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OFFICIAL REPORT
(HANSARD)

Tuesday, November 18, 1997

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, November 18, 1997

The House met at 10 a.m.

• (1010)

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*English*]

ORDER IN COUNCIL APPOINTMENTS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments which were made by the government.

Pursuant to the provisions of Standing Order 110(1), these are deemed referred to the appropriate standing committees, a list of which is attached.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (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 three petitions.

* * *

IMMIGRATION ACT

Mr. John Reynolds (West Vancouver—Sunshine Coast, Ref.) moved for leave to introduce Bill C-281, an act to amend the Immigration Act (removal of those convicted of serious criminal offence).

He said: Mr. Speaker, the purpose of this bill is to provide for the removal from Canada of any immigrant or person seeking immigrant status who is convicted of a serious criminal offence in Canada. If the order for removal is sought by the crown, it is mandatory.

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

NATIONAL HEAD START PROGRAM

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it gives me great pleasure to introduce in this House a motion that asks for the unanimous consent of the House to develop, along with provincial counterparts, a comprehensive national head start program for children in the first eight years of life, to ensure that this integrated program involves both hospitals and schools and is modelled on the experience of the Moncton Head Start Program, the Hawaii Head Start Program and the Perry Preschool Program.

This motion could be the greatest single effort of this House to decrease youth crime in this country that we have ever seen. I ask the government to work with the provincial counterparts on this matter.

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

Some hon. members: No.

The Deputy Speaker: There is no consent.

* * *

PETITIONS

ANTHONY DUDLEY GEORGE

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, I rise to present a petition for a public inquiry into Ipperwash. This petition concerns the fatal shooting death of Anthony Dudley George on September 6, 1995 at Ipperwash Provincial Park where over 200 armed officers were sent to control 25 unarmed men and women.

The petitioners ask that the House of Commons support a full public inquiry into the events surrounding the fatal shooting on September 6 to eliminate all misconceptions held by and about governments, the Ontario Provincial Police and the Stoney Point people.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

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

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The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CUSTOMS TARIFF

The House proceeded to the consideration of Bill C-11, an act respecting the imposition of duties of customs and other charges, to give effect to the International Convention on the Harmonized Commodity Description and Coding System, to provide relief against the imposition of certain duties of customs or other charges, to provide for other related matters and to amend or repeal certain acts in consequence thereof, as reported (with amendment) from the committee.

Hon. Jim Peterson (for the Minister of Finance) moved that the bill be concurred in.

(Motion agreed to)

Hon. Jim Peterson (for the Minister of Finance) moved that the bill be read the third time and passed.

Mr. Tony Valeri (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, it is my pleasure today to speak to Bill C-11, an act to simplify and update Canada's tariff system.

Members will recall that during the second reading debate, widespread support was voiced for this legislation from both sides of the House. I am pleased to report that support was also evident at committee. Indeed, I believe that most members were of the view that while Bill C-11 is and might be low profile and somewhat technical, it nevertheless represents an important contribution to making Canada a more competitive player in world trade and will in fact help to maintain jobs in Canada.

• (1015)

In that respect, we heard during debate and in committee that trade is the economic lifeblood of Canada. Clearly then, it is in our national interest to advance measures, such as Bill C-11, that simplify importing and enhance Canadian producers' ability to compete both at home and abroad.

Members will know that the customs tariff is a key component of Canada's import regime. In my view it represents the nuts and bolts of import transactions undertaken by thousands of Canadian importers on a daily basis.

It not only classifies all goods that may be imported into Canada but also provides for applicable tariffs and import duty relieving measures to assist Canadian businesses.

Put simply, despite going largely unnoticed by the general public, the customs tariff touches on the daily economic activities of millions of Canadians.

It is thus important that we take every effort as we are doing with Bill C-11 to ensure that the tariff is as efficient and as up to date as possible. Anything less would in fact entail an unnecessary burden to Canadian industry.

I remind the House that the Canadian industry has played an integral role in developing this legislation. Since 1994 when this initiative was launched, extensive and detailed consultations have been undertaken with interested parties regarding the proposals contained in Bill C-11.

As well, to facilitate input and to help secure consensus, the government has disseminated the proposals as broadly as possible. In fact, each of the proposals to change the existing customs tariff has been published in the Canada *Gazette*.

In addition, letters were sent to all known interested parties and in March 1996, when a draft of the proposed new simplified customs tariff was made public, it was placed on the Internet and on Revenue Canada's electronic bulletin board. To go further, advertisements were placed in some of Canada's leading newspapers inviting comments from both industry and individuals.

As a result, the importing and manufacturing communities strongly support the changes embodied in this bill. They particularly support the measures for greater simplicity, for transparency and predictability, all of which should help to improve the competitiveness of Canadian industries.

Moreover, industry unanimously endorses the implementation of the new simplified customs tariff on January 1, 1998.

To sum up the virtues of this bill, let me use the words of the hon. member for Calgary South rather than my own. As he eloquently put it during the second reading debate, the cumulative effect is a more predictable, simplified tariff legislation with less regulatory burden and increased competitive strength. Very eloquently put.

As I mentioned, this view was confirmed during the hearings of Bill C-11 in the House standing committee on industry. Clearly the witnesses from the manufacturing and importing associations welcomed the benefits of this bill, especially with respect to the positive effects the legislation will have on their competitiveness.

Particular mention was made of the duty reductions on a wide range of inputs used in the manufacturing processes. They also welcome the streamlining of the existing tariff system to facilitate the importation of goods into Canada and to reduce compliance and administrative costs for business.

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We did hear some concerns. I first wish to address a concern that was raised on a policy issue relating to the tariff on auto parts.

Specifically, some witnesses objected to the inclusion in the tariff schedule to Bill C-11 of the provision that continues duty free status for auto parts used by non-auto part producers as inputs in assembling motor vehicles in Canada.

The purpose behind this measure being continued in Bill C-11 is to maintain a uniform manufacturing environment for all auto assemblers in Canada. The continuation of a zero tariff on auto parts is consistent with this objective.

• (1020)

Bill C-11 ensures that Canada will continue to be an attractive place for automotive investment by maintaining a level playing field for auto manufacturing in Canada.

I should also point out that this bill contains a number of measures that all participants in the auto industry will benefit from. They include the unconditional duty free provisions covering all production machinery, precision instruments and apparatus, as well as all materials for manufacturing vehicles, parts and accessories. That is the one concern.

I also want to take a few minutes to address concerns that have been expressed by some in the importing community that there may not be enough time to prepare themselves fully for the scheduled January 1, 1998 implementation date.

Revenue Canada and Statistics Canada appreciate that there is a large change over in data that must be installed in importing systems in order to be ready for the new tariff. That is why since April of this year there has been an ongoing outreach campaign by the department of revenue to assist in these necessary preparations by providing the data required to update these systems. The efforts are continuing with the issuance two weeks ago of the printed departmental version of the 1998 tariff. Updated customs notices are also being issued which taken together with other initiatives are aimed at ensuring that importers will have all the necessary information in their hands prior to the January 1 implementation date.

A second concern has been expressed in that in view of the timelines for introducing the new tariff, Revenue Canada should exercise administrative tolerance for the first six months of 1998 and in fact waive any penalties for submitting incorrect statistical information.

I understand that Revenue Canada has discussed these issues with the importing community and is prepared to show flexibility provided that importers make their best efforts to apply the new tariff correctly. Furthermore, Revenue Canada is prepared to assist

those who need help to identify the proper statistical information to do so before goods are imported into Canada.

The government has every confidence that the new simplified customs tariff represents a positive change for the importing community. For its part, the importing community looks forward to the benefits the bill will confer, benefits including some \$90 million in duty reductions in 1998. Importers are also looking forward to having less red tape associated with their import transactions.

These are all issues that not only the importing community has made reference to, but the business community at large. This is an area where the government has taken a step forward in reducing the regulatory burden and easing the administrative burden that small businesses and businesses in general face. That goes forward on the competitive issue in allowing our Canadian companies to compete both domestically and internationally on a more level playing field.

In conclusion, while there is an effort required to adapt to the new tariff, it is certainly well worth it. We have seen support from both sides of the House during second reading debate as well as in committee. Certainly it is a widely held view in the House and in industry.

I urge the House to pass Bill C-11 quickly. The faster Parliament passes this legislation, the more confident the business community will be that its efforts to adapt to the new tariff will not be in vain.

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, it is a pleasure for me to speak to Bill C-11 today. I want to indicate that the Reform Party is supportive of the bill. Largely this is a bill which simplifies and harmonizes Canadian customs legislation.

• (1025)

When this bill landed on my desk for me to critique it on behalf of my party I thought we were getting a case of bills, but in fact it was only one. It was a foot and a half thick. Canada is simplifying and clarifying our customs codes. We are taking it down from 11,000 to 8,000 codes. We still have 8,000 tariff lines for import duties into Canada. We can do even better than that and I hope we can in the future.

This initiative came from industry. It wanted government to clean up some of these areas of customs tariffs. The free trade agreement negotiated some 10 years ago with the United States was one of the prime motivators to phase out tariffs. The tariffs between Canada and the United States had been phased out except in a couple of areas like supply management and textiles, that type of area. In response to that we were able to clean up a lot of customs lines.

The Reform Party supports this bill because we are supportive of free trade in general. We would even go further. We want to have further trade liberalization and we believe that the only protection

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Canadian industry really deserves and needs is protection from exporters from other countries that are selling product in this country that is subsidized or protected by tariff at home.

We feel we can compete head on on the basis of production with the best in the world. Industry in general is starting to recognize this. Companies such as Teleglobe have been privatized. They are saying we should open up investment because they want to be able to compete with the best in the world. There is a big market outside of Canada and if we want to do that, if we want to have trade liberalization in other countries we have to provide that at home as well.

That means we should move to a freer trade environment worldwide. We have good networks in place. We have good trade agreements. We must move further to keep this bicycle rolling down the road. We must move further to try to reduce tariffs and subsidies in countries such as those in Europe. By doing so I believe we will be able to reduce our tariff activity in Canada, our import tariff regime, even further than the 8,000 tariff lines we have for the protection of industry. That will mean industries that compete on the basis of production will compete head on worldwide in that new world out there. They have to be competitive as well. If they cannot be competitive, they probably do not deserve the support of Canada's government in providing tariff protection for them.

On that basis I would have to say that although Revenue Canada raises about \$3 billion a year on tariffs, there is a very large bureaucracy that has to administer that tariff structure. We hear of Canadian government officials who travel to places like Georgia to check on their carpet manufacturing industry to see if they are not dumping into Canada. We see they have to be assessed duties. It is a very expensive regime to keep in place.

There are a number of areas within the Canadian economy that already have quite a harmonized basis of business. The steel industry is one example. When we think of trade in Canada we sometimes think of product moving outside of Canada or into Canada by the shipload. In fact, most of our trade does not occur that way. Eighty-three per cent of our exports go to the United States and most of our exports move across the 49th parallel day in and day out by truck. It is a small commercial quantity that is moving to service some need. It might even be that a parent company is either in Canada or the United States.

We are moving more and more toward a harmonized trade relationship with the United States in particular. This is reflected by the fact that we are going to be phasing out our customs duties in those areas. However, we have 8,000 customs duty lines left. The sooner we can move to trade liberalization so Canadian companies can compete head on with companies outside of Canada that are neither subsidized nor protected by tariff, the better off we will be and the sooner we will be able to clean up the rest of our customs lines.

• (1030)

We support the early implementation of the bill and we support its passage.

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, I am rising today to speak, as my colleagues have before me, on the third reading of Bill C-11, an act respecting the imposition of duties of customs and other charges. This bill will replace the Customs Tariff currently in effect and simplify its application.

This bill is extremely significant for Canada. First of all, because it will make life easier for our businesses, but mainly because this is a preliminary effort on the part of the government to get rid of numerous rules relating to customs duties that are both obsolete and useless.

We, along with the people of Canada, have long been calling for less bureaucracy and more efficiency in our government system. The resulting savings will be of benefit to Canadian businesses and Canadian taxpayers.

My colleagues in the Bloc Québécois and myself support Bill C-11, for it is high time there was some tidying up of Canada's Customs Tariff. Moreover, the World Trade Organization shared that opinion. In its July 2, 1990 report on Canada's trade policy, the WTO described the Canadian tariff system as "complex and lacking transparency". Seven years ago, that was the WTO's comment on our customs system. The time was therefore ripe for a thorough reform of Canada's Customs Tariff.

When the February 1994 budget was tabled, the Minister of Finance made a commitment to undertake an in-depth examination of the Canadian customs duty system, and he set himself a three-year deadline. To this end, a task force was set up in his department. Improved tariffs were proposed in 1996 and subsequently supposedly submitted to public consultation.

As I said earlier, we support Bill C-11. However, we must once again express our indignation at the government's approach to getting the bill passed. The government started this tariff reform in 1994. It has known since then that the new tariff was to take effect in January 1998—in less than two months. So why did the Minister of Finance involve parliamentarians only just recently? Bill C-11 was relegated to the Standing Committee on Industry—not even the finance committee, which is too busy with prebudget consultations—two weeks ago. Despite the fact that they have known since 1994 and that the bill was ready in 1996, they dumped it on the industry committee less than two weeks ago.

