same argument that engineers, nurses or housekeepers are being discriminated against because they cannot be named to the bench. This seems to be carrying discrimination to rather far-fetched extremes.

In view of the clear wording of section 98, I believe it would be in order to reject this amendment.

• (1700)

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I think that, in introducing this kind of amendment, the hon. member for Saint-Hubert was trying to make it very clear that there is currently some discrimination, and the comparison made by the previous speaker between a nursing program and a medicine program is not valid, since, in one case, the program does not necessarily lead to university degree.

As for law, I think all the hon. members must realize that a bachelor's degree is required and that future lawyers all undergo the same training for three years. This means that, if each of us here picked at random and visited any law faculty, whether at l'Université de Montréal or at any other university in Quebec, we would find future notaries attending classes alongside future lawyers. The hon. member for Outremont should know, since he is himself a lawyer. The core curriculum, including securities theory and constitutional law, is the same for all three years.

I think it would be interesting if those who oppose the official opposition's amendment told us why a person with legal training, training identical to that of notaries except for the last year of the bar, should be authorized to deliver judgment from the bench or to practice law by joining the judicial branch.

I think that the hon. member for Saint-Hubert is right and I know she is sensitive to any form of discrimination. We must fight side by side. I think that the hon. member for Saint-Hubert is right to say that the government would fail miserably if it had to pass the discrimination test under the Charter, as it intends to perpetuate discrimination by rejecting this amendment.

*Government Orders**[English]*

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, I am confused by the arguments being presented by the Bloc members opposite.

The reason I am confused about the hon. member's amendment is that the request that is being made is for the appointment of a judge to a tax court. Where we have to draw from the pool and the pool has to be drawn from the pool of lawyers, constitutionally it says that judges of the courts of Quebec shall be selected from the bar of that province. It behoves me to understand where the Bloc would not be siding on a rule of law that is stated in the Constitution and a rule of law that is stated in the province of Quebec where it says the judges of the courts of Quebec shall be selected from the bar of that province. Notaries are not members of the bar.

The Bloc opposition is trying to mix apples and oranges. We are not talking about a constitutional correction. We are talking about where the pool is being drawn from. The pool is being drawn from the bar of the province and notaries are not members of that bar.

Why hold us to something that is law in Quebec?

The Deputy Chairman: While committee of the whole procedures are a little different, I wonder if the member for St. Hubert wishes to respond to the member for Hamilton West. Shall I drop the matter? I would require unanimous consent.

Is the House ready for the question?

Some hon. members: Question.

The Deputy Chairman: It will be a voice vote. All those in favour of the amendment will please say yea.

Some hon. members: Yea.

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

Some hon. members: Nay.

The Deputy Chairman: In my opinion the nays have it. Therefore the amendment is defeated.

(Clause 1 agreed to.)

The Deputy Chairman: Shall Clause 2 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 2 agreed to.)

The Deputy Chairman: Shall Clause 3 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 3 agreed to.)

The Deputy Chairman: Shall clause 4 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 4 agreed to.)

The Deputy Chairman: Shall the title carry?

Some hon. members: Agreed.

(Title agreed to.)

• (1705)

The Deputy Chairman: Shall I rise and report the bill?

Some hon. members: Agreed.

(Bill reported.)

Hon. Martin Cauchon (for Minister of Justice, Lib.) moved that the bill be concurred in.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

(Motion agreed to.)

The Acting Speaker (Mr. Kilger): When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. Martin Cauchon (for Minister of Justice, Lib.) moved that the bill be read the third time and passed.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

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

[Translation]

The Acting Speaker (Mr. Kilger): It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Verchères, the Canadian Centre for Magnetic Fusion in Varennes.

* * *

[English]

RAILWAY SAFETY ACT

On the Order: Government Orders

May 30, 1996—The Minister of Transport—Second reading and reference to the Standing Committee on Transport of Bill C-43, an act to amend the Railway Safety Act and to make a consequential amendment to another act.

Hon. Martin Cauchon (for the Minister of Transport, Lib.) moved:

That Bill C-43, an act to amend the Railway Safety Act and to make a consequential amendment to another act, be referred forthwith to the Standing Committee on Transport.

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Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, I am pleased to rise for debate on this bill which incorporates amendments to the Railway Safety Act. We on this side of the House believe this will be a very useful piece of legislation and we propose that the bill be referred to the Standing Committee on Transport before second reading.

The Railway Safety Act is a relatively new piece of legislation which came into effect in January 1988. As is often the case with new legislation, the act required that a statutory review of its provisions be undertaken five years after coming into force. Such a review was carried out in 1994. The report of the committee that reviewed the Railway Safety Act was tabled in this House on February 15, 1995 and the government moved very quickly with a response which was tabled on June 8, 1995.

I am happy to say that the review found Canadian railways to have a good safety record when compared with other modes of transportation and when compared with other countries. On page 16 of its final report, the committee concluded that "railways in Canada operate safely. On the basis of numerous evaluative measurements and comparisons with other nations and modes of transportation, the railway mode is an extremely safe means of moving freight and people in this country". The committee also indicated in its report that the "work related safety of railways and the manner in which their operations are carried out have clearly shown improvement".

• (1710)

The committee looked at the statutory structure and emphasized that the underlying principles of the Railway Safety Act remain valid and these key principles can be summarized as: one, the government sets the standards; two, railway companies decide how to meet these standards; and three, government monitors for compliance and enforces where necessary.

The changes made with the passage of the Railway Safety Act in 1988 were significant in that they marked a deviation from the old command and control approach to railway regulation that had been the norm until that time. I am pleased that the review committee confirmed that this enlightened approach to regulation is very appropriate.

The committee made a number of recommendations for improving the railway safety regime in Canada. The amendments before the House represent the legislative changes that are required to implement many of those recommendations.

Let us address the consultative process. Last summer Transport Canada carried out extensive consultations on the form of the legislative amendments. An industry group was established with

representation from the railways, railway labour, the Canada Safety Council and the Federation of Canadian Municipalities to review the various proposals.

I am pleased to say that the parties worked diligently and achieved consensus. There was a high degree of unanimity on safety matters and the various views expressed are reflected in these particular amendments. Of course there was not complete unanimity, but this was an excellent opportunity for all points of view to be aired and to resolve many, many of the differences.

Our government has also discussed these amendments with provincial representatives who made a number of suggestions. These suggestions have been incorporated into the amendments.

The amendments to the Railway Safety Act that are being proposed cover the majority of the recommendations put forward by the review committee. One of the key amendments relates to the problem of train whistling in communities. The whistle is an important safety feature but it can be very disruptive for people who live close to a railway line. We are probably all familiar with some of our constituents who have approached us on this issue.

The government's proposal, which was endorsed by municipal representatives from across the country, is as follows: Where a municipality has passed a motion and where the location meets Transport Canada conditions for whistling cessation, the trains would be required to cease whistling. I believe this is a workable solution to what has been a very difficult problem.

Railway highway crossings contribute to the greatest number of rail related accidents, deaths and injuries. The review recommended that Transport Canada prepare a plan aimed at reducing the number of crossing accidents by 50 per cent within 10 years.

There are a number of items that will require additional legislative powers and these are included in the proposed amendments. They include measures to promote crossing closures as well as to control the way in which key crossings are used.

A number of the more technical amendments will streamline the regulatory process and reduce bureaucratic burden. They will reduce government involvement in unproductive areas but will allow government to continue to cover the essential items.

It should be noted that some of the recommendations, such as those relating to branch line abandonment, have already been covered through the Canada Transportation Act, Bill C-14.

A number of the recommendations, particularly those relating to co-ordination with provinces, grade crossing improvements and studying the effects of train whistle cessation at crossings do not require legislation and Transport Canada is already working to find a solution to these.

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The Railway Safety Act has fostered consultation between all parties that have an interest in safety. A number of other legislative changes will streamline the regulatory process and provide even greater involvement of railway labour in the development of new rules.

The review committee recommended that the statutory framework be changed so that the railways could propose performance standards and a comprehensive safety plan, both of which would be approved by Transport Canada. Once again these proposals will permit this to take place.

• (1715)

We are also taking this opportunity to revise and update railway security provisions. Problems can arise from terrorist acts and occurrences such as bomb threats. We do not see these as significant threats to the railway system at present. This therefore is the time when we should take care to ensure that we have the right statutory underpinning should such powers be necessary in the future.

The security provisions in the legislation have been recast using our model, the Marine Transportation Security Act, a most recent piece of security legislation. We hope these provisions will not be necessary, but we are happy we will have them in place as a good basic foundation should such measures become necessary in the future.

Finally let us examine the broader aspects of the legislation. The review of railway safety concluded that our railways have a good safety record and that we have reason for confidence in the regulatory regime. When dealing with a topic such as safety, however, we must be diligent. We must continually be seeking better ways to do things. We should always strive to improve our record.

The government has taken a number of steps to revitalize Canada's rail sector, such as the privatization of the Canadian National last year. These initiatives will go a long way toward strengthening Canada's transportation infrastructure and establishing a sound base to carry our railways well into the next century.

However and in spite of these changes the government will continue to place emphasis on the most important aspect of all: safety. We will continue to be diligent where safety is concerned. The proposed changes before the House today will streamline and improve the legislative base for railway safety in the years to come.

I therefore urge all my hon. colleagues in this place to support the legislation and agree to refer the bill to committee.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am pleased to take part in the debate on Bill C-43, an act

to amend the Railway Safety Act and to make a consequential amendment to another Act.

I would love to share the optimism of the parliamentary secretary. Unfortunately, certain statistics tell me that, while this bill seeks to correct certain significant technical flaws and while the official opposition may help improve it during the review by the committee, some major issues linger with regard to railway safety in Canada.

Let me give you a few figures. In 1994, a total of 1,189 accidents were reported to the Transportation Safety Board of Canada. That was 17 per cent more than in 1993. There was a net increase of 8 per cent in the accident rate, which climbed to 14.4 accidents per million of train-miles travelled.

Then there is the fact that most accidents on main lines occur at level crossings. This suggests that improvements could be made, and that human or technical errors are often to blame.

It is also reported that, each year, some 300 accidents involve transporter cars. Worse still is the fact that, in 1994, 114 people died in train accidents. These figures make us realize that the situation is much more worrying than the government would lead us to believe.

Some of the objectives of the bill are to: "provide for greater involvement by interested organizations in making rules about railway operations; provide for the regulation of the use of train whistles in municipalities; strengthen and clarify provisions dealing with railway security". No major initiatives are taken to correct existing problems.

The government's good intention to tackle the issue should be reflected in amendments to the bill that would give it more substance and to face the real issues relating to railway safety.

The bill is silent on a very real problem, particularly in Quebec. They say there are 3 to 10 times as many defects in the tracks located in Quebec, because they are older and less well maintained, a result of the available resources and the fact that rail has long been considered a sort of homespun way of travel and not given the chance to become a tool of development. Today, we are paying the price for this.

• (1720)

To add insult to injury, it has just been announced that the Charny maintenance shop, in the riding of my colleague from Lévis, is to be closed. The job loss is regrettable. True, 90 jobs in such a region is not all that significant, but on top of that there is the significant impact on safety, since now the only track maintenance shop for the whole of eastern Canada will be located in Winnipeg, Manitoba.