Bill C-11 is an important bill that requires a long, hard look. Unfortunately, the industry committee which has to study it

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because the finance committee was too busy met only twice to consider this technical bill. As you know, customs tariffs can be very complex, particularly when the bill contains 3,000 pages of schedules alone.

The members of the committee would have welcomed help and information with open arms to get this express examination done. The government often uses this pressure and delaying tactic to force the opposition to pass a technical and complex bill requiring long hours of examination. We have a right to question the time allocated to the committee as well as the need to have the legislation come into effect by January 1, 1998.

We have had it with this approach. It is not the first time that the government has acted this way. The most recent example was the multilateral agreement on investment. The subcommittee on international trade, trade disputes and investment was mandated by the Minister of International Trade to hear witnesses and produce a report by mid-December, that is to say before the Christmas break. The hearings started on November 4. Because of its tight deadline, the committee must sit three or four times a week to hear witnesses. As a result, not all those who wish to testify before the committee will have the opportunity to do so and those who do will have only a few minutes to express their views.

• (1035)

Does the Liberal government know what the expression “public consultations” really means or does it just use the words blindly? This government is showing contempt for what the people of Canada think and for the opposition. It is extremely difficult to do our job in the opposition under such circumstances. We often get the feeling that the government would rather we did not do our job, so it can get anything through and hide tons of technical papers.

For the Liberals, to consult means posting a document on the Internet, discussing with two or three people and expecting parliamentarians to trust them blindly. This government has never managed to win our trust and this is not about to change.

We should point out that, as usual with the Liberal government, public consultations were botched. There are groups that were not consulted, and those that were have not been heard properly. That was the case of the Canadian automotive industry. The Canadian vehicle manufacturers association, which represents Chrysler Canada, Ford Canada, Freightliner Canada, General Motors Canada, Navistar International Canada and Volvo Canada, repeatedly tried to voice its concerns to the finance minister and his officials.

The association testified before the Standing Committee on Industry, which studied Bill C-11. Witnesses informed committee members that they disagreed with the government’s unilateral decision to eliminate customs duties on auto parts on January 1, 1996. At that time, the association was strongly opposed to such a

move. It asked the committee to wait before confirming definitely the elimination of customs duties for auto parts in the new Customs Tariff.

The association told the committee that a study was being conducted on the automobile industry and that this study would deal with such matters as customs tariffs on parts and complete vehicles. The study is being conducted by Industry Canada, the Department of Finance and the Department of Foreign Affairs and International Trade. According to the information we have, a report should be released at the beginning of 1998.

There is another matter I would like to speak to. The Canadian Automobile Manufacturers Association is also strongly opposed to the elimination of customs duties on assembled vehicles. The Bloc Quebecois shares this concern. I asked a question on this matter last March, and the Minister of Finance answered by saying that he was studying the issue. In April 1997, following a question from the Liberal member from Windsor, the Minister of International Trade at that time made a commitment not to eliminate customs duties on assembled vehicles.

We hope the Liberal government will finally be able to keep a promise. The consequences of eliminating customs duties could be serious for the Canadian automobile industry. The Canadian government should be able to protect an industry when it needs it.

Representatives of the automobile industry were told that the Canadian government cannot wait for Industry Canada’s report because Bill C-11 must come into effect on January 1, 1998.

We question the urgency of implementing the Customs Tariff, but it seems that the government will make every effort to pass this bill quickly. We are concerned about the automobile industry in Canada. That is why we are following closely Industry Canada’s study to ensure that it is properly conducted and that its conclusions reflect the needs of Canada’s automobile industry.

It should be noted that the January 1998 deadline is also a concern for the companies themselves, which will have to be ready to apply the new changes in a few weeks. When the committee reviewed this issue, Revenue officials announced that businesses would benefit from a six-month grace period before being penalized for non-compliance. We hope that the government will indeed be lenient toward these companies, because it prepared this new tariff to help them and not to hinder them.

• (1040)

For the benefit of Quebec businesses we will support Bill C-11, because the proposed standardization and streamlining of the Custom Tariff are necessary for both Quebec and Canada. For once, the government is making life simpler for Canadian businesses by helping them become more competitive at the international level. It must also be realized that, with the signing of international trade

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agreements, our tariff structure has become more complex, thus making Bill C-11 all the more appropriate.

The proposed changes in the bill include a consolidation of Canadian tariff obligations under the Canada—U.S. Free Trade Agreement, the North American Free Trade Agreement, the World Trade Organization, the Canada—Israel Free Trade Agreement and the Canada—Chile Free Trade Agreement. It is imperative that Canada fulfil its international obligations.

The Bloc Québécois has always been in favour of globalization, unlike the Liberals who just recently realized the importance of free trade agreements. They are now converts. Unlike the Liberal government, however, we are not prepared to engage in trade at any cost. We believe in respect for human rights, labour standards and environmental standards. It is high time the Liberals learned to promote trade while also emphasizing respect for social and human rights.

Recently, the foreign affairs minister had a good opportunity to do so, but he did not. On September 5, 1997, a group of Canadian private businesses, including Alcan, announced the creation of an international code of ethics for Canadian companies. This voluntary code of ethics outlines the responsibilities incumbent on Canadian companies doing business abroad. It also recognizes the importance of human rights and prohibits child labour.

Following a study by the Standing Committee on Foreign Affairs and International Trade on small and medium size export businesses, we proposed that the government set up a code of ethics for Canadian companies doing business abroad. Far from acting like a leader, the Liberal government does not even require crown corporations to comply with the private sector's code of ethics. The Minister of Foreign Affairs and the Minister for International Trade are not even encouraging agencies that report to them to adopt the code of conduct. This is a disgrace, to say the least.

The president of the Export Development Corporation, better known as EDC, told the committee that EDC had not yet taken a decision at the time we were speaking as to whether or not it was going to respect the much discussed international code of conduct. With EDC lending large amounts to Canadian enterprises and not ensuring that they respect social and human rights in the countries in which they are investing, this is unacceptable.

The government, with the help of EDC, is strongly encouraging Canadian enterprises to invest in Colombia. Colombia is currently in the grip of what for us is an unthinkable crisis. The people of Colombia are being terrorized by paramilitary soldiers and guerillas. Colombian teachers have the world's highest mortality rate. Four out of every ten labour leaders in the world have been assassinated in Colombia. Torture and repeated violations of human rights are common occurrences. And yet the Minister of Foreign Affairs and the Minister for International Trade are

encouraging Canadian businesses to invest in Colombia. We hope that the Liberal government will finally understand the importance of respecting the social standards set out in international agreements. One step in the right direction would be to have Canadian enterprises respect the international code of conduct.

In conclusion, I remind members that the Bloc Québécois will be voting in favour of Bill C-11, for the new tariff code benefits Canadian businesses and is consistent with respect for our international obligations.

[English]

Mr. Chris Axworthy (Saskatoon—Rosetown—Biggar, NDP): Mr. Speaker, I am happy to debate Bill C-11 and to be the representative of the only party which is taking a pro-Canadian view on these international trade matters.

As has been mentioned Bill C-11 is an enormously lengthy document. It sets out to do a number of things, not all of which are terrible. Nonetheless it is a continuation of the process of implementing what has been disastrous free trade deals signed by Canada, particularly disastrous because they signed away things that never needed to be signed away.

● (1045)

Among other things Bill C-11 attempts to simplify customs tariff and rationalize various provisions in the customs tariff as well as delete provisions that are no longer relevant. There are also rate reductions on a wide range of goods, mostly on manufacturing inputs, an elimination of a large number of tariff codes and regulations, a rounding down of decimal rates, and the elimination of most rates that fall below 2%.

The bill is supported by most members of Canada's business community because it will reduce their costs. It will in part implement the free trade agreements, in particular NAFTA.

We in the New Democratic Party remain alone in being opposed to the terms of free trade agreements. That is not to say that we are opposed to trade or opposed to fair trade. I come from the province of Saskatchewan which trades more than any other province in the country. Canada trades more than any other country by various different measurements in terms of percentage of exports, GDP and so on.

Canada lives on trade; Saskatchewan lives on trade. The constituents of Saskatoon—Rosetown—Biggar live on trade. I am not opposed to trade, but I am opposed to unfair trade which encourages the continual control of our economy by the United States.

From what has taken place since the signing of the free trade agreement with the United States and then NAFTA with Mexico,

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we know that our trade focus has concentrated more and more on trade with the United States. We have not diversified our trade. Indeed we have become ever more dependent on one market, the United States.

No sensible business person, no sensible country, no sensible person would ever suggest that it is desirable to focus and be dependent on one market as a result of the many things that flowed from these trade deals. It is simply foolish. To be so dependent means that in the event of a downturn in the American economy we will follow suit. It also means we have lost much more control of our economy. We did not have much before, but we gave away much of it in these deals.

Had we been more international, had we been more open, had we been more external in our focus, we would have been able to diversify our trade more effectively to other markets around the world which are growing and in good shape.

That focus is not helping Canadians. We have an unemployment rate of around 9.9%, significantly higher than that of the United States. These deals have not brought us what first Conservative governments and then Liberal governments promised they would bring.

As I mentioned, the New Democratic Party remains the only party opposed to these deals. The Liberal Party was strongly opposed to the free trade agreement when in opposition but when it became government—and you will remember this, Mr. Speaker, because you were part of that transition—the Liberal Party became the main flag bearer for free trade agreements. The Prime Minister takes some pride in being described as being the main flag bearer for the free trade arrangements in North America and further afield in South America also.

It was an amazing transformation as the Liberal Party moved from opposition benches to government benches and began to listen more and more to those in the business community and less and less to ordinary Canadians struggling to make ends meet.

I, my party, my province and I think all Canadians support a focus on trade in an effort to ensure we create a vibrant and dynamic economy, one which provides decent jobs for those who need them. These deals have not done that. This simplified customs tariff, which is merely a part of the whole process, will not do that either.

• (1050)

It is time the government spoke up on behalf of Canadians, on behalf of a trade policy and on behalf of an economic policy that works for Canadians and not just for those who are wealthy, those who are privileged and those who control a large measure of our economy, most of whom are not Canadians but from elsewhere.

In closing, I reiterate my and my party's opposition to Bill C-11 and to the whole context within which the bill is presented, the context of free trade agreements in which Canada gave up so much of its sovereignty for so little.

Mr. Tony Valeri (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, I want to make a couple of comments and to ask a question.

I listened to the representative from the Bloc who stated that his party would have liked to have been better informed about Bill C-11. I wish to note that background information on the bill was supplied to all opposition parties before the examination in committee. Oral briefings were also offered to explain the bill. Some took advantage; some did not. Those who did were no doubt better informed about the bill and dealt with it in a more effective manner.

The member from the Bloc continued to say the process was flawed and that no one knew about it. The bill and the customs tariff were published in the Canada *Gazette*. Letters were sent to interested parties. It was placed on the Internet and on Revenue Canada's electronic bulletin board. Advertisements were placed in some leading national newspapers. I wanted to clarify that for the record.

With respect to the comments made by my colleague from the NDP, he focused on the free trade issue, on different aspects of Bill C-11, and voiced his opposition to the bill. The policy of the government is to expand trade globally. We are dependent on the United States as our largest trading partner just south of the border, but we are continuing to expand trade globally through the team Canada approach which brought back billions of dollars to Canadian companies that are continuing to excel in exporting effectively.

I am sure members of companies from the west, the east and central Canada participated in team Canada. I wonder if he could share some of that information. Perhaps he could demonstrate to the House that exports are good for Canadian companies, that exports provide Canadian jobs and that the core of our economic success has been the export market.

I would like to hear the hon. member give some indication that team Canada has worked and perhaps share the experience with some western companies.

Mr. Chris Axworthy: Mr. Speaker, those western companies are not here but I am happy to make a brief comment. Our premier was part of the team Canada visits. We have yet to see great fruit bearing from the visits, but I support the Prime Minister and the premiers in their efforts to expand trade around the world. There are few who would argue that we should not expand trade and our exports.

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A country like Canada will only survive, will only thrive, if we have healthy exporting markets and an environment within Canada which encourages businesses to respond to those markets.

The member picked up on the point I was raising. With the agreements made first with the United States and then with Mexico, Canada's trade is focused on one market. Surely nobody would regard that as good. Nobody would regard our increased focus on trade with the United States as good. One of the reasons that focus has taken place is precisely because of the free trade agreements that have been negotiated.

There were efforts by earlier Liberal prime ministers to open up trade much more with Europe, a much bigger market than that of the United States, a market that is becoming bigger and bigger.

• (1055)

Those efforts did not take us very far. We did not diversify back in the eighties to other markets, but we were beginning to export more to other countries than the United States slowly but surely through the eighties and prior to the free trade agreements being signed.

Since those agreements have been signed the focus has become evermore dependent on one market. I merely wanted to reiterate that. In the process I can certainly refer to the many meetings I have had with exporting companies in my province and in other provinces that are doing very well at the present time, certainly those in my province.

Recently the *Globe and Mail* wrote about the western economies having reached full employment. They must be doing something right.

The New Democratic Government of Saskatchewan has an effective approach to business and job creation. It has consistently had the lowest unemployment rate in the country over the last two years. It leads the country in economic indicators. It must be doing something right. That approach is one of partnership with business, labour, government, aboriginal peoples and the communities as a whole to represent and develop an economy which supports all people of Saskatchewan. It is a diversified economy and is becoming ever more diversified unlike the Canadian economy.

I just wanted to make that point. I will pass on to western exporting corporations the good wishes of the member opposite.

[Translation]

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, my first comments are for the parliamentary secretary. He states that the government informed the population by means of the *Canada Gazette* and the Internet. I doubt that people will get up in the morning and start surfing the Net to check out the Revenue Canada or Finance Canada site and look in a Department of Finance subfile

to see if it contains a bill that might eventually be of interest to them.

I would also like to point out that parliamentarians—because we are here among parliamentarians—only had two weeks to review and assess Bill C-11, whose schedules alone total 3,000 pages. In fact, we had but two sessions at the industry committee, which should have been held at the finance committee.

When we speak of consultations, perhaps we should use the same definition, and when we speak about bogus consultations, we could perhaps ask the Liberals to give us a definition, because they are very good at that.

I now have a comment and a question for the NDP spokesperson who spoke earlier. I noticed that the New Democratic Party does not support Bill C-11. They were against previous free trade agreements, but the purpose of Bill C-11 is to simplify trade and exports for companies in Quebec and Canada, including those in his riding. So I have difficulty seeing how they can explain to their constituents that they are opposed to streamlining trade. We are not talking about the free trade agreement that was concluded three, four or five years ago. That was my first comment.

Here is my question. My hon. colleague may also have attended the industry committee sittings. I would like to know what he thinks personally of the role of parliamentarians in the review of this particular bill, when we had two weeks and two weeks only to study a bill whose schedules alone total 3,000 pages.

Before closing, I would like to make a brief comment and to ask the hon. member a short question on Canada's obligation to respect its international conventions. Whether we like it or not, Canada signed a free trade agreement with the United States and Mexico. Following the Liberals' conversion, Canada also signed a free trade agreement with Israel and another with Chile, and Canada is an active member of the WTO. Does he not believe it is essential that Canada respect the international conventions it has signed?

• (1100)

[English]

Mr. Chris Axworthy: Mr. Speaker, I thank my friend from the Bloc for his question.

Admittedly, we have international obligations and we must respond to those international treaties and implement them once we have signed them. That does not mean that we in the New Democratic Party have to be happy about it or should support that requirement. Not being supportive of the arrangements which formed the basis of Bill C-11 certainly provides adequate reasons to be opposed to Bill C-11.

Bill C-11 provides some benefits to business and that is indisputable and business as a whole supports the provisions. That does not mean that the whole trend that Canada has embarked upon since 1988 with the signing of bilateral, trilateral and other deals

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which give up Canadian sovereignty even more than has been taken away by the globalization of world economies, is a good or desirable thing and it will never be something that the New Democratic Party supports.

Mr. Charlie Power (St. John's West, PC): Mr. Speaker, I am sure that hon. members just cannot wait for this wonderful bill.

There seems to be a pretty decent consensus in the House for this bill, with the exception of the New Democratic Party which opposes free trade even when it is point blank in front of their faces that it has done wonderful things for Canada, created hundreds of thousands of jobs. At least they are consistent in their opposition to free trade. We cannot say that for the adaptable Liberal government which very quickly when they see a good idea, no matter where it comes from, will happily take advantage of it.

On the last occasion when we had an opportunity to speak in the House on Bill C-11, we stressed the importance of making legislation that simplifies our lives and simplifies the business practices of business owners. Today, I reiterate these words.

We acknowledge that Bill C-11 will help improve the competitive position of Canadian industry within a freer trading environment as well as in the long run make the tariff system simpler. However, there are some concerns that need to be addressed.

In committee we heard dissatisfaction from business owners as they faced pressures to adopt new methods according to legislative changes. The time period allotted to them is unacceptable, given the nature of the changes they face.

Second, some automotive manufacturers may face additional changes early in 1998 once a clear automotive policy is implemented.

I will address these two main points today. First, amendments to this bill must be considerate of the business owner, the individual or groups of individuals who must implement our decisions in the real world. They must be given the necessary time to implement changes and carry out the process.

Second, it is inappropriate that the government take decisive actions when a clear automotive strategy is not in place as of yet. While we know that industry generally supports the bill, we also know that they have qualms about it.

The issue of greatest concern to the committee is the sense of urgency that is being placed on the bill. Those with the Canadian Importers Association are very concerned with the speedy passage of this bill. They point out that importers do not have sufficient time for what is a very time consuming and costly exercise. They ask for a period of administrative tolerance. This timeframe would

allow them to adapt to the changes and alleviate their uneasiness with the timing of the proposed legislative changes.

The recurring message that we are hearing from the business community with respect to the uneasiness they face are their concerns related to the delivery and implementation of the tariff simplification initiative. While they support the elimination of regulation and business procedures, they are deeply affected by the timing of this bill. They feel it is quite rushed and they have not been granted enough time to prepare for the upcoming changes and the enormous challenges they will face.

The Alliance of Manufacturers is but one example of this concern. They stated, and I quote; "It is a scary exercise. There is very little time to do the programming we need." These are the most affected parties. We demand that the government listen to their concerns and continue with the theme of simplification. If it is going to simplify the process, then it needs to continue with the agreement and simplify the law to all business owners. We will hold the government accountable to this and urge it to listen to the suggestions it has received.

We also heard concerns from vehicle manufacturers groups. It is no secret that Canada is in need of a strategic automotive policy, one based on free and fair trade. We understand that work is to be completed in this area in early 1998. Why then, we ask, make changes to automotive tariffs when the strategy is not in place? Why make changes now when a clear automotive policy is yet to be decided and risk having to amend the tariff to fit the policy later on?

• (1105)

This plan is not logical. It is not fair to the automotive industry. The government ought to stop and think about the possible repercussions of amending clauses now and then setting its automotive policy.

By trying to rush through legislation, the government is missing the point. A comprehensive automobile policy needs to be introduced in conjunction with clauses in Bill C-11 which pertain to automotive tariffs. Why take the chance of negatively impacting jobs and investment in Canada?

The free trade agreement that was so profusely objected to almost 10 years ago is today the largest bill on our shelves in the House of Commons. It is a huge factor in contributing to tax revenues and job creation in this country. The government continues to carry out our Conservative initiatives and our tariff agreements. However, as I have highlighted, there are several important factors to consider.

This is the most complex tariff system in the world. We know it and our trading partners know it. I strongly urge the government to consider the huge task that lies in front of importers in Canada and

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demand that they be given time to adapt to these enormous changes. As well, strategic consideration must be given to a comprehensive automotive policy.

My message today is that this is a beginning, not an end. We cannot stop now with all the progress we have made for the simple reason that the bill has been simplified. Work still needs to be done.

I would ask the government to commit to continuing with the work in progress, to continue developing trade agreements with our partners and to look ahead at the global marketplace to achieve a standard of excellence with our trading partners. This means that the government must continue to promote trade, thus encouraging business development and job creation in Canada.

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, I commend the hon. member for his excellent insights into this issue which is so important to Canadians.

Mr. Tony Valeri (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, I thank the hon. member for his intervention, but I want to clarify that Bill C-11 does not make any changes to the current automotive tariff policy; rather it continues to ensure that all auto manufacturers in Canada, auto pact and non-auto pact companies, import parts duty free. No changes are made to vehicle tariffs. Auto pact companies continue to import vehicles free of duty while non-auto pact companies pay duty on all vehicles which they import.

I wonder whether the hon. member is now indicating that he wants to change that policy.

Mr. Charlie Power: Mr. Speaker, that was not our intention. When our caucus discussed this we decided to support it because it is under free trade and in line with the policies in which we very strongly believe. Our intention is that we should not be changing things today which will affect another policy which will come before the House next spring. Those are the things that drive businesses crazy.

The fact is that there is probably going to be a comprehensive automotive policy presented before the House in the next legislative sitting. We thought that in order to make business a little easier we should not be making any changes today which may affect their jobs. That is really where we are to with that.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, it is interesting to hear my esteemed colleague from St. John's West, from the island of Newfoundland, talking about the free trade deal and the hundreds of thousands of jobs it has created. I wonder how many people in Newfoundland are listening to his comments today. That province probably has one of the highest unemployment rates in North America if we break it down to a per capita ratio.

He said that the NDP is against free trade deals. What we are against are deals that hurt Canadian workers. He, coming from the province of Newfoundland, should know that better than anybody else.

The fact of the matter is it has driven labour standards, health standards and safety standards down to match third world country standards.

Let me remind him of what happened in Mexico. We were told when the Tories introduced free trade that Mexican workers' standards would rise. We were told that their standard of living would rise. It is 1997 now and if we visit Mexico, as I have recently, we will notice that the standards for workers are lower than they have ever been.

Those are the types of deals which we are against.

• (1110)

Mr. Charlie Power: Mr. Speaker, just a brief reply.

Obviously we in Newfoundland, as part of Canada, are very strongly supportive of the free trade agreement, but today in Newfoundland nobody is really talking about the free trade arrangements. We are talking about the massive Hibernia oil project which was developed between the Government of Canada, the Government of Newfoundland and a large group of private sector partners which yesterday flowed oil for the first time. It is a huge industry. It is going to create thousands of jobs in Newfoundland and in eastern Canada.

There are an estimated 6 billion barrels of oil that can be processed or recovered from the offshore Hibernia field. It is a great day for Newfoundland. Today we are very happy that the Government of Canada, the Government of Newfoundland and the private companies have developed those significant amounts of jobs in Eastern Canada.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

An hon. member: On division.

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

* * *

CUSTOMS ACT

Hon. Jim Peterson (for the Minister of National Revenue) moved that Bill C-18, an act to amend the Customs Act and the Criminal Code, be read the second time and referred to a committee.

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Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, I want to talk today about Bill C-18.

As you well know, this bill was presented in the last Parliament and has been reintroduced in this Parliament. We have waited in Canada for this bill because it will help with the safety of our community. It will help our customs officers at the border points. As Canadians know, at the border points Revenue Canada, through its customs department which is integral to the department, the men and women who are peace officers at the border are there to be the first line of defence not only with having commercial goods come into the country and consumer goods come into the country, but millions of people visiting this land, both our returning residents and our tourists.

Here we do the primary immigration and the customs work and now, with Bill C-18, we have the opportunity to fill a gap in the legislation that has been there for some time. This matter has had intensive study over the last decade or so. There have been reports. We have very much our own customs unions on side with us. We very much have the police forces in this country on side with us. We very much have on side the interest groups that have come to us, for example, Priscilla de Villiers and her very good organization, CAVEAT, as well as Mothers Against Drunk Driving.

All of these interest groups have pointed out to us something that we do that had to be corrected. This gap had to be filled and it was a gap where our police officers, our customs officers—I really should not call them police officers. They are our customs officers at the border points.

Now, with this legislation, they will have the ability to put charges down where we suspect some criminal activity that was outside the parameters of the Customs Act and the other legislation that we cover at the border points.

I could tell you about suspected drunk drivers who in the past we could detain but we had to call the local police forces, whoever they were, at the border points, and they are different across this land. They would then come and we could hold them, but we did not have the legal right to hold them there forever. Now this gap has been closed because we can do those charges. We can also pick up the outstanding arrest warrants that come up with our intelligence systems at the border points.

This gap will help with the drunk drivers' situation. It will help with the possession of stolen goods' situation. It will be very material and will touch the lives of Canadians who fear children being abducted at the border points. We have very good lookouts and intelligence. A child find operation is dealt with by our customs officers at the border point. This will give them the added legal authority to make the necessary charges on those involved in suspected criminal activities. They will also have the legal authority to detain those individuals with outstanding arrest warrants.

• (1115)

It is a very necessary piece of legislation. My colleagues across the hall in this Chamber understand the need for this legislation and welcome it, as we do. It is very important to the men and women who daily serve us in our department and who serve Canadians in doing their very important jobs. They have been doing their jobs without this legislation but this clarifies in law and better allows them to complete the task.

They will have the adequate necessary training. We will start at selected points but it will be across this land. We will have to make some structural changes in some of our facilities to accommodate this situation but they are minor in the scope of things. We do not believe our customs officers need to be armed at our border points and we will not be arming them, although I know this was part of the discussion. This decision was taken after much investigation. We will ensure the safety of our customs officers.

We have been dealing professionally with this situation for a long time. Now we are giving our customs officers the tool that was needed to close that legal gap, to give them the power to charge individuals and detain them. We will be the first response only. We are not going to handle the regular processing after the fact. The local police will be called in and they will take over as quickly as possible but we will legally be in a position to fulfill the need for community safety at the point of entry.

I remember a time when individuals such as Jonathon Yeo were seen at our border points and there was limited ability to hold them. This will correct our situation. I can think of tales from across Canada of people not being able to detain those they suspected of drinking and then later those people getting into accidents. The safety of not only our peace officers but of Canadians is the number one area we are concerned with in this piece of legislation.