Imagine, then, that on the CN lines in Quebec there are 51 defects per 65 miles, or 100 km of track, and on the CP lines 31 for the same 65 miles or 100 kilometres. Yet these figures are not

likely to improve in future because, as well as not having maintained the track properly, now they are moving the people with responsibility for maintenance further away, and their territory is being increased still further. This is tantamount to abdicating from any responsibility for safety.

The federal government must be judged clearly by the public on this. Yes, it is entitled to want to propose choices, to privatize companies. It is entitled to make those choices. We are entitled to judge the choices, or the way they were made, as the right ones or not, but there is one thing that must not be sloughed off: the responsibility for safety.

In this connection, Bill C-43 really contains no measures for dealing with the situation, or for improving it to any significant extent. A major debate needs to be held. There are, for example, newspaper reports stating that the Transportation Safety Board of Canada contradicts the CN on the number of accidents, yet this is the body responsible for providing a true picture of the situation and it is also less in conflict of interest than the companies operating the railways.

Questions will have to be asked in committee as to why the statistics I have just given you have not been able to be improved, and what should be done in future to remedy the situation. We are told that the number of railway accidents has been constantly on the increase for the past five years. This again comes from the Transportation Safety Board. They arrived in February 1996, when two derailments had just occurred in the Quebec City region within two weeks.

There is regularly talk about accidents, every month, as I mentioned in talking about level crossings earlier, for example. So clearly we have to look a lot deeper at the Railway Safety Act than the government is doing. At the moment, we could say it is doing nothing more than fulfilling its obligation to review the Act every five years. Review does not just mean simply making technical changes. The point of the review is to ensure that our railway system is the best it can be. If we have in fact under-used and under-maintained the rail systems in Quebec and Canada, we must ensure today, with the vision we want for our system, that we take every means possible to remedy the situation.

Railway transportation was declining 10 or 15 years ago. Today, it is on the rise with the use of containers. Furthermore, VIA Rail for one is trying to revitalize operations and must therefore break the vicious circle in which rail transportation is not used because it is inefficient and because it is inefficient less money is allocated to its operation and maintenance. The end result is poor service that fails to meet the needs of the people.

It will therefore be important, when this bill is being studied in committee—because the government has decided to go directly to committee rather than do an in-depth analysis at second reading—to study it thoroughly. There will be experts of different sorts, no

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doubt employees who know something about such things. I think they should enjoy a certain impunity in committee, so that we get at the truth, can see things as they are, can propose amendments and make relevant changes.

• (1725)

This way, when the law is next reviewed, perhaps in five years, we will be able to say results were achieved and the statistics, instead of increasing by 17 per cent, will be stable at least. We will have made it so that the cause of accidents will only be unexplained human error, and not the system, poor operation or an insufficient investment in prevention.

In conclusion, the official opposition intends to be very vigilant and to ensure that our rail service operates totally safely for the welfare of individuals and for an improved economy.

[*English*]

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, I realize there is very little time before we vote. However I think it will be quite sufficient for what I have to say today.

I listened to my colleague who just spoke. I am not in disagreement with the basic concepts he has raised. I look forward to the matter going to committee so that we can study it in depth.

I find it very interesting that major rail bills like the privatization of CN Rail, a very big and very controversial bill, was not debated in the House at second reading. Instead it was forced by the Liberal government into committee before the debate took place.

I objected to that at the time. I objected to it after the fact. All the rationales used by the government regarding why it should be rushed into committee fell by the wayside.

Today we have something that does not have the impact of something like the privatization of half of Canada's national rail system. We find ourselves debating it in the House of Commons in the last week of Parliament, in the dying hours. We are even using extended hours to debate the bill.

Why is the government trying to tie up the House of Commons and members of Parliament? House employees and staff are working overtime, costing something in the range of \$50,000 an hour. That amount is charged to the taxpayers so that we can debate sending legislation to a committee before Parliament rises for the summer, and the committee the bill will go to is not meeting until next fall.

It is a horrendous waste of the taxpayers' money. Why is the government wasting the time of the House debating bills like this one instead of getting on with important bills, if it has any to bring forward? Is the government simply stalling until its absolutely

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unconstitutional Bill C-28 comes once again back from the Senate? Is it just trying to find excuses to hang on until then?

There are problems with the bill that we can deal with in committee. I will recommend to our party that we give tentative support to the bill going to committee, at which time we will see what concerns are brought forward by the public, the users, the rail companies and those involved with them; what amendments are offered both by the government and by opposition; and what is done with them. Then we will make our final decision to support or not support the bill when it comes back to the House and will have a purpose for being before the House.

I hope the government will move on if it has something substantial. If it is worth paying \$50,000 an hour in taxpayers' money to keep the House running in overtime, the government should bring it forward. If it does not have anything it should have the decency to say so and to adjourn the House.

The Acting Speaker (Mr. Kilger): There is every indication there are other members who wish to participate in the debate. I am somewhat reluctant to give the floor to someone to speak for all of one minute.

Therefore I ask the House for unanimous consent to call it 5.30 p.m. and we will resume debate following the votes and private members' hour. Does the House give its consent to calling it 5.30 p.m.?

Some hon. members: Agreed.

* * *

REGULATIONS ACT

The House resumed from June 12 consideration of the motion that Bill C-25, an act respecting regulations and other documents, including the review, registration publication and parliamentary scrutiny of regulations and other documents, and to make consequential and related amendments to other acts, be read the second time and referred to a committee.

The Acting Speaker (Mr. Kilger): It being 5.30 p.m., the House will now proceed to the taking of the deferred division on the motion at second reading stage of Bill C-25.

Call in the members.

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

(Division No. 111)

YEAS

Members

Adams	Alcock
Allmand	Anderson
Assadourian	Augustine
Axworthy (Winnipeg South Centre/Sud-Centre)	Baker
Bakopanos	Barnes
Beaumier	Bélair
Bélanger	Bellemare

Bertrand	Blondin-Andrew
Bonin	Boudria
Brown (Oakville—Milton)	Bryden
Caccia	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chan
Clancy	Cohen
Collenette	Collins
Cowling	Crawford
Culbert	Cullen
DeVillers	Dion
Discepola	Duhamel
Dupuy	Easter
Eggleton	English
Finestone	Fliis
Fontana	Gagliano
Galloway	Gerrard
Godfrey	Goodale
Graham	Guarnieri
Harb	Harper (Churchill)
Harvard	Hopkins
Hubbard	Ianno
Iftody	Irwin
Jackson	Jordan
Keyes	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
MacAulay	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Maloney
Manley	Marchi
Marleau	Massé
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Mifflin	Milliken
Minna	Mitchell
Murphy	Murray
Nault	O'Brien (Labrador)
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Proud	Reed
Regan	Richardson
Rideout	Robichaud
Robillard	Rock
Scott (Fredericton—York—Sunbury)	Shepherd
Sheridan	Simmons
Skoke	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Szabo	Telegdi
Thalheimer	Torsney
Ur	Valeri
Vanclief	Verran
Volpe	Wappel
Whelan	Wood
Young	Zed—140

NAYS

Members

Abbott	Ablonczy
Althouse	Asselin
Bachand	Bélisle
Bellehumeur	Benoit
Bergeron	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Blaikie
Breitkreuz (Yorkton—Melville)	Canuel
Chrétien (Frontenac)	Crête

*Government Orders***CRIMINAL CODE**

The House resumed from June 17 consideration of the motion that Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, be read the second time and referred to a committee.

Mr. Boudria: Mr. Speaker, I believe you would find unanimous consent to record the members who have voted on the previous motion as having voted on the motion now before the House, with Liberal members voting yea.

Mr. Allmand: Mr. Speaker, on this bill I want to be recorded as voting against.

Mr. Milliken: Mr. Speaker, on this bill I also wish to be recorded as voting against.

[*Translation*]

Mr. Laurin: Mr. Speaker, the members of the Bloc Québécois will be voting in favour of this bill.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will be voting no, unless instructed by their constituents to do otherwise.

Mr. Solomon: Mr. Speaker, the New Democrats present this evening will vote yes on this matter.

Mr. Perić: Mr. Speaker, I wish to be recorded as voting against this bill.

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

(*Division No. 112*)

YEAS

Members

Adams	Alcock
Althouse	Anderson
Assadourian	Asselin
Augustine	Axworthy (Winnipeg South Centre/Sud-Centre)
Bachand	Baker
Bakopoulos	Barnes
Beaumier	Bélair
Bélanger	Bélisle
Bellehumeur	Bellemare
Bergeron	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Bertrand
Blaikie	Blondin-Andrew
Bonin	Boudria
Brown (Oakville—Milton)	Bryden
Caccia	Calder
Campbell	Cannis
Canuel	Catterall
Cauchon	Chamberlain
Chan	Chrétien (Frontenac)
Clancy	Cohen
Collenette	Collins
Cowling	Crawford
Crête	Culbert
Cullen	Daviault
de Savoye	Debien
Deshaies	DeVillers
Dion	Discepola
Dubé	Duceppe
Duhamel	Dupuy
Easter	Eggleton
English	Finestone
Flis	Fontana
Gagliano	Gagnon (Québec)

Cummins	Daviault
de Savoye	Debien
Deshaies	Dubé
Duceppe	Duncan
Epp	Forseth
Frazier	Gagnon (Québec)
Gauthier	Gilmour
Godin	Gouk
Grey (Beaver River)	Grubel
Guay	Guimond
Hanger	Hanrahan
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Johnston
Landry	Langlois
Laurin	Lebel
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Manning	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Ménard
Mercier	Meredith
Mills (Red Deer)	Morrison
Nunez	Paré
Penson	Picard (Drummond)
Plamondon	Pomerleau
Ramsay	Ringma
Rocheleau	Sauvageau
Schmidt	Scott (Skeena)
Silye	Solberg
Solomon	Speaker
Stinson	St-Laurent
Strahl	Taylor
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Tremblay (Rosemont)	Venne
White (Fraser Valley West/Ouest)	Williams —92

PAIRED MEMBERS

Bertrand	Bodnar
Brien	Caron
Dalphond-Guiral	Dingwall
Dromiskiy	Dumas
Fillion	Gaffney
Lalonde	Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)	Martin (LaSalle—Émard)
Pettigrew	Walker

• (1800)

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

Mr. Boudria: Mr. Speaker, on a point of order. I think you would find unanimous consent that the House now proceed with the other bills which have been deferred and that we deal with the two private members ballot items, M-166 and M-116, after we terminate voting on the government bills.

Some hon. members: Agreed.

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the deferred recorded division at second reading of Bill C-45.