From a report of many years ago have come discussions with our unions, the public and within the department. Now we have this legislation. We hope that with the assistance of all members in this House it can be moved rapidly through all legislative stages with the appropriate amount of discussion in this Chamber. It will be sent to the justice committee, then at third reading we will have another level of discussion in the Chamber.

We in Revenue Canada are very proud of the men and women who serve us at the border. The percentage of complaints we get about these individuals is very low compared to the number of people and goods they process. It is a very low annual figure.

As a student customs officer at the border in 1974 I feel there are jobs that both full time and part time employees did which they will continue to do. My point about the students is that they will not get

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training in this area. We feel it is an area in which the full time and the full part time people should be trained in.

• (1120)

Not everybody will have to be trained at every border point. There will have to be sufficient numbers trained in this area of the law and procedure. They will be properly staffed at every border point so that we can continue to do the excellent job that we are doing now for Canadians. I wanted to make that point because even though we value every employee, full, part time, student, whatever, we recognize that these are skills positions, positions of authority. We want them to be carried out in the most professional manner. We will provide the facilities and the training so that our customs officers can do this across the land.

I want to highlight the fact that we have not gone so far as arming and we will not be doing this. We have given the legal tool that was missing.

This is a very important piece of legislation. It is one that has been long awaited. It is one that is welcomed not only by the men and women in our department who have to work hard every day, 24 hours a day, seven days a week at all of our many border points, but also those people in our communities, especially the policing community at these border points and in general the whole Canadian public, the men, women and children who cross our border points every day. This will make Canada better and more secure. I am very pleased.

It is not a long piece of legislation. It is not a difficult piece of legislation. The operative parts are actually in three clauses of the legislation. The bottom line is that it will make a big difference for the people who work every day at our border points.

I am open to questions from my colleagues on my side or across the floor and I will do my best to answer their questions or concerns. I am grateful that we are now in a position to put this piece of legislation before them.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, I rise on behalf of the official opposition to do something I thought I would never do in this House and have not done to this time, support a government bill. It is not easy to do but for a good cause we will sometimes support government bills. This is a well constructed and designed bill and a thoughtful approach to a problem we have in controlling criminal activity coming across our borders.

What Bill C-18 does, as the hon. parliamentary secretary outlined, is extend the ordinary powers of peace officers to detain and to arrest people who are either under criminal warrants or suspected of engaging in certain forms of criminal activity, principally impaired driving. This is something which is most sensible.

The notion that several thousand impaired drivers cross our borders each year but cannot be detained by our custom officers is a troubling one. There are many customs and entry ports in this country where we do not have full time regular peace officers, RCMP officers, staffing those ports. The customs agents are the only official representatives of our government and are the only eyes that are watching what kind of people cross those borders.

For these customs agents not to have the capacity to stop, detain and arrest people suspected of driving on to our highways impaired and endangering law abiding Canadian drivers I think is troubling. We are encouraged by Bill C-18's empowerment of those custom agents so that they can essentially act as a first response capability at our borders, a first response capability for criminals and for those suspected of impaired driving.

We understand that over the past year, according to estimates made by our customs officers, over 8,500 suspected impaired drivers have entered Canada. None of these people could be detained or stopped legally by customs agents for impaired driving. There are other reasons why they could be stopped, but not necessarily for that offence.

• (1125)

There have been an estimated 200 incidents of suspected child abduction where customs agents have not been empowered to stop the alleged abductors of children. There have been over 2,000 individuals subject to arrest warrants and more than 500 individuals in possession of suspected stolen property, mostly vehicles, again in instances where our customs agents have not been able to detain these people.

This is a sensible approach and one which we understand is supported by, among other groups, the customs union, Canadians Against Violence Everywhere Advocating its Termination, CA-VEAT, and the Canadian Civil Liberties Association, as well as various police forces. It seems to have a broad range of support both by those concerned about the potential for the overzealous use of peace officer force as well as the police officers themselves. They all seem to be in support of this bill.

However, we do have several questions which are not addressed in the information the government has provided with respect to Bill C-18 and which were not really explained adequately by the parliamentary secretary. Among other questions, the government clearly will incur costs to implement this bill, costs which will derive from the training of customs agents so that they will know how and under what circumstances they may exercise these new criminal law powers. What exactly are those costs for training those public servants in this respect?

There will also be costs associated with establishing new facilities, detention facilities at many ports of entrance. Again, we have seen no estimate of what costs are associated with that. I

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would therefore ask the hon. members opposite, perhaps the parliamentary secretary if she has an opportunity, to provide this House with information on what costs will be associated with this bill.

Another question we have is the question of how these officers will be empowered to enforce the law. We understand, as the hon. parliamentary secretary just admitted, that they will not be issued firearms. While we are giving them in this bill partial police officer powers, the power to arrest and detain, among other people, suspected gun smugglers and drug smugglers, we will be issuing them pepper spray and, I gather, batons to protect themselves and Canadians and to enforce the law against potentially violent law breakers.

It seems to me this raises a question about the safety of our customs officers and the seriousness that the government has in terms of empowering these officers to apply and enforce the law. My second question to the government would be why will it not issue these quasi-peace officers the tools that peace officers need to execute the law, to arrest and detain potentially violent and dangerous criminals.

I do not understand why the former minister of revenue, the current minister of Indian affairs, introduced substantially the same bill in the last Parliament. In justifying not issuing firearms to these officers she simply said that she did not feel it was appropriate. She did not really explain why. She just said "Under my watch they will not be armed. As far as guns, the message there changes the whole perspective of our border and the risk of increased violence is not acceptable to me".

If these agents were properly empowered and issued firearms, the risk of violence would not, I think, come from them. The risk of violence comes from violent criminals who cross our borders. To suggest that peace officers who are issued the necessary tools to do their jobs somehow poses a threat of violence at our borders is, I think, a rather backward way of looking at it. It is those peace officers who use those tools who prevent violent criminals coming into Canada.

I would again ask for a more compelling justification for these peace officers' not being issued with the appropriate tools to do the job that most peace officers have.

• (1130)

We also wonder about the common practice at Customs Canada of employing student customs officers. When the question is asked "O Canada, who stands on guard for thee", in too many cases the answer is poorly trained students at ports of entry in this country, not fully trained customs agents. These student officers are in some places such as Pearson airport. Some 80% of customs agents, the

first line of defence Canada has in the protection and enforcements of its laws, are undertrained student agents and are not full-fledged customs officers.

We understand that in other jurisdictions such as the United States and the United Kingdom this simply is not the case. One hundred per cent of the customs agents representing those governments are fully trained, fully empowered, fully certified customs agents, and not quasi-customs agents.

I have another question for the government. Why does it continue to staff our borders with people who are not fully trained officers of the law? That is a reasonable question. These student agents will not have the powers given to full customs agents under Bill C-18. Quite understandably they will not have the certification or the training to exercise peace officers powers. Even though this is a good step forward, many thousands of our customs agents at many of our customs ports and ports of entry will not have the power to arrest or detain people under the Criminal Code.

If student agents are on duty at a particular port of entry and find somebody who may be suspected of criminal activity, a suspected child abductor, kidnapper, smuggler of contraband or an impaired driver, they can do nothing to arrest or detain those people. They had better hope that there is a full-fledged customs agent immediately available to them or a full-fledged peace officer. If there is not then there is no protection for Canadians and there is no discharging of Canadian law at those ports of entry. That is an important point to us.

I have another question. The revenue minister has not indicated whether or not there will be additional training or the extent to which there will be additional training for newly empowered customs officers. What kind of training will they receive? Will it be in a police college atmosphere? Will it be within the current customs college, or will they receive a kind of briefing? How do we know they will be properly trained to exercise the ultimate power of government, that is its police power? That question is not outlined.

I do not understand in a very sensible bill like this one why the government would not anticipate some of these questions and answer them. Perhaps it will in the course of this debate.

This is a worthwhile objective. It is a good and honest effort by the government to plug a loophole that too many criminals have taken advantage of to seek entry into the country. I would only ask why this kind of legislation was not passed years if not decades ago.

Why does it take so long for us to plug loopholes in terms of enforcing the criminal law in Canada? Why have we allowed 8,500 suspected impaired drivers to cross our borders in the past without having the power to stop them? How many innocent Canadians

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have died on Canadian roads because customs officers were not able to stop, detain or arrest suspected impaired drivers?

Those are good questions. They are not only directed to this government but to predecessor governments as well.

In conclusion, the position of the Reform Party with respect to impaired driving and the application of the criminal law is well known. We stand for a criminal law regime which can be enforced. We want our peace officers and officers of the government to be able to enforce laws and protect Canadians.

• (1135)

A couple of weeks ago our party introduced a motion in this place calling for stiffer penalties for impaired driving. Any effort which can potentially remove even one impaired driver from our roads and can make society even incrementally safer is one that my party will support.

ROUTINE PROCEEDINGS

[English]

SETTLEMENT AGREEMENT

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I rise on a point of order. Yesterday in the House the hon. member for Elk Island said in part:

—during the question period the Deputy Prime Minister referred to and read from a document. I believe under the standing orders he is required to table that document. We request that he do so.

In response to that request from the Reform Party I would like to seek unanimous consent of the House to enable me to table the document at this time rather than this afternoon at the usual point in Routine Proceedings.

Furthermore, if the House agrees, I would be happy to agree not only to table the document but to have it printed as an annex to today's *Hansard*.

The Deputy Speaker: Is the House agreeable to having the document printed as an annex to today's *Hansard* as suggested by the Deputy Prime Minister?

Some hon. members: Agreed.

[Editor's Note: For Settlement Agreement Regarding the Case of *Brian Mulroney v The Attorney General of Canada et al*, see Appendix]

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[Translation]

CUSTOMS ACT

The House resumed consideration of the motion that Bill C-18, an Act to amend the Customs Act and the Criminal Code, be read a second time and referred to a committee.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, some days are busier than others. Today, I was in a building on Wellington Street to attend a sitting of the Standing Committee on Justice and Human Rights, but I insisted on rushing back here to speak on Bill C-18, an Act to amend the Customs Act and the Criminal Code.

These are extremely important amendments. This bill, which was tabled by the Minister of National Revenue, affects several facets of law. There is one entire section that deals with the changes and enhanced powers the government wishes to give customs officers.

This is not a new bill, however. It is numbered C-18, but it was tabled in exactly the same form during the 35th Parliament as C-89. It will be remembered that it was tabled by the government of the day on the eve of the calling of the federal election, on March 13, 1997.

During the first mandate, a number of groups came to the Standing Committee on Justice and Human Rights as well as to the government calling specifically for the government to change certain provisions of the Customs Act in order to enhance some powers. A number of groups have long pointed out the need for customs officers to be able to enforce criminal law at Canadian entry points. In a country like Canada, especially, which has such a long border with a lot of entry points, offences have occurred over the years, and customs officers lacked the tools necessary to deal with them.

What provision does the Customs Act make at the moment? We are told that customs officers have powers, but they are enforcement powers as established under part VI of the Customs Act. These powers apply to surveillance duties and to the control of merchandise imported into or exported from Canada. They include the power to search a person in order to find proof of an offence and to inspect, detain or seize merchandise.

Currently customs officers' powers apply primarily to merchandise entering or leaving Canada. They do not involve the application of provisions of the Criminal Code. The expression "peace officer" in the Criminal Code includes customs officers, but only in the context of offences set out in the Customs Act. For example,

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section 163(1) of the Criminal Code stipulates that it may apply with respect to offences set out under sections 153 or 159 of the act, which are false statements and smuggling.

• (1140)

Under these circumstances, customs officers are invested with the powers granted peace officers under sections 462.3 and 462.32 to 462.5 of the Criminal Code. In short, at the moment, customs officers are considered peace officers under the Criminal Code only in the case of offences set out in the Customs Act.

The bill is proposing to amend the Customs Act to set out new offences that come under the powers of customs officers. They really want to use the bill to give the customs officers greater opportunity to intervene when they witness certain offences.

Let us be clear about the changes. At present, customs officers are only allowed to act when an offence under the Customs Act has been committed. Since they do not have jurisdiction over Criminal Code offences or impaired driving offences—we will come back to that later, because there are specific provisions on this—they cannot act in those instances. There has been in the past striking examples of cases where blatant irregularities took place at Canadian ports of entry and departure because customs officers did not have the power to act.

Bill C-18 proper contains four clauses. These are small technicalities, but I think they are worth mentioning anyway. Clause 1, which makes substantive changes to the Customs Act, is the bill's main provision, while clauses 2 and 3 amend two sections of the Criminal Code; these amendments, although minor, are nevertheless far-reaching in terms of the customs officers' jurisdiction. Finally, clause 4 is the usual provision dealing with the coming into force of the bill.

I will take the extra time at my disposal to look at a number of very important provisions. Clause 1 of the bill would add part VI.1 to the Customs Act. This new part is entitled "Enforcement of Criminal Offences Other than Offences under this Act". As indicated in the title, legislation other than the Customs Act is involved, hence the importance of the powers conferred upon customs officers.