Government Orders

Galloway	Gauthier
Gerrard	Godfrey
Godin	Goodale
Graham	Guarnieri
Guay	Guimond
Harb	Harper (Churchill)
Harvard	Hopkins
Hubbard	Ianno
Iftody	Irwin
Jackson	Jacob
Jordan	Keyes
Kirkby	Knutson
Kraft Sloan	Landry
Langlois	Lastewka
Laurin	Lavigne (Verdun—Saint-Paul)
Lebel	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lee	Lefebvre
Leroux (Richmond—Wolfe)	Leroux (Shefford)
Lincoln	Loney
Loubier	MacAulay
MacLellan (Cape/Cap-Breton—The Sydneys)	Malhi
Maloney	Manley
Marchand	Marchi
Marleau	Massé
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Ménard	Mercier
Mifflin	Minna
Mitchell	Murphy
Murray	Nault
Nunez	O'Brien (Labrador)
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Paré	Parrish
Patry	Peters
Peterson	Phinney
Picard (Drummond)	Pickard (Essex—Kent)
Pillitteri	Plamondon
Pomerleau	Proud
Reed	Regan
Richardson	Rideout
Robichaud	Robillard
Rocheleau	Rock
Sauvageau	Scott (Fredericton—York—Sunbury)
Shepherd	Sheridan
Simmons	Skoke
Solomon	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
St-Laurent	Szabo
Taylor	Telegdi
Thalheimer	Torsney
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Tremblay (Rosemont)	Ur
Valeri	Vanclief
Venne	Verran
Volpe	Wappel
Whelan	Wood
Young	Zed—186

NAYS

Members

Abbott	Ablonczy
Allmand	Benoit
Breitkreuz (Yorkton—Melville)	Cummins
Duncan	Epp
Forsyth	Frazier
Gilmour	Gouk
Grey (Beaver River)	Grubel
Hanger	Hanrahan
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)

Hoepfner	Jennings
Johnston	Manning
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Meredith
Milliken	Mills (Red Deer)
Morrison	Penson
Peric	Ramsay
Ringma	Schmidt
Scott (Skeena)	Silye
Solberg	Speaker
Stinson	Strahl
White (Fraser Valley West/Ouest)	Williams—46

PAIRED MEMBERS

Bertrand	Bodnar
Brien	Caron
Dalphon-DuGirard	Dingwall
Dromisky	Dumas
Fillion	Gaffney
Lalonde	Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)	Martin (LaSalle—Émard)
Pettigrew	Walker

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

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the deferred recorded division on the motion at third reading of Bill C-36.

* * *

INCOME TAX BUDGET AMENDMENT ACT

The House resumed from June 17 consideration of the motion that Bill C-36, an act to amend the Income Tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act, be read the third time and passed.

Mr. Boudria: Mr. Speaker, I believe you would find unanimous consent to apply the results of the main motion for second reading of Bill C-25 to the motion now before the House.

The Acting Speaker (Mr. Kilger): Is it agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 111.*]

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

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the deferred recorded divisions on the motions at report stage of Bill C-30.

* * *

PUBLIC SERVICE STAFF RELATIONS ACT

The House resumed consideration of Bill C-30, an act to amend the Public Service Staff Relations Act and the Royal Canadian Mounted Police Act, as reported (without amendment) from the committee; and of Motions Nos. 1, 2, 3, 4, 5.

Government Orders

• (1805)

The Acting Speaker (Mr. Kilger): The question is on Motion No. 1. A vote on this motion also applies to Motions Nos. 2 and 3.

Mr. Boudria: Mr. Speaker, I believe you would find unanimous consent that the members who voted on the previous motion be recorded as having voted on the motion now before the House except for the hon. member for Ottawa Centre who I understand had to leave. Liberal members will be voting nay.

I believe you would find unanimous consent to apply that result to report stage Motion No. 4 as well.

[Translation]

Mr. Laurin: Mr. Speaker, the members of the Bloc Quebecois will be voting yes.

[English]

Mr. Strahl: Mr. Speaker, Reform Party members present will agree with applying, and members present will be voting no unless instructed otherwise by their constituents.

Mr. Solomon: Mr. Speaker, New Democrats present this evening will be voting yes on both motions.

(The House divided on Motion No. 1, which was negated on the following division:)

*(Division No. 113)***YEAS**

Members

Althouse	Asselin
Bachand	Bélisle
Bellehumeur	Bergeron
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Blaikie	Canuel
Chrétien (Frontenac)	Crête
Daviault	de Savoye
Debien	Deshaies
Dubé	Duceppe
Gagnon (Québec)	Gauthier
Godin	Guay
Guimond	Jacob
Landry	Langlois
Laurin	Lebel
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Marchand	Ménard
Mercier	Nunez
Paré	Picard (Drummond)
Plamondon	Pomerleau
Rocheleau	Sauvageau
Solomon	St-Laurent
Taylor	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Venne—49	

NAYS

Members

Abbott	Ablonczy
Adams	Alcock
Allmand	Anderson
Assadourian	Augustine

Axworthy (Winnipeg South Centre/Sud-Centre)	Baker
Bakopanos	Barnes
Beaumier	Bélaire
Belanger	Bellemare
Benoit	Bertrand
Blondin-Andrew	Bonin
Boudria	Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)	Bryden
Caccia	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chan
Clancy	Cohen
Collenette	Collins
Cowling	Crawford
Culbert	Cullen
Cummins	DeVillers
Dion	Discepola
Duhamel	Duncan
Dupuy	Easter
Eggleton	English
Epp	Finestone
Flis	Fontana
Forseth	Frazier
Gagliano	Galloway
Gerrard	Gilmour
Godfrey	Goodale
Gouk	Graham
Grey (Beaver River)	Grubel
Guarnieri	Hanger
Hanrahan	Harper (Calgary West/Ouest)
Harper (Churchill)	Harper (Simcoe Centre)
Harvard	Hayes
Hermanson	Hill (Macleod)
Hill (Prince George—Peace River)	Hoeppner
Hopkins	Hubbard
Ianno	Iftody
Irwin	Jackson
Jennings	Johnston
Jordan	Keyes
Kirkby	Knutson
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lee	Lincoln
Loney	MacAulay
MacLellan (Cape/Cap-Breton—The Sydneys)	Malhi
Maloney	Manley
Manning	Marchi
Marleau	Martin (Esquimalt—Juan de Fuca)
Massé	McField
McClelland (Edmonton Southwest/Sud-Ouest)	McCormick
McGuire	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Meredith
Mifflin	Milliken
Mills (Red Deer)	Minna
Mitchell	Morrison
Murphy	Murray
Nault	O'Brien (Labrador)
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Penson	Peric
Peters	Peterson
Phinney	Pickard (Essex—Kent)
Pillitteri	Proud
Ramsay	Reed
Regan	Richardson
Rideout	Ringma
Robichaud	Robillard
Rock	Schmidt
Scott (Fredericton—York—Sunbury)	Scott (Skeena)
Shepherd	Sheridan
Silye	Simmons
Skoke	Solberg
Speaker	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Stinson	Strahl
Szabo	Telegdi

Government Orders

Thalheimer	Torsney
Ur	Valeri
Vancief	Verran
Volpe	Wappel
Whelan	White (Fraser Valley West/Ouest)
Williams	Wood
Young	Zed—182

PAIRED MEMBERS

Bertrand	Bodnar
Brien	Caron
Dalmond-Guiral	Dingwall
Dromisky	Dumas
Fillion	Gaffney
Lalonde	Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)	Martin (LaSalle—Émard)
Pettigrew	Walker

The Acting Speaker (Mr. Kilger): I declare Motion No. 1 defeated. I therefore declare Motions Nos. 2 and 3 defeated.

(The House divided on Motion No. 4, which was negated on the following division:)

[*Editor's Note: See list under Division No. 113*]

The Acting Speaker (Mr. Kilger): I declare Motion No. 4 defeated.

The next question is on Motion No. 5.

Mr. Boudria: Mr. Speaker, I believe you would find unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*Translation*]

Mr. Laurin: Mr. Speaker, the members of the Bloc Quebecois will be voting yes.

[*English*]

Mr. Strahl: Mr. Speaker, this is a good motion. The Reform Party members will be voting yes unless instructed by their constituents to do otherwise.

Mr. Solomon: Mr. Speaker, members of the NDP on this motion vote no.

Mr. Harb: Mr. Speaker, I would like to be recorded as voting with the government.

(The House divided on Motion No. 5, which was negated on the following division:)

(*Division No. 114*)

YEAS

Members

Abbott	Ablonczy
Asselin	Bachand
Bélisle	Bellehumeur
Benoit	Bergeron
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Breitkreuz (Yorkton—Melville)	Canuel
Chrétien (Frontenac)	Crête
Cummins	Daviault
de Savoye	Debien
Deshaies	Dubé
Duceppe	Duncan

Epp	Forseth
Frazier	Gagnon (Québec)
Gauthier	Gilmour
Godin	Gouk
Grey (Beaver River)	Grubel
Guay	Guimond
Hanger	Hanrahan
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hayes	Hermanson
Hill (MacLeod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Johnston
Landry	Langlois
Laurin	Lebel
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Manning	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Ménard
Mercier	Meredith
Mills (Red Deer)	Morrison
Nunez	Paré
Penson	Picard (Drummond)
Plamondon	Pomerleau
Ramsay	Ringma
Rocheleau	Sauvageau
Schmidt	Scott (Skeena)
Silye	Solberg
Speaker	Stinson
St-Laurent	Strahl
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Tremblay (Rosemont)	Venne
White (Fraser Valley West/Ouest)	Williams —88

NAYS

Members

Adams	Alcock
Allmand	Althouse
Anderson	Assadourian
Augustine	Axworthy (Winnipeg South Centre/Sud-Centre)
Baker	Bakopanos
Barnes	Beaumier
Bélair	Bélangier
Bellemare	Bertrand
Blaikie	Blondin-Andrew
Bonin	Boudria
Brown (Oakville—Milton)	Bryden
Caccia	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chan
Clancy	Cohen
Collenette	Collins
Cowling	Crawford
Culbert	Cullen
DeVillers	Dion
Discepola	Duhamel
Dupuy	Easter
Eggleton	English
Finestone	Flis
Fontana	Gagliano
Galloway	Gerrard
Godfrey	Goodale
Graham	Guarnieri
Harb	Harper (Churchill)
Harvard	Hopkins
Hubbard	Ianno
Iftody	Irwin
Jackson	Jordan
Keyes	Kirkby
Knudson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
MacAulay	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Maloney
Manley	Marchi
Marleau	Massé

Private Members' Business

McCormick
McKinnon
McTeague
Mifflin
Minna
Murphy
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Peterson
Pickard (Essex—Kent)
Proud
Regan
Rideout
Robillard
Scott (Fredericton—York—Sunbury)
Sheridan
Skoke
Speller
Steckle
Stewart (Northumberland)
Taylor
Thalheimer
Ur
Vanclief
Volpe
Whelan
Young

McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Milliken
Mitchell
Murray
O'Brien (Labrador)
O'Reilly
Paradis
Patry
Peters
Phinney
Pillitteri
Reed
Richardson
Robichaud
Rock
Shepherd
Simmons
Solomon
St. Denis
Stewart (Brant)
Szabo
Telegdi
Torsney
Valeri
Verran
Wappel
Wood
Zed—144

PAIRED MEMBERS

Bertrand
Brien
Dalphond-Guiral
Dromisky
Fillion
Lalonde
Leblanc (Longueuil)
Pettigrew

Bodnar
Caron
Dingwall
Dumas
Gaffney
Lavigne (Beauharnois—Salaberry)
Martin (LaSalle—Émard)
Walker

The Acting Speaker (Mr. Kilger): I declare Motion No. 5 defeated.

Hon. Alfonso Gagliano (for Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.) moved that the bill be concurred in.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the yeas have it.

And more than five members having risen:

[Translation]

Mr. Boudria: Mr. Speaker, if you were to request it, I believe you would find unanimous consent that the members who voted on the previous motion be recorded as having voted on the motion now before the House, and the Liberal members will be voting yes.

Mr. Laurin: Mr. Speaker, the members of the Bloc Québécois will be voting nay.

[English]

Mr. Strahl: Mr. Speaker, Reform Party members will be voting no unless instructed by their constituents to do otherwise.

• (1810)

Mr. Solomon: Mr. Speaker, New Democrats present this evening will be voting no on this matter.

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

[Editor's Note: See list under Division No. 111.]

(Motion agreed to.)

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the deferred recorded division on Motion No. 166.

PRIVATE MEMBERS' BUSINESS

[English]

FINANCIAL ADMINISTRATION ACT

The House resumed from June 13 consideration of the motion.

The Acting Speaker (Mr. Kilger): As is the practice, the division will be taken row by row, starting with the mover, then proceeding with those in favour of the motion sitting on the same side of the House as the mover. Then those in favour of the motion sitting on the other side of the House will be called. Those opposed to the motion will be called in the same order.

All those at my left in favour of the motion will please rise.

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

(Division No. 115)

YEAS

Members

Abbott
Althouse
Bachand
Beaumier
Bélisle
Bellemare
Bergeron
Bernier (Mégantic—Compton—Stanstead)
Breitkreuz (Yorkton—Melville)
Canuel
Crawford
Cummins
de Savoye

Ablonczy
Asselin
Bakopanos
Bélanger
Bellehumeur
Benoit
Bernier (Gaspé)
Blaikie
Caccia
Chrétien (Frontenac)
Crête
Davialt
Debien

Private Members' Business

Deshaies	Dubé
Duceppe	Duncan
Epp	Flis
Forsyth	Frazer
Gagnon (Québec)	Gauthier
Gilmour	Godin
Gouk	Grey (Beaver River)
Grubel	Guay
Guimond	Hanger
Hanrahan	Harper (Calgary West/Ouest)
Harper (Simcoe Centre)	Hayes
Hermanson	Hill (Macleod)
Hill (Prince George—Peace River)	Hoepfner
Hubbard	Ianno
Iftody	Jacob
Jennings	Johnston
Knutson	Landry
Langlois	Laurin
Lebel	Lee
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Manning	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	McGuire
Ménard	Mercier
Meredith	Milliken
Mills (Red Deer)	Mitchell
Morrison	Murphy
Murray	Nunez
O'Brien (London—Middlesex)	O'Reilly
Paradis	Paré
Parrish	Penson
Peric	Peterson
Picard (Drummond)	Plamondon
Pomerleau	Ramsay
Regan	Rideout
Ringma	Rocheleau
Sauvageau	Schmidt
Scott (Skeena)	Shepherd
Silye	Simmons
Skoke	Solberg
Solomon	Speaker
Steckle	Stinson
St-Laurent	Strahl
Szabo	Taylor
Telegdi	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Ur	Valeri
Venne	Verran
Wappel	White (Fraser Valley West/Ouest)
Williams	Wood—128

Graham	Harb
Harper (Churchill)	Harvard
Hopkins	Irwin
Jackson	Jordan
Keyes	Kirkby
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lincoln	Loney
MacAulay	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Maloney
Manley	Marchi
Marleau	Massé
McCormick	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Mifflin
Minna	Nault
O'Brien (Labrador)	Pagtakhan
Patry	Peters
Phinney	Pickard (Essex—Kent)
Pillitteri	Proud
Reed	Richardson
Robichaud	Robillard
Rock	Scott (Fredericton—York—Sunbury)
Sheridan	Speller
St. Denis	Stewart (Brant)
Stewart (Northumberland)	Vanclief
Volpe	Whelan
Young	Zed—100

PAIRED MEMBERS

Bertrand	Bodnar
Brien	Caron
Dalphon-D-Guiral	Dingwall
Dromisky	Dumas
Fillion	Gaffney
Lalonde	Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)	Martin (LaSalle—Émard)
Pettigrew	Walker

● (1820)

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

* * *

DANGEROUS OFFENDERS

The House resumed from June 14 consideration of the motion.

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the deferred recorded division on Motion M-116 standing in the name of Ms. Meredith relating to Private Members' Business.

As is the practice, the division will be taken row by row, starting with the mover, and then proceeding with those in favour of the motion sitting on the same side of the House as the mover. All those at my left in favour of the motion will please rise.

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

(Division No. 116)

YEAS

NAYS

Members

Adams	Alcock
Allmand	Anderson
Assadourian	Augustine
Axworthy (Winnipeg South Centre/Sud-Centre)	Baker
Barnes	Bélaïr
Bertrand	Blondin-Andrew
Bonin	Boudria
Brown (Oakville—Milton)	Bryden
Calder	Campbell
Cannis	Catterall
Cauchon	Chamberlain
Chan	Clancy
Cohen	Collenette
Collins	Cowling
Culbert	Cullen
De Villers	Dion
Discepola	Duhamel
Dupuy	Easter
Eggleton	English
Fontana	Gagliano
Galloway	Gerrard
Godfrey	Goodale

Abbott	Ablonczy
Althouse	Beaumier
Benoit	Blaikie

Private Members' Business

Breitkreuz (Yorkton—Melville)
Duncan
Forsyth
Gilmour
Grey (Beaver River)
Hanger
Harper (Calgary West/Ouest)
Hayes
Hill (Macleod)
Hoepfner
Jennings
Manning
Mayfield
McTeague
Mills (Red Deer)
Parrish
Peric
Ringma
Scott (Skeena)
Solberg
Speaker
Stinson
Taylor
Williams —53

Cummins
Epp
Frazer
Gouk
Grubel
Hanrahan
Harper (Simcoe Centre)
Hermanson
Hill (Prince George—Peace River)
Ianno
Johnston
Martin (Esquimalt—Juan de Fuca)
McClelland (Edmonton Southwest/Sud-Ouest)
Meredith
Morrison
Penson
Ramsay
Schmidt
Silye
Solomon
Steckle
Strahl
White (Fraser Valley West/Ouest)

Manley
Marchi
Massé
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
Ménard
Mifflin
Minna
Murphy
Nault
O'Brien (Labrador)
O'Reilly
Paradis
Petry
Peterson
Picard (Drummond)
Pillitteri
Pomerleau
Reed
Richardson
Robichaud
Rocheleau
Sauvageau
Sheridan
St. Denis
Stewart (Northumberland)
Szabo
Torsney
Tremblay (Rimouski—Témiscouata)
Ur
Vanclief
Verran
Wappel
Wood
Zed—173

Marchand
Marleau
McCormick
McKinnon
McWhinney
Mercier
Milliken
Mitchell
Murray
Nunez
O'Brien (London—Middlesex)
Pagtakhan
Paré
Peters
Phinney
Pickard (Essex—Kent)
Plamondon
Proud
Regan
Rideout
Robillard
Rock
Scott (Fredericton—York—Sunbury)
Speller
Stewart (Brant)
St-Laurent
Telegdi
Tremblay (Lac-Saint-Jean)
Tremblay (Rosemont)
Valeri
Venne
Volpe
Whelan
Young

NAYS

Members

Adams
Allmand
Assadourian
Augustine
Bachand
Bakopanos
Bélair
Bélisle
Bellemare
Bernier (Mégantic)
Bertrand
Bonin
Brown (Oakville—Milton)
Caccia
Campbell
Canuel
Cauchon
Chan
Clancy
Collenette
Cowling
Crête
Cullen
de Savoye
Deshaies
Dion
Dubé
Duhamel
Easter
English
Flis
Gagliano
Galloway
Gerrard
Godin
Graham
Guimond
Harper (Churchill)
Hopkins
Iftody
Jackson
Jordan
Kirkby
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lefebvre
Leroux (Shefford)
Loney
MacAulay
Malhi

Alcock
Anderson
Asselin
Axworthy (Winnipeg South Centre/Sud-Centre)
Baker
Barnes
Bélanger
Bellehumeur
Bergeron
Bernier (Mégantic—Compton—Stanstead)
Blondin-Andrew
Boudria
Bryden
Calder
Cannis
Catterall
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Crawford
Culbert
Davialt
Debien
DeVillers
Discepola
Duceppe
Dupuy
Eggleton
Finestone
Fontana
Gagnon (Québec)
Gauthier
Godfrey
Goodale
Guay
Harb
Harvard
Hubbard
Irwin
Jacob
Keyes
Kraft Sloan
Langlois
Laurin
Lebel
Lee
Leroux (Richmond—Wolfe)
Lincoln
Loubier
MacLellan (Cape/Cap-Breton—The Sydneys)
Maloney

PAIRED MEMBERS

Bertrand
Brien
Dalphond-Guiral
Dromisky
Fillion
Lalonde
Leblanc (Longueuil)
Pettigrew

Bodnar
Caron
Dingwall
Dumas
Gaffney
Lavigne (Beauharnois—Salaberry)
Martin (LaSalle—Émard)
Walker

● (1825)

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

That concludes the votes for this evening. The House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

* * *

CANADA ELECTIONS ACT

Mr. Sarkis Assadourian (Don Valley North, Lib.) moved that Bill C-276, an act to amend the Canada Elections Act (registration of political parties), be read the second time and referred to a committee.

He said: Madam Speaker, it is my pleasure to address this issue again. It was discussed on September 27, 1994 in a similar bill which called for changes to the Canada Elections Act.

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The purpose of this bill is to amend the Canada Elections Act to allow registration of political parties by the chief electoral officer only when the party nominates a candidate in at least seven provinces that have in aggregate at least 50 per cent of the population of all the provinces and at least half of the electoral districts in each of those provinces.

For democracy to work people have to participate. We had seven byelections a few months ago, five in the province of Quebec, one in Etobicoke North in metro Toronto and the other in Newfoundland. At that time the Bloc Quebecois, who are supposed to be the official opposition in this Parliament, declined to run candidates in Etobicoke North and Newfoundland because its agenda is not of national concern.

Yesterday a byelection was held in Hamilton East. The Liberal candidate, Sheila Copps, won the riding. Again the official opposition did not put forward a candidate. By definition official opposition means a party waiting to form the next government if the government in power falls so it can start a new process, a new beginning, with its own party. But in this case the official opposition totally ignored the fact it represents constituents and those constituents have the right to be heard and to discuss the issues.

On the other hand, the third party is the Reform Party with headquarters in Calgary. Its members claim it is a national party. Two weeks ago the Reform Party held a convention in Vancouver. Only 15 delegates from the province of Quebec showed up. The province of Quebec is 25 per cent of the population of Canada. Approximately seven million Canadians live in Quebec. However, only 15 people from Quebec went to the Reform national convention which had about 1,500 delegates. Only 1 per cent of the delegates at that convention were from Quebec.

An hon. member: It is a new party.

Mr. Assadourian: My colleague across the way says it is a new party. It has been around for nine years. How long is it going to be new? Its members sit in the House of Commons and claim they are the national opposition, and at the same time they claim they are a new party. There is no such thing as a new party.