Section 163.4 would be added, stipulating that the minister may issue a certificate of designation to customs officers for the purposes of new part VI.1. In this respect, according to documents from Revenue Canada, these new powers would only be granted to customs officers at ports of entry to Canada who are not students. This is reassuring, since it is an important power. It will only be given to customs officers on duty at Canadian ports of entry. The certificates of designation will be issued by the minister. As will be seen later, we have some concerns. While we support the bill as a whole, as we did during the 35th Parliament, we do have concerns regarding the certificates of designation.

The next important provision is paragraph 163.5(1), which gives a designated officer the powers and obligations of a peace officer under sections 495 to 497 of the Criminal Code. These are very important sections. As you know, section 495 gives a peace officer the right to arrest without a warrant a person who has committed an indictable offence or is about to commit such an offence. Section 495 also provides that this power can only be exercised under exceptional circumstances, that is when the officer has reasonable grounds to believe that public interest requires such an intervention.

Under section 497, a peace officer who makes an arrest without a warrant must release the person arrested as soon as practicable, unless he has reasonable grounds to believe—this is another well-known legal concept—that it is necessary in the public interest to detain that person.

• (1145)

It is to be noted that these new powers can only be exercised in a customs office. So, while additional powers are given to customs officers, the bill restricts their use and relies on well-known legal concepts. These concepts are also recognized in case law and, over the years, they have been interpreted under a number of acts, including the Canadian Charter of Rights and Freedoms and the Quebec charter. The expression "reasonable grounds to believe" has indeed been interpreted.

The additional powers given to customs officers come with certain obligations. In the final part of my speech, I will comment on the obligations that will apply to customs officers as a result of these amendments.

Bill C-18, an act to amend the Customs Act and the Criminal Code, contains an extremely important provision. I must say that I am very happy to see that the lawmakers have included a provision to amend the Criminal Code accordingly through the Customs Act. This provision can be found in proposed paragraph 163.5(2). It would give designated customs officers—the same officers just designated by the minister—the powers and obligations of a peace officer under sections 254 and 256 of the Criminal Code.

What are sections 254 and 256 of the Criminal Code? As everyone knows, I am sure, these are the sections having to do with impaired driving. Customs officers will have powers similar to those of peace officers, at border points for entering or leaving Canada—it all depends on the direction of travel. They will have the same powers as peace officers to apply sections 254 and 256.

These provisions are for the taking of breath or blood samples in cases of impaired driving. Thus, where a peace officer believes on reasonable and probable grounds—again, the same principle of law recognized by lawyers—that a person is committing or has committed the offence of driving while impaired as described in section 253, that officer may, under the provisions of another section,

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section 254(3), require that person to provide him with a sample of the person's breath or, in certain circumstances, blood.

In the past, when a person who was driving into or out of Canada had alcohol on his breath, the customs officer to whom that person made his declaration could do absolutely nothing about it.

Mr. Speaker, as an Ontario MP, you are well aware that the biggest port of entry between the USA and Canada is Windsor. This was an extremely big problem in that region of Ontario, because many people who worked across the border, or who crossed to the States or to Canada for a night out, were at the wheel of a vehicle and had had one too many. When they went through customs, the customs officer could do nothing.

With this amendment, in the form of subsection 163.5(2), customs officers will have additional powers and will be able to require individuals to provide a breath sample. Their actions will have legal consequences, eventually.

Proposed subsection 163.5 (3) provides that a designated officer who arrests a person in the exercise of the powers conferred under subsection (1) may detain the person until the person can be placed in the custody of a police officer or peace officer.

I find this reassuring, that customs officers' powers are being enhanced within very definite limits. These are very clearly delineated powers. The customs officers' powers do not replace those of the police officers of a province, nor those of the RCMP in provinces served by the RCMP.

• (1150)

Section 163.5(4) would limit the new powers of the designated officers by stipulating that they could not use any power conferred on them for the enforcement of the act for the sole purpose of looking for evidence of a criminal offence under the Criminal Code or any other act of Parliament. The purpose of this is to prevent customs officers from searching for evidence of other criminal activities.

With this clause too, the lawmaker has imposed certain limits on customs officers, that is, a customs officer witnessing an offence will be empowered when this bill is passed to investigate and gather evidence of what he has seen. If he has reasonable grounds to believe that an individual is, for example, moving stolen goods from Canada to the United States, he has, under the legislation and if there are reasonable grounds to believe the goods are in the trunk of a car, the power to examine the items in order to gather evidence to hand over to the police with jurisdiction where the customs officer made the seizure or conducted his investigation.

So, as we can see, there are limits, which are extremely important. Substantial additional powers, essentially the powers of peace officers, cannot be given to customs officers without limits

being set, without very precise limits to ensure that everything occurs according to the intent of the bill.

As I have said on a number of topics, we will support the bill. However, we have some questions. As I said earlier, we have already examined the bill in the previous Parliament under another number and another title. This one is exactly the same as the one that was introduced in March 1997. I will raise certain points, which, at the time, gave me cause for considerable thought and also convinced me of the merits of such amendments.

In 1995, a study revealed that, in 17 months, there were over 4,000 instances where criminal law could have been applied in one way or another at 160 ports of entry either on the highways or at airports. According to Revenue Canada officials, the majority of these are suspected instances of impaired driving. In these 4,000 cases, no action was taken because customs officers did not have the jurisdiction to act.

The same study shows that an amendment to the Customs Act similar to the one contained in Bill C-89—at the time, we were considering Bill C-89, tabled on March 13, 1997—would fill the gap between the time when customs officers observe a Criminal Code offence and the time when the police can respond. It was clear from the statistics and from past experience that there was indeed a loophole allowing law-breakers to get off scot-free. This bill bridges the gap to correct this shortcoming and ensure that offenders are prosecuted.

Given the foregoing, we must recognize that the Criminal Code could be much more effectively enforced at our borders if our customs officers were given the appropriate tools.

However, while public safety may demand that we support the bill before us, some aspects will definitely have to be looked into at the Standing Committee on Justice and Human Rights. There are concerns regarding this bill. Some answers were found in departmental documents, others through informal discussions I have had with government members, but there are still questions that remain unanswered. These questions will be raised at the Standing Committee on Justice and Human Rights on which I sit as a representative of the Bloc Québécois.

• (1155)

I will mention four points. The first one is the need to properly train the designated officers. As I explained at the beginning of my speech, in some situations and under specific circumstances, customs officers will have basically the same powers as peace officers do, and these powers are very important ones.

It must be realized that in fact the bill proposes a significant broadening of the customs officers' responsibilities. Sections 495 to 497 of the Criminal Code are not easy to apply. They require a high level of judgment on the part of the peace officer, since the consequences are very significant. Take, for example, the expression "reasonable grounds to believe", which I pointed out earlier.

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This concept is not difficult to understand. It is a legal concept lawyers are used to work with, judges are used to interpret and officers are trained on. However, I am not sure that customs officers do get that kind of training.

The expression “reasonable grounds to believe” used in these sections is extremely important, as we saw in *Storrey v Regina*, in 1990, where the supreme court stated that, in order to arrest a person without a warrant, a police officer must have reasonable and probable grounds to believe that the person has committed an indictable offence. This subjective belief on the part of the police officer must also be justifiable from an objective point of view. In order to properly interpret the clues that will influence his subjective belief, a police officer must have received adequate training. We also have to determine whether or not customs officers should be armed to implement these new provisions. Here again, if it is felt that the implementation of Bill C-18 would require customs officers to be armed, then public safety will also require that customs officers have the necessary certificates authorizing them to handle firearms.

So, yes, there are additional powers, and, yes, we are in agreement. However, if the job is to be well done, if we want to prevent myriad interpretations and court challenges, designated customs officers will need appropriate training. They will perhaps need a basic knowledge of the legal concept of reasonable and probable grounds in order to be able to apply the legal principle. And if these officers—because this question has not yet been resolved—are armed, as are officers of the peace, then they will also have to have the necessary certificates authorizing them to handle these firearms.

My second question concerns the need to cooperate with provincial authorities. The bill would bridge the gap that existed between a customs officer’s observation of an offence and police intervention. For this gap to be satisfactorily bridged, it must be possible to count on the cooperation of provincial public security services. It must be remembered—and it is good to remember this from time to time—that the administration of justice comes under provincial jurisdiction and that enforcement of the Criminal Code is thus a provincial responsibility. Although the new provisions would be implemented strictly in the context of federal customs responsibilities, consultations with the provinces would be appropriate.

• (1200)

If we want the amendments to Bill C-18 to be useful, if we want to avoid, once again, at this stage, the problems caused by overlap and unfairness at the enforcement level or to avoid jurisdictional squabbles, it is really essential at this time that the federal government, perhaps through the Standing Committee on Justice and Human Rights—we will surely be hearing witnesses from the

police forces—sit down at the same table and find an approach to ensure mutual co-operation.

Another issue I am concerned with is costs. There must surely be costs related to these changes, for example merely in terms of equipping all customs facilities with cells. People cannot simply be arrested and placed at a table somewhere in the corner of some ordinary office. If customs officers have the same powers as peace officers and police officers, and if they are going to arrest individuals who could be dangerous, their safety requires that there be proper facilities, cells like those in any police station. We are told that there are about 80 border points. What are the costs for these 80 stations? This is another question that remains unanswered at this time.

My fourth point concerns infringements of the Canadian Charter of Rights and Freedoms. As we know, when additional powers are granted to customs officers to allow arrests without a warrant, it is possible that there will be violations to the Canadian Charter of Rights and Freedoms. We must never forget that individuals have rights, including protection against arbitrary detention. So we have to ensure that customs officers, when there are reasonable grounds to believe that an offence or other act has been committed, are adequately informed about the rights they might violate if they are not careful.

Here again, we will have to be especially careful in terms of the education and training provided to the customs officers chosen by the minister. In the charter alone, we find sections 8, 9, 10 and 11, which are extremely important, and customs officers will have to enforce this legislation properly to avoid any legal challenge under the charter.

[*English*]

Mr. Lorne Nystrom (Qu’Appelle, NDP): Mr. Speaker, I wish to say a few words on this bill before the House today and indicate, first of all, the support of the New Democratic Party for the bill.

It was a bill first introduced last March by the then government and died when the prime minister called the election for June 2. Now the bill is back before the House today. I hope it goes through the House, giving the customs officers the power to implement certain parts of the Criminal Code, mainly to detain or arrest until a police officer is able to come to the scene. This is something which is needed in this country. In other words, the customs officer becomes the first line of defence, when the customs officer obviously sees a drunken driver or someone else who is suspected of committing a criminal offence.

Today the customs officers do not have that power. In this country we have many border crossings and about 2,500 customs officers. There is really a gap in the law which has allowed over the

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last number of years a number of people who are suspected to be committing a criminal act to get into the country.

I want to give some information which is relevant to the debate this morning. According to Revenue Canada, in the last two and a half years or the last thirty months there have been about 8,500 suspected impaired drivers who have crossed Canadian borders. They have been allowed to cross because customs officers do not have the power to detain or to arrest the person suspected of being impaired. What a customs officer can do, under the law today, is call the local detachment of the RCMP or local police, which ever may be the nearest, and tell the police that there is a driver going through who is suspected of being impaired.

• (1205)

In many cases the driver is long gone before the police arrive. Revenue Canada believes that in the last 30 months about 8,500 impaired drivers have just simply driven away before police arrived or in some cases the police were not called because there was not point in doing so.

There have also been about 200 incidents of suspected child abductions allowed to cross the border because the border officials have no power whatsoever to arrest or detain these suspected kidnappers. Again I think that states very clearly why customs officers need additional powers.

There have also been over 2,000 individuals who were subject to arrest warrants who have crossed the border, again long gone before the police arrived. There have been more than 500 individuals suspected to be in possession of stolen property, mainly vehicles, who have also crossed the border before police arrived.

I think there is an obvious gap in the law that must be rectified by Parliament. It is because of those facts that I am pleased to offer support on behalf of our party to the very quick passage of Bill C-18. This is something which is long overdue. It should have been done a number of years ago.

I also want to add that I believe there is general support in the community for these kinds of powers. I know that police associations, customs officers, the customs excise union or the union des douanes et accises are all very supportive of passage of this legislation.

I also want to give an example of what happens because customs officers do not have this power. I have in my hand a letter which was written by a customs officer. I do not want to put any names on the record but just read into the record an incident that occurred very recently on the night of October 3, 1997. I believe this sums up the need for the legislation:

The night of October 3, 1997 at the customs port of Windygates, Manitoba was a prime example of the need for customs inspectors to have the authority to detain impaired drivers.

At approximately 2156 hours two Canadian males on motorcycles arrived at the port, returning from a nearby U.S. bar. One in particular displayed signs of impairment. I know from experience that this man cannot be dissuaded from driving, as driving while impaired has been a regular occurrence for him. Due to the distances involved, I also know that the suspect can be home before the RCMP are able to get on the road and apprehend him. Consequently, these motorcyclists were allowed to proceed.

Two minutes later, one kilometre north of the customs office, [one individual] age 30, is dead in a pool of blood in the middle of the road. A combination of high speed and alcohol caused him to lose control.

Minutes later, while administering CPR to a man that is clearly beyond help, I wonder what I could have done to prevent this tragedy. Shortly thereafter, family members of the deceased arrived on the scene and I also had the dubious honour of informing them of their loss.