I go back to the Hamilton East election. They forced the deputy prime minister to resign and the Prime Minister called a byelection. What happened? Five hundred thousand dollars of taxpayers' money was spent to conform to Reform Party policies. The Reform Party spent \$45,000 to promote their candidate. What happened? Their candidate got 2,688 votes only. If we divide 2,688 into the \$45,000 they spent, it means they spent over \$15 per vote of taxpayers' money for no reason at all.

• (1835)

What happened to the Bloc Quebecois? It did not even bother putting up a candidate.

I hope the House passes my motion. The last time the Reform and Bloc Quebecois ganged up to defeat this bill. They did not allow it to be votable because the leader of the Reform Party and Lucien Bouchard are two sides of the same coin. They are both regional parties. They both sang the same tune every day of the week for the last almost three years. They have been dividing the country through their regional interests and Canada as a nation cannot benefit from in this process.

In the last election in 1993 there were 295 ridings. Thirteen political parties participated. All of them put candidates in each and every province, including Reform. It put candidates in all provinces except the province of Quebec. The Natural Law Party ran 451 candidates. Somehow Reform members do not accept the fact that they should become a national party and that is why they oppose my bill.

Marxist-Leninist Party put forward 51 candidates. The Bloc Quebecois put up 75 candidates in one province, the province of Quebec, which qualifies them to be a national party. It won 54 seats and became the official opposition. The Reform Party complained and asked why does the official opposition have to be separatists. It claims to be federalist and with only one seat less than the Bloc Quebecois so Reform members believe they should be the official opposition.

A party has to earn the title of being official opposition or national opposition. A party cannot be the official opposition or national opposition in this system if it is a separatist party or if it is a regional party.

When my bill was before the House previously I mentioned in my speech that when I was running for the Liberal Party in Don Valley North I saw signs in my riding which said: "We will run the country the way we run the campaign". Reformers ran in the campaign without Quebec. They ignored Quebec totally. If this is how they are going to run the country, God save us from the Reformers.

Mr. Epp: You don't understand what the words mean.

Mr. Assadourian: I just read the sign I had in my riding which said: "We are going to run the country the way we run the campaign" and the way they ran the campaign was without Quebec.

In my riding of Don Valley North people had no chance to say who is to be the official opposition. If the system is to work, Canadians from coast to coast must be given a chance to decide who is going to come here and in what capacity.

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They voted massively for the Liberal Party. We formed the government and everybody is happy. The fact is 66 per cent of the population are voting yes after three years of our government policy.

Nobody in my riding, in my province and in the nine other provinces ever had a chance to vote and say who is going to be the official opposition. This has to be changed. All Canadians from sea to sea have the same rights, the same obligations toward the country and toward each other.

My motion addresses that issue. I know the Bloc Quebecois and the Reform Party ganged up in the committee. They would not allow this motion to be votable.

• (1840)

I hope soon after this House is dissolved with our second election these people will come in with a low number. We will have a decent opposition party which is a national opposition to our government, to our party. They will change their minds and support this bill. We have to have a democracy that works, a democracy that flourishes and allows people to participate.

The way it is, the people in Don Valley North are being denied the right to say who is to be the official opposition in this Parliament.

Mr. Epp: They can elect whoever they want. They elected you.

Mr. Assadourian: They elected me to be on the government side and they elected the hon. member to be in the opposition the rest of his life. That is the problem. We will go into the year 2,000 and again he will be in opposition. He is going to be less than what he is today.

The hon. member reminds me—

The Acting Speaker (Mrs. Ringuette-Maltais): The House will deal with one speaker at a time.

Mr. Assadourian: Madam Speaker, what has happened to the Reform Party? It has come here. It has complained about our policies. It has destroyed whatever we have tried to build here. It says that it has to listen to the people, and what has happened? Let us listen to the people.

There was a byelection in Hamilton. Reform got 10.1 per cent of the votes. After three years of knocking down our policies day in and day out, of ganging up with the Bloc Quebecois against us, if this is the best Reformers can do with 10.1 per cent, then the best thing that can happen to us is to keep the Reform Party and the Bloc the way they are so we can be the government into the next century.

Let us put partisan issues aside. Let us help Canada to build a stronger democracy. Let us allow people a chance to participate, including the Reform Party and even the Bloc. The numbers may

be too many as far as I am concerned. Maybe five, six or ten will do the job so there will be a presence here. Basically that is what we should do.

Those who wish to take advantage of the system have to participate. Every time they spend a penny in an election taxpayers of this land finance their campaign on the first \$100 or \$75 of each dollar. If that is the case then we should allow each and every Canadian to participate no matter where they come from, which party they belong to and whatever their origin. We should not send them to the back of the bus when they want to participate in this system.

I would like to share my time with my hon. colleague from Hamilton—Wentworth.

[*Translation*]

Mr. François Langlois (Bellechasse, BQ): Madam Speaker, after hearing the hon. member for Don Valley North, I feel like saying, as they do in criminal proceedings: I rest my case. But I will still say what I have to say.

That a bill like this one can be introduced is not a major step forward for democracy. Let us calmly sum it up for those who would like to know what it is about. This bill would allow registration of a political party in Canada only if this party nominates candidates in at least half the ridings of seven Canadian provinces representing 50 per cent of the population.

This is not a minimum, but a mountain. Especially since the hon. member knows full well that the Bloc Quebecois, the official opposition, only nominates candidates in Quebec. As a result, there is no way we could comply with the provisions of this bill. As everyone knows, the Bloc Quebecois' goal is to promote Quebec sovereignty, a mandate given to us by the people of Quebec. It would be surprising, to say the least, if there were a Bloc Quebecois candidate in the riding of Beauséjour or Madawaska—Victoria. Your constituents would have trouble understanding this, Madam Speaker.

We have no extraterritorial ambitions, as the Helms-Burton law does, and although we have many friends outside Quebec, in particular in the francophone and Acadian communities, we display no imperialistic tendencies.

• (1845)

If this bill were passed—and I thank the Standing Committee on Procedure and House Affairs for not making this a votable motion, which more or less settles the fate of this bill—we would be condemned to remain forever in opposition and, most of all, to the status of a group of independent members. That is to say, only the election expenses of candidates who receive 15 per cent of the vote in their ridings would be reimbursed, so our party would not be

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entitled to a 22.5 per cent refund of its expenses at the national level. This would be a major setback.

The Reform Party would also be in a precarious position, as it first burst onto the scene with the election of the hon. member for Beaver River to this House. All regional based parties would not have been so lucky.

We can say one of the good things about Canadian democracy is that it allows regional parties to emerge, parties like the Bloc Québécois or any regional party that may emerge to promote the interests of one region or another of Canada.

Just the same, the chance of promoting regional interests that comes with a political system must be recognized. It existed in the days of the CCF, the New Democratic Party at the federal level, and of the Progressive Conservative Party. It has always existed.

I do not think that just because an election gave the results it gave, the 35th Parliament has wiped off the political map a former national party—we are not going to change the law to prevent them from trying their luck again. The democratic rules by which the vast majority of members of this House abide must be respected.

I think that the more we value democracy, the more important we feel it is that the rights of our minorities be respected. Because if all democracy stands for is the rights of the majority, the majority always wins in the end anyway. When a vote is taken by a show of hands, the majority wins. The guarantees given to the minority are rights that we must respect because the minority is always at a disadvantage. That is why we have charters protecting the rights of minorities, charters that we generally respect.

This is a bill calling for a form of intolerance, a bill designed to make quick political hay, that completely misses the mark. I think that the hon. member who introduced this bill will not score very many points with this bill. For these reasons, I obviously cannot support this bill. I did not have to tell you since we will not be voting on the bill. But in the unlikely event a vote were taken, I would vote no. I will also gladly refuse consent if unanimous consent is sought to put this bill to a vote.

[English]

Mr. Bill Gilmour (Comox—Alberni, Ref.): Madam Speaker, believers in democracy, real democracy, who have taken the time to read through private members' Bill C-276 will have realized that there are at least two possible ways of interpreting the intent of this bill.

One of those interpretations would lead us to conclude that the member who introduced the bill is motivated by a patriotic love for Canada. Unfortunately though, it is also possible to interpret the bill as a direct attack, inadvertently I hope, on democracy itself.

Because of the seriousness of the second possible interpretation, I will deal only with that specific aspect of the bill in the hope that

the member who introduced it will recognize the flaw and will agree to withdraw the bill before it goes any further.

The plain fact is that Bill C-276 has the potential to place such unreasonable restrictions on freedom of assembly and equal rights that many people would be tempted to describe it as irresponsible and repressive.

Enactment of its provisions would severely curtail the formation and growth of new parties in Canada, while the old line traditional parties with their worn out ideologies would be protected by legislation from the challenge of new and open discussion about Canada's future.

This bill reminds me, sadly I will say, of a bill that was passed unanimously by the PCs, Liberals and NDP in this House prior to the 1993 election. That bill also attempted to protect the turf of the old line parties at the expense of new parties by requiring the election of 12 members to this House in order to receive official recognition as a party.

As we all know, that arrogant attack on the principles of democracy backfired on the perpetrators in a major way. Two of the parties which supported that repressive bill, the PCs and the NDP, ended up with fewer than 12 seats in this Parliament and are no longer recognized as parties. The PCs and the NDP in effect were hoisted on their own anti-democratic petards while the group or groups they intended to suppress were supported by enough of the voters of Canada that they ended up as officially recognized parties.

● (1850)

It was the voters exercising their democratic rights who determined the fate of these parties, and it is with the voters that the power of democracy should stay. Neither the government nor individual members of this House should be proposing or passing repressive legislation which interferes with the ability of the people to meet, organize and run for office under a common party banner.

Those who think it is their prerogative to try to legislatively influence the outcome of elections through bills like Bill C-276 should recognize that they are playing with fire and that severe burns are most likely going to be the result. It is not the right of members of this place to try to preserve their own futures by restricting the organizational and voting rights of the people who pay their salaries.

If members have read Bill C-276 they will have noticed that in order to achieve party status the bill requires a group to nominate candidates in at least seven provinces containing at least 50 per cent of the population and 50 per cent of the electoral districts of Canada. In other words, Bill C-276 makes the arrogant assumption that there is no value to a party which has its roots in just one or two provinces and would deny the right of voters to determine for themselves whether a new party, regional or not, has candidates who are capable of representing their constituents in this House.

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If this bill had been in effect in 1988, it would have prevented the Reform Party of Canada from being recognized as a party. As a direct result it would have prevented the name Reform from appearing on the ballot. Voters would have been unable to determine which independent candidates listed on the ballot were actually Reform Party of Canada candidates, leaving the traditional parties with an unfair advantage. Luckily, Bill C-276 was not in effect at the time and the Reform Party candidates captured a large enough percentage of the votes to achieve public and media recognition which in turn led to further growth and further support.

At the following election in 1993, candidates were run in almost every province and 52 Reform members were elected representing five of these provinces. At the same time, PCs dropped to just two members with no representation west of Quebec, and the NDP dropped to nine members with no representation east of Saskatchewan.

If we want to talk about regional parties, we need look no further than the NDP and the PCs who thought they were invincible, just as the Liberal side of the House thinks it is today. The fact is we are in times of great political upheaval and even the smug members on the government side of the House need to begin thinking about the future of their party. There is no guarantee that the Liberal Party of Canada, if it refuses to become more democratic, can survive the enormous changes which have to take place in this federation over the next decade or two.

The people of this country want more say in the decision making process. They want to see truly free votes taking place in this House on government bills. They want to see MPs representing the will of their constituents ahead of the party line or their own personal biases. They want governments at all levels to begin acting as servants of the taxpayers rather than benevolent dictatorships.

I will return for a moment to the example of the Reform Party of Canada. There is no doubt that Bill C-276, had it been law prior to 1990, would have severely restricted the ability of the party to grow even though the Reform Party of Canada had, and still has, policies which are national in scope. All of the policies of the party are built upon three major foundation blocks: fiscal responsibility; justice and family safety; and democratic reforms which would improve the way government functions.

These policy foundations are national in scope and always were, but Bill C-276 could easily have prevented the party from growing to the point where it has over 50 members in the House of Commons and can deliver its message to voters all across Canada. This might have suited the Liberal Party, but it would not have been democratic. Even if the Reform Party of Canada had not developed policies which are national in scope, what makes politicians in Ottawa think they have the divine right to arbitrarily

decide on behalf of their voters whether or not a political party can exist based solely on whether it is regional in nature?

• (1855)

If we believe in democracy, it is the people of Canada who have the right to decide whether they want to vote for a regional party, a national party or simply no party at all. No member in this place should be attempting to interfere with that freedom to choose even if the outcome of a subsequent election is not to their liking.

Certainly there is the potential to end up with situations like the one we have in the House today where the official opposition is a party which makes no secret of the fact that it wants to facilitate the separation of Quebec from Canada and has no desire to become the Government of Canada.

If the member who sponsored this bill does not like having the Bloc sitting as official opposition, he should work on changing the attitudes of his colleagues on the Liberal side who collectively have the power to correct the situation without passing restrictive bills like the one before us today.

This bill throws the baby out with the bath water. Despite the claims of the government member, it is not crucial that every party in the House be a national alternative. Neither is it the business of this House to decide whether regional parties should get the same tax status rights as national parties.

If the members opposite truly believe in the equality of all citizens and are not just paying lip service to the concept, then they are obliged to retain equality of opportunity for all political parties and their supporters whether regional or not.

If the end result of this democratic freedom leads on occasion to a less stable political climate than we would like, it is too darn bad. We will all have to work a little harder as MPs when these situations occur.

The member who introduced Bill C-276 was probably well intentioned but the bill contains restrictions on political freedom which are inappropriate in this parliamentary process. It is my hope that members will join me in opposing this bill.

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I am very pleased to speak on Bill C-276 which calls for the government to consider allowing the registration of a political party only when the party nominates candidates in at least seven provinces that have in aggregate at least 50 per cent of the

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population of all of the provinces and at least half of the electoral districts in each of those seven provinces.

The hon. member for Don Valley North raises the important issue of access to public funding by federal political parties and the registration process which primarily governs this access. Public funding of political parties has several important purposes, and I would like to mention two.

First, it is seen as a means to broaden the base of party finance. A broader financial base provides for greater financial stability which allows a political party to mount effective campaigns including access to the mass media. Second, it also helps to lessen a political party's dependence on large contributors. In this way it provides for a more level playing field for all political parties, thereby increasing electoral democracy and ensuring meaningful freedom of speech.

Although there is widespread agreement about the desirability of public funding for political parties, there has been much debate on the conditions for access to public funding. The most important of these conditions is the registration process.

The registration of political parties was introduced in 1970. Two key criteria for registration set out then and still in force today are that a political party must either have had 12 MPs when Parliament was dissolved or nominate 50 candidates by the 28th day before the election, nomination day. If either criteria is met, the political party gains access to public funding primarily in the form of income tax credits, partial reimbursement of electoral expenses and access to free broadcasting time.

• (1900)

The hon. member for Don Valley North in proposing stricter conditions for registration may be concerned that scarce public resources should not be spent on political parties that receive marginal or trivial voter support. Many of us in this House agree with this viewpoint. This is why we gave our support to private members' Bill C-243 by the member for Edmonton Southwest. It proposed that reimbursement of election spending for registered political parties be tied to voter support. Currently, reimbursement is tied to a proportion of the political party's electoral spending. This bill is now before the Senate.

The hon. member for Don Valley North may also be concerned about party stability in Canada and in promoting political parties that have a broad geographical base. This also is a laudable objective. However, I would not like to see this bill being interpreted as erecting barriers to new and emerging political parties, many of which may be regionally based.

In balancing the need for fiscal restraint and encouraging the promotion of national parties, we must not lose sight of the need to

enhance access to the political system. There must be a balance between these often conflicting objectives.

It is worthwhile to point out that any reforms we consider should be assessed against the rights of individuals and groups to associate and speak freely. Major restrictions to these rights as represented in this bill would likely be challenged under the Canadian Charter of Rights and Freedoms. We must fine tune our reforms to ensure that the electoral rights of all Canadians are not restricted.

We should not forget the past work of the Royal Commission on Electoral Reform and Party Financing, the Lortie Commission, and the all-party special House committee on electoral reform that studied the Lortie report in 1992 and 1993. It may be instructive to note that the Lortie report after undertaking an in depth study of the registration process concluded that the 50 candidate threshold should remain unchanged.

The commission noted that a political party, which nominates candidates in 50 constituencies would demonstrate serious intent to engage in the rigours of electoral competition at a level that indicates relatively broad appeal for its programs and ideas. Moreover, experience since 1974 shows that this level is neither unduly onerous nor lenient for registration. The report goes on to say that this threshold should continue to serve as a benchmark in determining which parties may be registered under the Canada Elections Act.

The all-party special committee agreed with the Lortie commission in this respect. However, time did not allow consideration of some of the Lortie commission's other recommendations on registration.

For example, the commission also recommended that a political party qualify for registration between elections following submission of a valid application that would include the declared support of 5,000 voters who are members in good standing of the party. This and other recommendations were to be considered at a future full scale review of the electoral legislation.

More recently, the chief electoral officer, in his annex to the 35th general election released in February 1996, stated his conclusion that the current provisions of the act should continue to remain unchanged. In his view, the 50 candidate threshold still provides a good balance allowing a good proportion of new parties to enter the system while excluding from the system parties that have declined.

The chief electoral officer based his conclusion in part on the work of F. Leslie Seidle of the Montreal Institute for Research on Public Policy. Mr. Seidle's research suggested that although there is room for further debate about the registration criteria, it is clear that the 50 candidate threshold has not been a roadblock to new parties.

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• (1905)

He noted that although each of the last three national elections a handful of new parties have not met the registration requirements, several others did. For example, in 1993 six additional parties were registered. Two recently formed parties, the Reform Party and the Bloc Quebecois, now hold seats in this House. He also noted that the 50 candidate threshold served to exclude from the system parties that have declined. For example, of the six parties registered in 1974 two, the Social Credit and the Communists, are no longer registered.

In conclusion, I would like to congratulate and thank the hon. member for bringing the House's attention to the important issue of registration of political parties and its effect on our electoral system. In my view, more work needs to be done. Our approach to the issue must be comprehensive to ensure that all the impacts are adequately investigated before changes can be contemplated.

Mr. Ken Epp (Elk Island, Ref.): Madam Speaker, it is a delight to be able to enter into this debate today on a subject that is very dear to my heart. It is the subject of freedom. It is the subject of democracy. It is the subject of representation of the people. It is the subject of the use of the taxpayers' money. It is a subject in which I have a great interest.

I respectfully indicate to the member who has brought this bill forward that it is a very ill-advised bill. It is ill advised primarily because there is a proposal here to manipulate the democratic process from Ottawa, from a central government. That is not a democratic process. We take away people's freedoms when there are all of these different restrictions, especially the ones which are being promoted here.

I would like to point out to the member that it is not the government that funds the parties. The reason to have the registration of individuals for the voting process is to get them on the ballot. The only reason they would want to be organized into parties would be in order for them to effectively communicate a party policy and platform.

There is nothing preventing individuals from running as independents. That freedom must be preserved. If people in a community want to elect an independent, they should be able to do so. One might say he or she has that freedom but the problem with the current registration system is that they have that freedom at their own expense while the others have it at public expense.

It is not the government, it is not Ottawa, it is not the Liberal Party nor any other party that funds the elections. It is the taxpayer. The root of the problem we are dealing with here is that there are politicians in Ottawa who presume to pluck the money out of the pocket of the taxpayer and they decide who then gets to use it.

The finest solution to this would be to eliminate the funding of elections by Elections Canada, by the people of the country, through this process. Let us stop to ask the question: Why should I

as a taxpayer send a bunch of money to Ottawa, let the bureaucrats spin it around and see how much spills over back to me if I qualify according to some arbitrary rules? When it comes to electing representatives to this place, each one of us as Canadians should have the right to use our money for whatever purpose we want and not be controlled by a centralist government which may have opposite political views.

I will relate a practical incident of this. For many years I was a member of a union. I had no choice in the matter. I know I could have chosen a different profession but it just so happened that I went into the teaching profession. Both at the secondary and post-secondary levels it was a condition of my employment that I belong to that union or association.

• (1910)

I was very annoyed when the union to which I was forced to belong gave donations to a political party, namely the NDP. I strongly disagreed with that but I had no choice. My democratic right, my democratic freedom was beat upon by that principle. They said: "It is democratic. There was a majority vote in our union meeting to send \$100,000 to the NDP". I said that did not matter, that in this instance they were engaging in an activity I did not personally agree with and which had nothing to do with representing me to my employer.

We are talking about the same thing here. We are talking about the Liberal government or a Conservative government in the past, maybe even a Reform government in the future. I do not think we want to give any of those governments the right to say: "We are going to allow the taxpayers to put their money into the pot and they will get it back if they meet certain restrictions, but if they do not they are not permitted to". That is a violation of equality. It is a violation of the principle of economic freedom.

Another thing of importance is I have had a lot of representations from my constituents and I share the concern many of them have expressed with respect to the official opposition in this House. I am sure there are a lot of people on the government side who despair of the fact that there are separatist opposition members and Reform opposition members. That is just how democracy works. That has always been my response.

I have had people say to me: "Is there not something in our Constitution that we could use to get those separatists out of here? What right do they have to be here if their goal is to tear the country apart?" I always answer that I do not like it either but the fact is that by some means they won the support of the people in their constituencies. Indeed in the last election 54 of 75 seats in Quebec were won by separatists, by members of the Bloc party and I for one will not be the one who says that those people in those constituencies do not have the right to send to this place whomever they will. That right must be preserved. We must not intrude upon that by giving funding preferentially to one group or the other,

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arbitrarily decided by the government of the day. I would not want to be a part of that.

Meanwhile I believe it is a proper role of government to so arrange its affairs that people in this country will not want to leave it. I do believe this is such a wonderful country that I would never want to leave it. I would not want to do anything to cause this country to fall apart.

It often hurts me as a staunch, loyal Canadian with great loyalty to my country when members on the government side falsely accuse that Reformers are here to tear apart the country. That is not true. We are here to keep this country together, to help build it, to become strong, to keep our economic independence from other people in the world, other countries, but also to have economic independence for the citizens of this wonderful country.

It is true we disagree with the governing party of the day on how some of these things must be done. I for one believe it is very healthy for the Reform Party to be here. It is very healthy for us to have the voice that says we should not be spending endless money that our children and grandchildren will have to repay. We have a role to play in holding this government financially accountable.