Based upon previous encounters with [this gentleman], I am convinced that there is nothing I could have said, and nothing I could legally do to stop him from proceeding down the road that night. However, I am equally convinced that if customs inspectors had the authority to enforce the impaired driving laws, that this man would be alive today.

• (1210)

Then he goes on to say that in light of this incident and other incidents that have happened across this country, he hopes that Parliament will expedite the passage of this bill.

I think that letter sums up the need for this bill better than any speech we can make in this House. People have been killed because customs officers do not have the powers of arrest and detainment.

There are people who have actually killed others in traffic accidents because of the fact that they are driving impaired. We have in this country very strict drunk driving laws. They are enforced and here is a gap in the law.

Because of that, I hope this Parliament can pass as quickly as possible Bill C-18. With that, I offer our support and hope the House will do this expeditiously. I am sure that he will make sure that occurs this morning.

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, it is with great pleasure that I speak in this House today to express my support for Bill C-18, legislation that will enhance safety and security for all Canadians.

The bill will strengthen our customs officers role in law enforcement by extending the scope of their powers so that they can arrest and detain individuals suspected of committing offences under the Criminal Code.

As the Minister of National Revenue has pointed out, the legislation will close a longstanding gap in our ability to better control criminal activities such as impaired driving, child abduction and possession of stolen goods at the border.

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It will also allow us to deal with individuals who are the subject of outstanding arrest warrants. There is a clear need for customs officers to be able to stop criminals and suspected criminals at the border before they have a chance to enter this country.

British Columbia has many major borders which process travellers and commercial traffic coming to Canada.

Much of the criminal activity observed by our customs officers is reported at the borders. On the national level, possession of stolen goods is up by over 250%. The number of outstanding warrants is also up by close to 95% and the incidence of missing children increased by 16%. Impaired driving continues to be a cause for concern.

Those numbers are startling. Canadians expect us to do what we can to keep this community safe. Bill C-18 is one way that we can meet those expectations.

A modern customs organization is what we expect to have. Over the last few years Revenue Canada has begun a process of transforming the customs program. That transformation has produced one of the most modern, efficient customs organizations in the world.

The department has adopted new technology and new techniques such as risk management to respond to the reality of facilitating trade and tourism. The fundamental changes now under way in our customs program recognize that most clients obey the law.

Revenue Canada takes its responsibility to protect Canadians seriously and it is my belief that Bill C-18 serves as one more tool for modern customs organizations to fulfil their enforcement mandate.

• (1215)

Customs officers already have the power to detain and arrest individuals suspected of offences under the Customs Act. Our officers already deal with offences as serious as the smuggling of drugs and weapons. Bill C-18 will extend those powers to include Criminal Code violations. It will allow customs officers to deal with crimes that are repugnant to most Canadians.

My colleagues in the House recently received a letter from the union representing customs officers which indicates its support and the support of its members for Bill C-18.

Attached to that letter is a letter from a customs officer who works at the port of Windygates, Manitoba. In it the officer recounts a recent experience he had with an obviously impaired motorcyclist. Unable to detain this individual, the officer had no choice but to let him proceed on his way. One kilometre beyond the port the motorcyclist lost control and was killed.

In his letter this concerned customs officer pointed out that the ending of the story may have been different if he would have had the power to legally contain this motorcyclist.

Bill C-18 will allow customs officers to use their unique position at the border to act as a first response against crime. This means that customs officers will be able to legally hold suspects until law enforcement agencies can intervene. Therefore, that will increase their chances of catching those people at the right time.

What about partners in law enforcement? Let us be clear. The legislation is not intended to make customs officers a replacement for police. As we mentioned earlier, it will close a longstanding gap and will give customs officers a stronger role in law enforcement as they work in co-operation with police agencies across the country.

Police officers, police chiefs, attorneys general all know that this will enhance our ability to catch criminals at the border. Giving customs officers more power will help the police to do their job more effectively.

The legislation has a broad base of support among the law enforcement community of this country. We have consulted broadly with law enforcement agencies and officials and we have their support.

Customs officers will not have the power to investigate Criminal Code offences, nor will customs officers have the power to prosecute Criminal Code offences. That will remain the responsibility of provincial law enforcement agencies.

It is also not our intent to provide firearms to our officers as a result of this legislation. We have studied this issue carefully and have concluded that it is not necessary.

We are entrusting these powers to a group of men and women who prove their value to this country every day as skilled, dedicated professionals.

In 1995-96 our customs officers processed over 106 million people at the border. The department received only 448 complaints about the conduct of officers. This represents a one-to-nearly 240,000 ratio. I think those statistics speak very highly of the professionalism with which customs officers do their job.

Once Bill C-18 is passed it will take six to nine months to implement this initiative. We will use that time to renovate facilities, designate officers and train them on the identification of Criminal Code offences and related court jurisprudence.

• (1220)

Customs officers will have the training and tools they need to carry out their new duties in a professional and responsible manner. Canadians can be assured that men and women who are paid to

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protect our border will continue to do so with the same skill and dedication that they have come to expect.

In conclusion, I urge my colleagues in the House to support Bill C-18. I am sharing my time with a colleague, the member for Sarnia—Lambton.

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, it is my pleasure to rise in support of Bill C-18 which, as we know, will provide customs officers with the power to enforce the Criminal Code.

I should say that my riding is on the Ontario-Michigan border. In fact, it records the third highest volume of border traffic on the Canada-U.S. border on the one side, Port Huron, Michigan and on the Canadian side at the village of Point Edward. We have two bridges with six lanes of traffic coming and going through the country and some 6,000 trucks alone every day crossing both ways.

At the southern end of my riding is the Sombra crossing where there are tens of thousands of trucks and cars crossing each year. We are open to the United States. That is patently clear with the 17% annual increase in truck traffic alone each year which has been going on for a number of years. We find that more and more Americans and others enter Canada through our entry ports, especially at southern Ontario.

This, as we know, represents trade and tourism for Canada. However, as is always the case, with more traffic and people comes more problems. Occasionally individuals who are attempting to enter Canada have committed or are committing a criminal offence, individuals who are wanted for all kinds of criminal offences. The other problem is impaired drivers who attempt to enter. As more and more of these people enter they pose a risk to all Canadians. We do not want these people entering our country. We want to stop them.

However, the reality is that when very impaired drivers try to enter, the only thing customs officers can do is attempt to detain them until the local police arrive to lay charges and take them into custody.

For years the taxpayers in the village of Point Edward where I live have been subsidizing all Canadian taxpayers because it has been the police force in the village that has been called when there was a problem. I have to ask why the taxpayers of one municipality should suffer financially by paying for local police because a border crossing happens to be located in that municipality.

This bill certainly goes a great distance in balancing that inequality.

Statistics from all ports of entry indicate that there were 8,500 suspected impaired drivers who tried to enter Canada in a two and a half year period which is about 3,400 impaired drivers rolling into

Canada from the U.S. each year. In the past we had little or no opportunity to stop them or apprehend them.

We are told that each year there have been some 80 suspected child abductors, sad cases of people using children as pawns in illegal activities, rolling up to customs where little or nothing happens to detain or arrest them.

Canadians certainly welcome visitors to this country whether for pleasure or business, but no one wants impaired drivers to roll in or any individual who is being sought on a warrant by the police to just simply sail through our customs and enter the country.

For too long we have talked about customs officers as being our first line of defence at our borders and ports of entry, but for too long we have not given them the tools. In brief, we have said one thing but never given our first line of defence the tools to do the job. It is, I can see, the strange dichotomy which at long last is being corrected by this bill. This bill responds to three factors. The first and the obvious is that those who are the first to have contact with individuals entering the country must have the right to detain and arrest those who may be committing a criminal offence or a person for whom there is an outstanding warrant.

● (1225)

Second, we tend to forget that customs officers live in and are an important part of our communities. They have been frustrated when they have been incapable of preventing persons alleged to have committed serious criminal offences entering our country. This bill gives them the right and the authority to do what we want them to do and in fact what they want to do and that is detain suspected criminals.

Third and finally, this bill takes pressure off local police to respond to border problems because local taxpayers have been subsidizing directly the policing function that ought to have been carried out by the federal government. If anything, I suppose I can suggest that this legislation could go a step further and that is that the legislation as drafted would require that the prosecution of the offence be carried out by so-called provincial authorities.

In some jurisdictions where the RCMP are the provincial authorities the policing cost is divided 70% by provincial payment and 30% by federal payment. This is clearly not the case in Ontario where the RCMP are not provincial authorities. In British Columbia for example where the RCMP by agreement are provincial authorities referred to in the bill, the prosecution of border crossing offences are paid for out of the 30% federal contribution, yet in Ontario it is a different situation.

One could ask, why should the taxpayers of Windsor who pay for local police pay for prosecutions of offences at, for example, the Ambassador Bridge or the Windsor-Detroit Tunnel. I could say the same thing about the people in my riding.

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I hope and trust that the standing committee will examine this issue in the bill and perhaps look at it more fully.

On the face of it I would suggest that allowing customs officers to prosecute as peace officers would recognize them totally and absolutely as such and would free up local police to deal with local problems and not problems associated with international trade and travel.

In conclusion, on balance I know that the people in my riding are pleased that the pressure is going to be taken off the local police. I think Canadians should be pleased that customs officers are now going to be able to deal with those people who for various reasons are coming into our country and we do not want them to come in because they are impaired or because they have committed offences for which there are outstanding warrants. As such I think this is a good piece of legislation. It is an important piece of legislation. I believe it deserves the support of this House.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am pleased to rise today in the House of Commons to speak on this particular piece of legislation, Bill C-18, an act to amend the Customs Act and the Criminal Code.

It is in fact a very timely piece of legislation. I would go so far as to say that it is a good initiative. I am encouraged to see the government bringing this legislation forward.

It deals specifically, as previous members have mentioned, with the power to enforce Criminal Code sections as they pertain to powers of arrest at the border crossings or the first point of entry for persons coming into the country. As previously stated this piece of legislation is aimed at increasing the powers of customs officers themselves in their ability to arrest without a warrant and to release from custody in cases where an arrest has been effected without the warrant from a peace officer being involved.

The peace officers themselves I would suggest would be greatly aided by the ability of the border crossing guards or the customs officers being able to effect this duty independent of the involvement of the police here. Much like police themselves, customs guards are routinely encountering a great deal of what I would suggest ongoing difficulty at the border involving persons coming into the country under the influence of alcohol to whatever degree and this is certainly something that we want to deter.

• (1230)

I spoke in the House previously, as have other members, with respect to the difficulties Canadians face daily on the roads and the carnage that results from impaired driving. It is a very legitimate purpose that customs officers would have the ability to make that intervention and to effect an arrest. This is not to say that the age old common law powers of arrest and a person's ability to make a

citizen's arrest could not have been utilized, but this certainly legislates it and empowers customs officers specifically in this regard.

Designated officers at customs stations and border crossings also encounter a fair degree of danger as it pertains to the illegal importation of weapons into the country and often cases involving the importation of drugs and banned or illegal substances.

It is trite to say that persons who are prepared to take these risks are often individuals who could be described as desperate in some circumstances. Customs officers are basically in the line of fire when they discover a person may be in possession of illegal substances, illegal handguns or other items. They are in a position of confronting the individual at the border, which can lead to a dangerous situation.

I have one concern about the bill. The increased power of customs officers to effect arrest and to exercise their discretion is not backed up with specific protections for those persons wielding this new power. I am sure this will be discussed at the committee level. I speak specifically of such things as the right to carry firearms and the right to wear protective body armour like a flak jacket or a bulletproof vest. This has to be given more thought.

To simply empower customs officers to make these arrests and to intervene more at Canadian borders is a good idea in principle which I and my Conservative Party colleagues endorse and encourage, but we have to be very careful when we empower people to give them adequate protection.

There is some irony in the timing of the bill. Less than two weeks ago there was a reading of private member's Bill C-211 sponsored by my Reform colleague from Langley—Abbotsford. That bill also dealt with peace officers being granted authority with respect to arrest warrants. Apparently the government did not feel this was a proper initiative and failed to support it.

I have heard other members refer to increased traffic at our borders. This has been taken into account. It is an important factor when one considers the amount of traffic that flows daily back and forth across our various border crossing points. We enjoy the largest unguarded border in the world between Canada and the United States, which is by far our biggest trading partner. That is certainly beneficial to this country.

The implementation of the new powers of arrest for customs officers is very much a good thing. It will allow customs officers to carry out their daily tasks more effectively.

One of the most positive elements of Bill C-18 would be to add a section to the act that would allow customs officers to handle impaired drivers in the same manner as peace officers. This will

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perhaps lessen the workload of some local constabularies whether the RCMP or the municipal police.

I noted with great interest the possibility of including in the ability of a provincial prosecution office the additional duty of handling the types of cases that would be brought forward by customs officers. That is something that could be explored.

● (1235)

I would suggest to the House based on my experience that provincial prosecution offices, much like the offices of the municipal and RCMP forces, are very much weighted down already. The downloading of this on to provincial crown offices is not something that should be entered into lightly as an initiative by the federal government. It is certainly something that could be looked at in the sense that it would be done on a per diem basis or contracted to various provincial offices.

When we are talking about a matter that falls solely into federal jurisdiction, that is international trade across our borders, although we are into the area of criminal activity per se involving impaired driving as an example or possession of firearms, there is room for some interaction and perhaps interplay between provincial prosecution services and those put forward by the federal Department of Justice.

With respect to impaired driving I can only reiterate comments I have made in the House. My party and I support tougher drunk driving measures. Bill C-18 is important because it gives customs officers an effective interventionist role in combating impaired driving within Canada.

The powers and obligations placed on customs officers under Bill C-18 are very much in line with those currently found in the Criminal Code under sections 495 to 497 and specifically under subsections 495(3) and 497(3) which put customs officers very much in line with their ability to act as peace officers, as designated by the Minister of National Revenue, as if they were in fact peace officers. An official designation would be placed upon them.

Generally speaking the feedback I have received on this initiative is positive. Customs officers are embracing the initiative and are prepared to act in this new found role.

Another section of Bill C-18, however, clearly states that designated officers may not use their new found responsibilities to engage in the sole purpose of searching for evidence. This might be a reasonable limitation. I would like to hear from the officials in the customs office, union, law enforcement officers and other civil libertarian organizations and associations throughout the country at committee stage.

This is an area we have to tread lightly on. When bestowing the powers of arrest and intervention on customs officers, we have to

be very careful when it involves an infringement for the sole purpose of gathering evidence. There has been much contention in the past on this area of the Criminal Code. I suggest there will be continued contention.

The final portion of the bill deals with proposed amendments to the Criminal Code to ensure it corresponds with new sections of the Customs Act. I have a few concerns about the impact of Bill C-18. Perhaps the minister or parliamentary secretary could provide further details on how the government plans to address potential problems.

Will customs officers be able to respond adequately to the emergency type situations I referred to earlier? There are sensitive areas when a customs officer encounters a person engaged in an illegal activity or engaged in an offence under the Criminal Code for impaired driving.

There will have to be an allocation of funding and a commitment to increase resources as they relate to the training of customs officers and how to deal with the new powers bestowed upon them.

As we have seen by example in the House involving previous legislation, the Liberal government is often quite quick to grant new powers or to expand powers as they pertain to arrest or search warrants. We do not necessarily see adequate back-up in terms of resources to allow individuals to effectively carry out the particular powers.

I would be very much interested to see what commitment we will have from the federal government to adequately arm and protect customs officers in their desire to combat crime at Canadian borders.

● (1240)

I have a concern with respect to granting customs officers the ability of peace officers to avoid providing additional resources to municipal and federal police forces. I do not think that is the intent of the legislation. I do not think that there is an attempt to take powers away from police officers.

I would not want to see the reason given that no increased funding would be put into the area of expanding the availability of justices of the peace to assist police officers. I would not want to hear that money could not be allotted for that because money was being put into the area of increased training, et cetera, of customs officers at our borders.

When customs officers are put in a position where they have to act like police officers and carry out the duties, it is extremely important they have the feeling and the assurance the federal government will give them the training and back-up they will need to perform that role.

While I support the legislation which will make the job of customs officers easier by granting them new authority, I do so on

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the premise the government will not give carte blanche to new obligations without proper support in terms of resources.

On behalf of the Progressive Conservative Party, as I have said throughout my remarks, we support the legislation in principle. I look forward to the opportunity of discussing further details and fine tuning the act at committee level. It is a very important and timely piece of legislation.

Many customs officers throughout the land have felt a need for the legislation for some time. I commend the minister for bringing it forward. I look forward to discussing it further at committee level.

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, I listened to the member's speech and to other members who spoke this morning. In my comments I want to address some of the very worthwhile questions posed by them.

By expanding the scope of powers for customs officers to include Criminal Code offences, I stress that we are not creating an extra police force. It is a means of assisting police forces across the country. It does not replace them in any way, shape or form. The new powers designated to customs officers will be limited and specific, and there will be adequate training.

Right now many custom facilities have secure rooms so a lot of infrastructure is in place. Earlier today there was a direct question from a member of the Reform Party on this cost. Quite frankly Revenue Canada has in place in its customs facilities sufficient infrastructure. There will have to be some upgrading and some training at a cost of probably about \$5.5 million across the country.

It is not as large as one would expect because we already have most of the facilities in place now. We are just upgrading and putting in facilities where needed. It will probably be somewhere between six and nine months after the legislation is brought into law that training will be complete. For the security and safety of our own officers and the public, obviously we will not move before everyone is properly trained and the facilities are in place.

I assure members opposite, the Canadian public and, most important, the men and women who work in our customs facilities that this will be the case.

What new powers? Customs officials will have the power to detain and arrest individuals for Criminal Code offences which they encounter in the course of their regular duties.

Maybe the hon. member would wish to respond. I have more details if he wishes them.

• (1245)

Mr. Peter MacKay: Mr. Speaker, I thank the hon. member for her assurances and her remarks with respect to these new duties and the funding. I think that is reassuring. I do find it interesting that, at a time when we are increasing the powers and essentially

expanding on the duties currently carried out by customs officers, I cannot help but draw an analogy with what is happening to our ports police.

Much like customs officers, ports police perform a very specific duty that is very much akin to or in keeping with those duties carried out by peace officers. I would say that there is a direct analogy that can be made with those duties carried out by customs officers.

There does appear to be a bit of a contradiction in the government's approach in bestowing new powers on a body of individuals, customs officers, while at the same time we know there is legislation being brought through. It is actually through the House now and it is going to wipe out the ports police.

Again, this is a concern that I have. I do not know that this is the proper forum to address that but I point that out to the hon. member. Again, I look forward to discussing it further with her and other members of the committee.

Mrs. Sue Barnes: Mr. Speaker, having heard those comments I do wish to assure the member opposite that in this situation it is our people working at the border points who are also very anxious to have this legislation. We are enhancing their role with their consent and also in support of them.

We are doing something that is beneficial to the people most directly involved as well as society as a whole.

Maybe as an example that people would be able to understand, I will just show where the limitation would come in. I will take the example of someone, a customs officer, encountering someone who looks impaired at a border point.

Our officers under this legislation would be authorized to administer a roadside screening test but for individuals who registered high on that test, they would be then turned over to the police who would then do the administration of the breathalyzer test and obviously all the other things that would go after that.

We are being very limited. We are having our customs officers perform their functions at the border points only. Obviously between border points the RCMP, as it has always done, will be responsible for the security of our borders and will continue with its functions.

I think what we have here is a beneficial piece of legislation. It is absolutely essential to us that we properly train and provide all the necessary tools and safety and security not only to the public but to people who are within our employ and who the department is responsible for. We take that responsibility extremely seriously.

Mr. Peter MacKay: Mr. Speaker, I am encouraged to hear again the reiteration that the training is going to be there specifically because again, calling on my own experience, impaired driving

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cases essentially thrown out of court or where problems arise are often at the early detention stage.

Therefore for these customs officers who are encountering impaired drivers at the border, I am very encouraged to hear that they are going to be given a great deal of training in this area. The indicia required to be identified by the customs officer in this case who is detaining the person for impaired driving is a very subjective test that has changed over the years.

Case law has been voluminous in this regard. I am sure that all peace officers who receive this training are going to have to study this in a very comprehensive way.

Hon. Harbance Singh Dhaliwal (Minister of National Revenue, Lib.): Mr. Speaker, before I start I want to thank my parliamentary secretary who has done a tremendous job in starting off the debate this morning on this bill.

The Acting Speaker (Mr. McClelland): The Chair would beg the indulgence of the hon. minister. The hon. minister is deemed to have spoken on the bill, having introduced the bill.

May we have unanimous consent for the Minister of National Revenue to speak to this bill?

Some hon. members: Agreed.

• (1250)

Hon. Harbance Singh Dhaliwal: Mr. Speaker, I thank hon. members for giving me this opportunity to speak. I know they believe that we should give all members an opportunity to speak in the House, particularly the Minister of National Revenue with such good news.

Let me thank my parliamentary secretary who did an excellent job this morning in starting off the debate and speaking on my behalf as I was not able to be here. She has a lot of experience in this area, being a former customs officer during the summers. Certainly she is very able to speak on this issue.

I am pleased to seek the approval in principle of the House for Bill C-18, which will give Revenue Canada's customs officers the additional power they need to enforce the Criminal Code at the border.

Bill C-18 is important for the protection of Canadians and Canada. It closes an enforcement gap which restricts our officers from acting to control criminal activities such as impaired driving, child abduction and the possession of stolen goods at the border.

The bill also gives officers the authority to detain individuals who are the subject of outstanding arrest warrants. In this regard Bill C-18 is vital to our government's efforts to increase the safety of Canadians.

Customs has always been vital to Canada's safety and prosperity. Today we have a customs administration which is allowing Canadians to seize the opportunities created by liberalized trade and

travel while protecting us against threats to our social and economic well-being.

Even before Confederation our customs officers were our first line of defence at the border. In 1997 this is still a key part of their mandate. However, like any modern organization, customs must change to reflect the realities of a more transient world, a world where crime has no borders. That is why customs officers have always worked with the RCMP and other domestic and international law enforcement agencies to keep our communities and our streets safe.

We know that our position at the border gives us a unique advantage to identify and intercept criminals. We want to take advantage of this unique position. Make no mistake, our customs officers do come face to face with crime at the border. We have the numbers to prove it.

In the past 16 months our officers have seized over \$850 million worth of drugs, almost \$2 million worth of contraband alcohol and tobacco products, and more than 2,600 illegal imports of firearms.

Day in and day out our customs officers do a magnificent job. I am proud of the fact that Canada has one of the finest customs administrations in the world. However, we want to give them the tools to do better.

That is why I am here today, to talk about this important piece of legislation which will help make our streets and our communities even safer.

We have a compelling argument why this legislation is needed. We know that customs officers encounter criminal behaviour at the border which is outside the parameters of the Customs Act.

The fact that they cannot take appropriate action places all Canadians at risk. I refer to a case involving Jonathon Yeo. Mr. Yeo was refused entry to the United States because he was out on bail for a criminal offence. As a Canadian citizen he was allowed to return to Canada because the officers did not have the authority to detain him. Mr. Yeo went on to abduct and murder two young women before taking his own life.

Bill C-18 will provide our customs officers with the authority to detain and arrest individuals who are suspected of committing Criminal Code offences or other offences until local authorities arrive. Officers hands will no longer be tied when dealing with criminals.

This problem and the need for this bill is borne out by recent statistics, during the last two and a half years, at Canadian ports of entry.

• (1255)

Customs officers have encountered over 8,500 suspected impaired drivers, almost 200 incidents of suspected child abduction, in excess of 2,000 individuals subject to arrest warrants, and more than 500 individuals in possession of suspected stolen property, mostly vehicles.

The police have a very strong working relationship with customs officers but they all agree that customs officers must be able to intervene effectively when they encounter Criminal Code offences. This will make a tremendous difference to the enforcement of our Criminal Code at the border and as a result make for safer communities in this country.

Bill C-18 marks an important change in the role of customs officers. This bill is a product of consensus. Everyone sees merit in it. Members across have spoken of the merits of this bill and are fully supportive.

In lobbying to strengthen the ability of our customs officers to deal with Criminal Code offences, we have the support of all the groups we consulted including the customs officers union, police at both the provincial and federal level, Canadians Against Violence Everywhere Advocating its Termination, CAVEAT, Mothers Against Drunk Driving and the tourism industry association of Canada. All agree this change is badly needed and we are prepared to take action but only after moving carefully and with thorough deliberation.

Before the government settled on this course a number of alternatives were considered but were found to be either impractical or too costly. Again and again we kept coming back to one solution, to extend the scope of customs officers arrest powers.

The bill will change the scope but not the nature of the duties of our customs officers. They currently have the powers to arrest for offences contained in the customs act. This solution will expand the scope of these powers to include Criminal Code and other federal offences.

Using this legislation we propose to provide customs officers with a first response capability at the border, allowing them to detain and arrest individuals who are suspected of having committed offences or who are in the process of committing offences under the Criminal Code. This first response capability will bridge the gap between the time customs officers detect a Criminal Code offence and the time when the police can intervene.

A first response capability means Canadians can expect more effective and efficient enforcement of our criminal laws and customs officers can fulfill their protection role at the border. A first response capability will strengthen an already strong partnership with the law enforcement community.

This bill is good news for all those who care about the safety of our communities. These powers will enhance our contribution in the fight against crime. For example, if a driver appears impaired the customs officer could administer the initial breath test. If the roadside alert indicates a problem they would immediately turn the suspect over to the police for the administration of a formal breathalyser test.

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Customs officers can and will make a difference, a view also shared by the police community. For example, Windsor police Deputy Chief Michael Dagley said of this bill: "It is a real plus because it means we are not out looking for the individual and they are in custody quicker".

We are not asking for sweeping powers. Customs officers will not be expected to participate in Criminal Code investigations or to transport prisoners. Customs officers will only be allowed to use these new powers while on duty at points of entry. Not all customs officers will be given this expanded power of arrest. This broader role will only be carried out by designated customs officers who will be drawn from those who are in regular contact with the travelling public. In practice, this will involve about 2,000 to 2,500 members of the current customs officers workforce.