I will not claim that we have had the total success we wanted to have. It is true that the current government is spending less than the previous government did, but it is still adding to the debt. I have the right on behalf of my constituents to voice that and to express it strongly here.

• (1915)

I also point out that by the rules proposed by this member I would not have been eligible to receive the rebate on my election expenses because, according to him, my party would not have been registered.

Mr. Assadourian: That's not true.

Mr. Epp: I stand corrected. As an individual candidate I could if I got 15 per cent of the votes, but as a party we would not be eligible because we would not have been able to register as a party. I think that is wrong.

I won every poll in my riding. The people in my riding said: "That is the person we want to send to Ottawa". They have the right to do that. I will not put a single restriction in their way. Consequently, I must speak very strongly against this bill. It is well intentioned. I believe the member wants to do what is best for the country. It is just that he has not properly analysed the consequences of what his bill is proposing.

I would like to say very simply that good ideas always start small. We would do very well to promote the extension of little groups. If a group has a good idea it will grow. If it has bad ideas it

will go into oblivion soon enough. The Conservative Party taught us that lesson.

Mr. John Bryden (Hamilton—Wentworth, Lib.): Madam Speaker, I will begin by correcting an impression of my colleague from Elk Island.

Bill C-276 does not affect the ability or the right of a person or a group of people to run as candidates in an election. It addresses the right of a group of people to become a registered political party whereby they would be entitled to certain remunerations, certain tax breaks and equal broadcasting time during an election.

This is quite a proper thing for government to concern itself with because we are a national democracy and we define our country by how we define our members of Parliament. We choose to define our members of Parliament by political parties which receive some government funding based on the number in that party; the present law requires 50. Or, as in the case of Bill C-276, it would be required that the members of a political party that receives government funds would have to have nominees in seven out of ten provinces.

Bill C-276 is fundamentally directed against the concept of provincial parties, against parties which instead of coming to Ottawa to represent and to debate the interests of all parts of the country, come to Ottawa to debate only the interests of one part of the country, specifically a province.

We can test the wisdom of the concept behind Bill C-276 by extending the idea to its ultimate extreme. Consider a House of Commons in which there is nothing but regional and provincial parties where every group of people represents only the provinces in which the members of Parliament were elected.

Then we would have a House of 10 parties. We would not need to have a federal election at all. We could simply use the members from the 10 provinces and territories to come to this place one or two times a year to debate and pass laws. We know what would happen. It would not work because each group would represent only its provincial interests and we could be described by that famous term which is relevant even today. We would have a total balkanization of the country where only provincial interests were represented.

The bill is aimed directly at that. It is aimed even more specifically at the Bloc Quebecois.

• (1920)

We heard earlier the hon. member for Bellechasse admitting that the Bloc Quebecois would have a great deal of difficulty with this legislation if it were to pass because the Bloc Quebecois represents only the interests of Quebec. That is how the Bloc Quebecois defines itself.

The member for Bellechasse conveyed the impression that because the Bloc Quebecois represents only one province—and it is a province that seeks some sort of sovereignty association

relationship with the rest of the country according to its current government—he made the assumption that the Bloc Québécois would have no relevance in running members of Parliament in other parts of the country. Here I disagree most wholeheartedly with him.

In the recent byelection in Hamilton East 13 candidates ran as well as candidates from the major parties. Absent was a candidate from the Bloc Québécois. I asked myself what would have happened if a member of the Bloc Québécois would have run in that byelection. How would that candidate have been greeted by the people in Hamilton East?

I occupy a riding not very far from Hamilton East. I imagine a Bloc MP running in Hamilton East and being received very well by the people. I know, Madam Speaker, you might find that statement surprising coming from someone like myself who is certainly very much a federalist.

I have considered some of the important issues I heard the Bloc Québécois express many times on behalf of Quebec. One of them is self-determination. The people of Hamilton East would understand the concept of self-determination very readily. I could tell my colleagues from the Bloc Québécois that the people around Hamilton East have a very proud sense of their territory, a sense of the region.

Indeed, there is quite a sense of rivalry between Hamilton and Toronto. There is a great desire in the people from Hamilton, and particularly in Hamilton East, for a kind of self-defining and self-determination. If a Bloc Québécois member ran in Hamilton East and tried to express the concept of self-determination for Quebec, he or she would be understood.

If the Bloc Québécois ran a candidate in Hamilton East and spoke about the need to preserve language, the people in the audience in Hamilton East would understand him precisely because those in Hamilton come from many origins. In that part of the city there are predominantly people of Italian origin.

The people in Hamilton East are of many different language groups and sometimes of a different first language. It is often Italian, sometimes Greek, Portuguese, Spanish and sometimes French I might add. They have a great sense of pride in their language. They would understand a candidate who aspired to being a member of Parliament who wanted to defend a language; who felt a language and a culture was worth defending. They would understand that.

Again that certainly follows with the concept of a distinct society. I know the Bloc Québécois has not exactly supported the Liberal initiative in that regard. Nevertheless it is a principle that underlies much of what Quebecers refer to as nationalism or at

least sovereignty. I still see it as a kind of provincialism, in the sense of province, not in the sense necessarily of being narrow.

People in Hamilton East would understand it if a Bloc Québécois candidate explained things like the difference of the civil code, the difference of the traditions in Quebec. Even better, it would give them an insight into what motivates so many people who do support the Bloc Québécois and the Parti Québécois. It would help enormously in their understanding. They could relate to it in a sense that in my part of Ontario there is a very strong sense of pride at being from Ontario. Indeed around Hamilton, MPs are expected to serve the interests of their province and their city.

• (1925)

I submit that there is not a great deal of difference between that and Bloc Québécois members who get up and want to represent, somewhat narrowly perhaps, the interests of Quebec. There would not be much difference there.

I could go on. I have often seen the Bloc Quebec members in the House defending, very expertly, social and cultural issues. Sometimes it has been an irony to hear the Bloc Québécois more effectively attack the government when it is talking about cutbacks to major cultural institutions like the CBC. It has often been the Bloc Québécois that has sprung to the barricades, rather than the Reform Party.

That would be understood, certainly, in Hamilton East as well because there is a great sense of pride in cultural institutions, in song and dance, and the need to communicate among us.

I do not think, for the most part, a Bloc Québécois candidate in Hamilton East would have much difficulty in delivering a message to which people would listen quietly and with great attention.

The only place where the Bloc Québécois candidate would have difficulty is with the concept of sovereignty. We each define sovereignty differently in our minds. However, when the concept of sovereignty is extended to the idea of actually breaking away from the country, actually separating from Canada, I have to admit that no Bloc Québécois candidate would get much support. On the other hand, the Bloc Québécois candidate would do much for the good—

The Acting Speaker (Mrs. Ringuette-Maltais): I will give the hon. member 30 seconds for his conclusion. I apologize for disturbing him.

Mr. Bryden: Thank you, Madam Speaker. I will come to a conclusion very rapidly.

The point I wish to make is this. The opportunity to speak across the country, even when someone represents only regional interests, is what a national party should be all about. It does not matter whether it ultimately has regional interests at heart.

Government Orders

I support in principle in Bill C-276 because it would force a party like the Bloc Québécois or any other party that would want to represent only a province to get out of that province and deliver their message to the rest of the country so that the rest of the country could better understand it.

It is when we are separate, when we represent only regions, then we become strangers.

GOVERNMENT ORDERS

[*Translation*]

RAILWAY SAFETY ACT

The House resumed consideration of the motion that Bill C-43, an act to amend the Railway Safety Act and to make a consequential amendment to another act, be read the second time and referred to a committee.

Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ): Madam Speaker, I wish to begin by condemning the fact the Liberal government has put this bill on the order paper at the last minute, without any advance notice. Our speeches today should therefore be considered preliminary only and not definitive. Overall, judging by our first cursory overview, we are in favour of the bill, but will certainly have certain reservations and amendments to make at committee.

I wish to address one particular point, the new section 23.1, which I shall read to you:

23.1 (1) No person shall use the whistle on any railway equipment in an area within a municipality if:

(a) the area meets the requirements prescribed for the purposes of this section; and

—this therefore involves the area of a municipality—

(b) the government of the municipality by resolution declares that it agrees that such whistles should not be used in that area and has, before passing the resolution, consulted the railway company that operates the relevant line of railway and has given public notice of its intention to pass the resolution.

• (1930)

The reason why I wish to address this particular point is that it deals with a problem that is a very real one in our region; cities such as Sainte-Thérèse, Rosemère or Blainville are bothered at 4 a.m. by a train coming through and waking everyone up.

This clause banning the use of the whistle under certain circumstances must be viewed with favour, in principle, provided safety is not compromised by the absence of an audible warning. Level crossing safety is ensured by the use of the whistle, then the bell and finally a flashing red light. All that would be left is the flashing lights and the bell.

In many countries, level crossings are protected by barriers, but I do not believe that is necessary here, because of their high cost. There is absolute safety with such an arrangement, but it is very costly and we are not calling for that much.

This clause on not using the whistle in an area within a municipality contains two noteworthy points: it is not general, and assumes that the municipality concerned has passed a resolution declaring that it agrees that whistles not be used. This is a good thing, because obviously it is better that the decision-making power rests with the municipality, the government level that is closer to the population than Ottawa, when the decision is to be made as to whether or not whistles are to be used, for the sake of peace and quiet, while not compromising safety.

It is therefore a good thing that the municipality takes the decision. If it wants whistles not to be used, it passes a resolution. No resolution, no ban. That is reasonable.

Another aspect which strikes me as less reasonable is clause 23.1, which states that no person may use the whistle in an area within a municipality if the area meets the requirements prescribed for the purposes of this section. This assumes that the minister has, under this bill, the power to set regulations and impose them on the municipalities, so that their resolution approving the whistle ban may be enforced. The municipality must therefore comply with certain conditions set by the federal government.

Here we see that, once again, the federal government has not been able to resist the temptation to take advantage of any new legislation to try to interfere with areas of provincial jurisdiction, for municipalities are under provincial jurisdiction. They are creatures of the province and their powers are under trusteeship from the provincial level. Now we find the federal government, once again, trampling over the powers of the municipalities, if I understand this clause properly, stating that they, the federal government, the Minister of Transport, will set out requirements to which municipalities must comply with if their resolutions banning the use of the whistle are to be implemented.

At this point, I believe that this clause must be condemned, for it goes over the heads of the provinces and thumbs its nose at their areas of jurisdiction, one of which is the municipalities. It is, therefore, obvious that we shall have an amendment to propose concerning the second paragraph of section 23.1.

In closing, I wish to stress, as did the first speaker, that we agree with the bill's principle.

• (1935)

It claims to improve railway safety, and who can fault virtue. Overall, these provisions seem to us to be good ones, but we will have a few reservations to express. These will take the form of amendments. In closing, I reiterate my protest against the cavalier fashion in which the bill was presented to us.

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You will recall that today's session started in the same casual way. The Minister of Foreign Affairs also made an impromptu statement and took us unawares. Now we are closing the day on the same note, so it is bracketed at both ends by high-handed actions, and one might well wonder whether the government's plan B has now been brought to bear on the committees.

Mr. Antoine Dubé (Lévis, BQ): Madam Speaker, I am pleased to rise in the debate on Bill C-43, on railway safety.

First, the closure of the rail maintenance shop in Charny, the Joffre shop, was recently announced. A look into the matter because of the closure reveals that, by region, track defects are between 3 and 10 times higher in Quebec than elsewhere in the country. This why rail safety is of particular concern to me.

In the case of Charny, the first thing is the loss of 93 jobs, which is very important. But the Joffre shop also used subcontractors. There were 150 firms in the Quebec City region working with the Joffre shop with a total payroll or the equivalent of the payroll of these 93 employees plus materials. In all, this decision means \$5 million less in economic benefits for the Quebec City region.

What is the decision exactly? There were three shops of the same type in Canada maintaining tracks. There was one at Charny for all of eastern Canada, one in Winnipeg and the other in British Columbia. The CN decided to concentrate things in Winnipeg. Last year, we in the Bloc did not oppose the bill to privatize the CN, because it was time decisions were made as much as possible from a business standpoint.

The principle is a good one. However, in practical terms—I will start with the president, Mr. Tellier, who comes from a political background, and who, after doing some dirty work, if I may use the expression, in terms of cuts when the CN was a crown corporation, contributed to the deterioration of rail lines particularly in Quebec. There were other decisions at CN such as the decision to transfer the pay service to Winnipeg, although head office remained in Montreal. This is a bit odd.

As far as orders and so on are concerned, that section is in Toronto. In the case of other services, part of the head office was moved to eastern Canada. CN's head office is an increasingly empty shell. It is not yet empty, but increasingly so. This leads me to point out that, as far as the tracks are concerned—and I say this on my own, it is not the official stand of the Bloc—I would say there is a deliberate plan to try to deprive Quebec of its primary rail resources. The Joffre shop in Charny is one example.

• (1940)

Somewhat paradoxically, last year, just before the referendum, this shop, also called La Rotonde, was designated a historical site by the Minister of Canadian Heritage.

The Acting Speaker (Mrs. Ringuette-Maltais): On a point of order, the hon. Parliamentary Secretary to the Minister of Transport.

[English]

Mr. Keyes: Madam Speaker, on a point of order. I am trying my hardest, but the hon. member has given a five to ten minute speech and he has said nothing, not a word, about what we are debating here, the Railway Safety Act and the amendments to that bill.

The Acting Speaker (Mrs. Ringuette-Maltais): That is not a point of order.

[Translation]

Mr. Dubé: Madam Speaker, as I have very little time, I am not going to spend it on a member who is not paying attention. For five minutes now I have been speaking about the only railway track maintenance shop in eastern Canada, which is located in Charny, and that concerns railway safety.

If he wants statistics, I will give him some. The Transportation Safety Board of Canada said that in 1994, 1,189 accidents were reported, 17 per cent more than in 1993. This is worrisome. Most accidents on main tracks took place at level crossings. In 1994, 30 per cent of the total number of accidents took place at level crossings and 13 per cent of derailments took place on main tracks.

Every year there are 300 accidents involving cars carrying dangerous materials. Three hundred accidents involving dangerous materials is hardly trivial. They say only goods are involved. In 1994, 114 people lost their lives in railway accidents. Am I being relevant, sir, am I talking about railway safety? I am giving you the statistics.

The Acting Speaker (Mrs. Ringuette-Maltais): I am sorry, but could the hon. member please address his remarks to the Chair?

Mr. Dubé: Madam Speaker, the member has got me going. I came back from dinner and was feeling a bit sleepy. He has woken me up and he will be sorry, he will come to regret it. I apologize to you, Madam Speaker.

In 1994, 158 derailments were reported on main tracks, a 24 per cent increase. I asked for newspaper clippings so that I could look over the accident headlines. I will not be able to mention them all, but I will cover the main ones. On February 5, 1996, *Le Soleil* carried the following story: "CN claims there are fewer accidents. The Transportation Safety Board says the opposite. While the Transportation Safety Board of Canada reports an increase in train accidents in Canada in the last five years, Canadian National, now a private company, has statistics to show that the carrier has apparently had fewer accidents".

I will quote from another article from *Le Soleil* dated February 5, 1996: "Steady increase in number of accidents over past five years". I do not have a lot of time. Still from *Le Soleil*, this time from July 29, 1995: "There is a terrible dispute over the results of

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an investigation into the Transportation Safety Board and CN. They are not in agreement”.

Obviously, when I asked him a question on the topic this week, the minister defended himself with statistics provided by CN. But his own railway safety bureau contradicts the people at CN. The Minister of Transport should use the data put out by his own department, but he prefers those produced by CN saying things are not so bad. They are making a business decision.

Madam Speaker, you come from New Brunswick, and I am sure your constituents in Edmunston are not happy when they think that if there is a railway problem, they will have to call Winnipeg. I know there is only one line in your riding connecting with the main track and that things will be held up until someone comes from Winnipeg to repair it. You know how far it is between Edmunston and Winnipeg. This decision is incredible.

Along with the Railway Safety Act, government is amending another act because it must do so every five years. They are trying to tell us that this is not serious, that everything is fine, and yet there are accidents.

• (1945)

I was saying that in Quebec there were ten times more defects than in certain regions. What I am proposing is that the Minister of Transport table a bill, that is right, but the people working in this service must be on the lookout. There must be planning in order to avoid accidents. Anyone who owns a car knows that proper maintenance is the way to avoid breakdowns. And that must be planned.

Right now, as far as the railway in Quebec is concerned, the service in question only repaired things that were not working well in order to prevent derailments. The shop in Charny lacked resources. It was so lacking in resources they had to work overtime, but that only depleted even more their resources. It was not enough. It had to subcontract half of its contracts in the Quebec region in order to try to repair the system.

But not enough is being done in the long term. Not enough is being done in terms of prevention. It is too bad that when we mention safety to people from the transport department, they talk to us about the number of accidents. It is like waiting for someone to get burned before you start worrying about fire prevention. It is the same thing.

We should be talking about the condition of the railway. We should be talking about the equipment we have, the number of people that should be assigned to correct the situation. I say that this government is slacking off on railway safety, and that a few changes to the act will not be enough to silence the member for Lévis, when they are eliminating 93 jobs in Charny.

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Madam Speaker, I am pleased to rise on Bill C-43 amending the Railway Safety Act.

This bill, you will recall, to provide a bit of a background, was introduced in the House of Commons on May 30 by the Minister of Transport to amend the Railway Safety Act. It aims to give the railway companies greater responsibility in the management of safety, although Transport Canada will continue to set requirements.

Bill C-43 provides as well for more feedback from the public and interested parties on matters of railway safety.

It also establishes a framework for communities wanting to stop the use of the train whistle. I would like to add to the comments made earlier by my colleague, the member for Blainville—Deux-Montagnes, who said that we agreed with most of the provisions of this bill and particularly a certain relaxation in the use of the train whistle. When I was the Bloc transport critic, I received many representations from residents of municipalities requesting the discontinuation of train whistles. These include the people of Rimouski and of the Cap-Rouge sector of the riding of Louis-Hébert.

The amendments in this bill are drawn from the recommendations made by the committee reviewing the Railway Safety Act in the report it tabled in February 1995 entitled: *On Track: the Future of Railway Safety in Canada*. We should note that Transport Canada accepted 60 of the 69 recommendations.

Those of my colleagues who spoke before me expressed the Bloc Québécois' position on this bill. We must criticize the Liberal government, which arrives at the last minute and puts this bill on the Order Paper without any prior warning.

I also want to say that I am very surprised by the attitude of the Parliamentary Secretary to the Minister of Transport, the member for Hamilton West, whom I sat with on the Standing Committee on Transport. I do not know if the parliamentary secretary's new job has—dare I say “gone to his head”, I have to watch my language. The member for Hamilton West has really changed his attitude. He was much more flexible when he was with us on the transport committee. This does not bode well for the future. Perhaps he is thinking about his personal career, a spot in the next cabinet shuffle, but, in any event, that is the attitude he has adopted.

• (1950)

This aggressiveness by the Liberals is all the more unjustifiable in light of the fact that we did not systematically oppose all the measures proposed in this bill. We would have liked to co-operate with the government in order to improve this legislation, but the government preferred confrontation, adopting a strategy of holding a gun to our head. The official opposition is worried and hopes that the government's plan B with respect to constitutional matters, which has become the government's policy, is not making itself felt in transportation issues.

Government Orders

The Railway Safety Act review committee must examine the act every five years, an initiative we feel is useful for all concerned. The official opposition views the ongoing improvement of railway safety as a constant concern and priority. Nonetheless, we note that the federal transport minister has created an advisory committee on railway safety composed of members chosen by him, a representative of the railway companies, shippers, railway workers' organizations, the public and so on. Provincial transport departments or their representatives are not members of this committee. We feel that the transport department of Quebec, and of other provinces as well, should be on this committee.

One concern was raised by the Government of Quebec with respect to level crossings. It feels that the federal government has devoted a large part of its bill to the safety of level crossings and to intrusions, but it has proposed nothing to improve safety in yards, even though these accidents, as the government has already admitted, often involve dangerous goods representing a high safety risk.

Railway companies like CN and CP have the expertise, the experience and the responsibility to manage safety in their yards and sidings, but the number of accidents in these areas continues to increase. The number went from 191 accidents in 1989 to 358 in 1993 and 460 in 1994. It should be pointed out that most of these accidents involve dangerous goods. Such cases involve not just railway safety but public safety.

For your information, main track derailments have increased 15.9 per cent between 1989 and 1994, and approximately 20 per cent of derailments recorded in 1994 involved dangerous goods.

Under another part of the bill, short line railways, or SLR, will be required to call upon their own expertise to develop safety measures, including performance standards, security plans, building standards, maintenance standards and so on. This change could indeed prove to be a good thing, but somehow we doubt that SLRs are prepared to take on this responsibility. Short lines may not have the technical expertise or the human and financial resources required to fulfil this responsibility. Bill C-43 should not increase the risk of rail safety deterioration.

Finally, the last comment I would like to make is the following. The bill calls for Transport Canada to set up a co-ordinated and nationally applied mechanism for the regulation of railway safety.

Quebec, however, has its own legislation, the *loi sur la sécurité du transport terrestre guidé*, and its own inspection mechanisms, so why should it take part in this co-ordinated process? Quebec does not necessarily need a co-ordinated national mechanism to regulate railway safety in order to co-operate with the federal government in certain specific instances for inspections or ad hoc investigations.

In conclusion, the Bloc Québécois criticizes the Liberal government, the attitude of the Parliamentary Secretary to the Minister of Transport and member for Hamilton West in particular, for having rushed this bill in without any consultation, when the basic bill had little basis for contention in it, the official opposition readily lending its support.

[English]

The Acting Speaker (Mrs. Ringuette-Maltais): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mrs. Ringuette-Maltais): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

The Acting Speaker (Mrs. Ringuette-Maltais): I declare the motion carried on division.

Is there unanimous consent that the House adjourn?

Some hon. members: Agreed.

The Acting Speaker (Mrs. Ringuette-Maltais): A motion to adjourn the House is now deemed to have been adopted by unanimous consent. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.56 p.m.)

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(HANSARD)

Tuesday, June 18, 1996

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