• (1300)

Canadians can be assured that these designated customs officers will be trained to ensure that they act fairly, responsibly and within the confines of the law in carrying out their new duties. This training will be coupled with a clear accountability structure which will outline situations calling for a first response action.

I would like to stress again that our officers and their unions support this course of action. Their president, Ronny Moran, said last spring: "This is tremendous news for Canadians. Finally the longstanding gap in entry port enforcement will be bridged and Canadians should welcome the announcement as an effort to improve their safety".

I have met with Mr. Moran and he has informed me that he has written to all members of Parliament asking them to support this bill.

I cannot deal with the issue of customs officers powers without addressing the very difficult issue of arming customs officers. I am aware that some employees and indeed some members of the public, as has been expressed today, believe that customs officers should carry weapons for their personal protection. We have considered these views very carefully. However, it is the government's position that the introduction of firearms at the border is unnecessary and could lead to the escalation of violence instead of the resolution of differences.

Customs officers carry out their jobs effectively without firearms and we have every reason to believe that this will continue. Therefore we will not arm Canadian customs officers.

In closing, I would like to summarize the changes this bill will bring about. It will give customs officers the tools they need to enforce the Criminal Code at the borders. It will correct an enforcement gap that is not acceptable to the public, local police agencies, victims rights groups or customs officers.

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Mrs. Priscilla de Villiers, founder of Canadians Against Violence Everywhere Advocating its Termination, CAVEAT, said in March: "Obviously we are very pleased that this gap has been closed".

Individual Canadians will be provided with the type of protection that results in safe homes and communities. It will reinforce Revenue Canada's commitment to protect the health and safety of Canadians.

I know Canada's customs officers can take up this new mandate and enforce the law wisely. Change is nothing new for the men and women of Revenue Canada. I am confident that they will take these changes in stride and continue to embrace the role to protect our nation. Customs officers are eager and in fact impatient to get on with the job, to get the training that will equip them for the task ahead.

I am confident that the solution contained in Bill C-18 will work and I am pleased to present it for the approval of my hon. colleagues in this Chamber. I am also confident, regardless of one's party affiliation, that this is a bill that will be supported because it is good for Canada and good for Canadians. I think it will receive support from all members of the House on both sides.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I appreciated the minister's speech and his exhortation that we would support the bill because he believes it is good for Canada. However, before we decide on that I have a couple of questions regarding the men and women who are protecting our borders.

I understand that there are two categories, the ones who are trained and the ones who, shall we say, are less well trained. I understand that the customs officers have to take a 14 week course, pass with at least a 70% mark and then be subject to a one year probation before becoming a customs officer. However, at the same time, we have others who have to take a two and a half week course without an exam and begin work immediately.

I would like the minister to confirm whether my facts are correct on that basis. He said that the people who were going to be issued this certificate would be drawn from the people on the front lines. I understand that these are younger people with less experience and less training who are the ones who are quite often on the front lines. Is it the people with the two and a half weeks of training and no exam who are going to be issued with the certificates or are the certificates designating these people with the enhanced powers going to be given only to those who have had the full training, passed the exam and the probation? Are we going to let young people with two weeks training on the job run around arresting people? I would like to hear from the minister.

• (1305)

Hon. Harbance Singh Dhaliwal: Mr. Speaker, I thank the hon. member for his question.

I want to assure the hon. member that all those people who will be designated will have the full training. As the hon. member knows, we have a number of people at customs who are students and work on a part time basis and on a summer basis. I am very proud of the work we do to create this opportunity for students and young people.

The people who will get the designation will not be the students who are there on a part time or summer basis. These will be people who are permanent and they will be designated. As I said earlier, there will be 2,000 to 2,500 members across the country who will receive this training. Once they have fulfilled their training program and they are approved and passed, then they will be designated. With that designation they will have the ability to respond and carry out the additional powers which we will give them.

I want to assure the member that they will be well trained and they will be required to fulfil their training and be examined before they are designated. That is the whole purpose of designation.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I would like to congratulate the hon. minister on his speech, much of which we can agree on but some of which we have some difficulty with.

Is the Minister of National Revenue aware of the drug trafficking, the trafficking of people, arms, alcohol and cigarettes that is occurring in Quebec and Ontario across our borders with the United States? Is he aware that serious allegations have been made that our police officers have been told to turn a blind eye to this situation that has been going on for far too long?

I would like to also know what the hon. minister would like to do about that and whether or not he would like to entertain a discussion with the Minister of Justice on this particular and very serious issue. We can give our customs officers all the powers that they can have but if they are not going to be allowed to enforce those powers and if they are being told by people higher up that they should not enforce those powers, that is a serious breach of justice within our country.

Hon. Harbance Singh Dhaliwal: Mr. Speaker, I thank the hon. member from Esquimalt. I want to congratulate him on the good work that he did in the last Parliament on a variety of issues, including the land mine issue which he put a lot of work into.

I share the view of the member. It is very important to protect our borders. A number of initiatives were brought forward in the last Parliament. One was the anti-smuggling initiative that we put forward to ensure that we protect our borders. We are looking at smart borders by utilizing technology.

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In the last few years we have invested a lot of money to ensure that we have increased the technology, to share the information with law enforcement officers domestically as well as internationally.

Certainly that is a very important concern. It is something that we as a government dealt with in the last Parliament as well, as the hon. member knows, in terms of trying to ensure that we have adjustment to our taxes to make sure that we have less contraband flowing across the border. I think we are renowned around the world as having one of the best customs offices and some of the best people dealing with our borders.

The hon. member knows of course that we have the largest border of any two countries. It is not easy to manage. However, I think we are doing an excellent job in terms of the resources we have. It is a priority for me to ensure that we protect our borders.

This is another example of our agenda to protect our communities and make our communities safer. I think the hon. member will support this bill because it is very much of some of the things that he has talked about, to protect the safety of our communities and to protect our borders. He can be assured that we will do everything possible to make sure that we reduce any contraband across the border.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, I have two questions for the minister with respect to this bill.

First, I asked during my remarks on the bill if the government had made an estimate as to the incremental cost to be incurred by the department in training these newly empowered customs agents to act as quasi-peace officers and furthermore what the cost of upgrading any facilities might be. I inferred from the parliamentary secretary's comments that there was not clear estimate of the costs and that there were some facilities in place.

• (1310)

It is reasonable of the opposition and of all Canadians to expect the government to have some sense of what the incremental cost of a legislative change is going to be. That question has not yet been answered either from the information provided by the minister's department or by him or the government speakers in debate on this bill. That is my first question.

The second question concerns the basis on which the minister decided these newly empowered customs agents will not be issued firearms to properly discharge their new responsibilities. Does he think that a customs agent can stop, detain and arrest a gun smuggler or a drug smuggler or a child abductor or a kidnapper with pepper spray and a baton? Why is he not prepared to give those customs agents what they need to protect themselves, to protect Canadians and to enforce our laws?

Hon. Harbance Singh Dhaliwal: Mr. Speaker, I believe the member was not in the debate when some of those answers were brought forward. My parliamentary secretary just responded to a Conservative member 15 minutes ago. She said that the cost was \$5.5 million and if the member read *Hansard* he would find that out. Clearly there is a cost to upgrade some facilities. We already have a number of facilities to detain individuals but there are areas we need to upgrade. Both the upgrade in some infrastructure and the training will be \$5.5 million. I have stated this figure in a number of previous speeches. If the member were reading his press clippings he would clearly understand that.

Perhaps the hon. member does not know this. He referred to our customs officers stopping gun smugglers. He should know that under the customs act we are already doing that. We are doing that under the present legislation and it has not changed. This is an increase in expanding powers under the Criminal Code. We are doing what we can of the things he has talked about. It is under the customs act. If he reads the act it will be very clear to him that those already exist and we are taking those responsibilities.

As I mentioned in my speech, I have not seen a need to arm our officers. Maybe that was the point the hon. member was making. We do not feel it is necessary. We have examined the issue closely and we have no intention of arming our officers, but we are looking at providing protective vests for those officers who feel they need them. We will provide that option to them. We are looking for the best product available to provide to our officers.

This will be good for the officers. It is supported by the union. The union leaders have written to all members of Parliament asking them to support this bill. I have read of a number of groups that are supportive. This is a good bill that should be supported by all members of the House.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I acknowledge our thanks and our indebtedness to our customs people who defend our borders. They work very hard and diligently to ensure they do the best they can to uphold the laws of Canada, to defend our borders and to ensure our country is safe from as many drugs and illicit contraband as possible.

The Parliamentary Secretary to Minister of National Revenue said this is a very small bill but provides a great deal of benefit. My first reaction to that comment is that after four years why is it so late if it is such a small bill that provides such a great benefit to this country. We will leave that for the parliamentary secretary and the minister to explain at a later date.

These small changes are a step in the right direction but I have some serious concerns about the training of many of the people who we ask to defend our borders. I understand that many people involved have very little training. Sometimes it is as little as two and a half weeks, they do not even have to pass an examine and

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then they are on the front lines protecting our borders, trying to apply 70 pieces of legislation. After two and a half weeks I am surprised that they even know the names of the pieces of legislation, let alone the contents. But there we have it. The minister assures us that he is doing his job well.

• (1315)

I asked the minister quite specifically if it would be customs officers who are fully trained who would be designated according to section 1 of the act to be licensed to be peace officers under Bill C-18. He assured us that it would be only those who are fully trained. In fact, if I understood him correctly, he said that those who are fully trained will be given additional training as well to make them fully conversant with the additional powers that are going to be conferred upon them and that we would be able to differentiate between those who have been given the additional powers versus those who have not by means of some identification and a certificate that is indicated in the bill.

I wonder whether the minister really understands these powers and has a full complement of people who are fully trained to do this. I quote from the *Globe and Mail* article of Monday, October 14, 1996. It states that "College students average 80% of the front line customs and immigration officers at Pearson airport on a year round basis." If they represent 80% that means we are pretty thin on the ground with full time, well trained people. I wonder whether there is actually enough staff to be able to ensure that the job is being done properly.

If he is talking about drawing 2,000 people and licensing them according to this act, bearing in mind the number of ports that we have to man, I think it would be incumbent upon the minister to assure the House that there is no problem about the adequacy of staffing to ensure that it can be done.

I am also concerned about the adequacy of the premises that we have at these ports and crossings because if we are going to give the powers to the customs officers to arrest and hold until such time as a peace officer appears on the scene, then I would hope that there are adequate detention facilities on site in order for them to detain these people.

If we are talking about arresting those who are impaired or appear to be impaired and those who may be involved in abductions and so on, I can very, very easily see that they could become violent. With the small number of fully trained customs officers, I wonder if we are placing some of these people in some danger in the event that an issue does become quite violent.

No doubt one day it will happen and we will look back and say "Why did we not provide the adequate detention facilities and

adequate staff for the proper arrest to be made". I would like the minister to think about that.

My colleague from Calgary Southeast asked the minister about the news item regarding drug smuggling across the St. Lawrence River with seeming impunity. I think we need to address that. I have seen on television where at night in the winter there are skidoos and other vehicles crossing the St. Lawrence River and not in any way being apprehended by anybody, police officers, peace officers or customs officers or anyone else. According to the television clip that I saw, there was a significant amount of gunfire at the same time. It sounded like a pretty lawless place. That happens to be in your neck of the woods, Mr. Speaker.

I would hope that something would be done about it, taking it up with the minister to ensure that we can fully protect our borders.

• (1320)

In closing, again to paraphrase the words of the parliamentary secretary, it is a small bill, it is a big benefit. The Reform Party is pleased to support it and we certainly hope that it will go a long way toward improving the safety of Canadians, improving the integrity of our borders and ensuring that Canada is a safe place and not a safe haven.

Mr. John Maloney (Erie—Lincoln, Lib.): Mr. Speaker, it is a pleasure for me to rise this afternoon to speak on this legislation.

I think it is important at the outset to look at some of the figures involving the background of this legislation. In the last two and a half years Revenue Canada customs officers have encountered the following criminal situations at ports of entry into Canada: over 8,500 suspected impaired drivers, almost 200 incidents of child abduction, approximately 68 Criminal Code offences in my riding of Fort Erie at the Peace Bridge in 1996, over 2,000 individuals subject to arrest warrants and more than 500 individuals in possession of suspected stolen property. These are usually vehicles.

These statistics are very disturbing. Although customs officers reported these incidents to local authorities, the police were only able to apprehend a few suspects. This fact is most disturbing.

These incidents occur at most land, air and marine ports of entry, with about 80% located on highways, 10% at airports that handle international traffic and 10% at seaports.

I am very pleased to rise this afternoon to speak on Bill C-18, an act to amend the Customs Act and the Criminal Code, a bill that will make these statistics a thing of the past. This is a piece of legislation that is truly very near and dear to my heart and to the

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many customs officials that work the front line at the Peace Bridge border crossing in Fort Erie in my riding of Erie—Lincoln.

After my election in 1993, I was approached by the local customs union representatives about the difficulty in apprehending impaired drivers at the Fort Erie-Buffalo crossing. In fact, I attended at the border and observed their observations and even stood out at the primary inspection line and observed the cars coming across.

There have been several incidents in my riding and the customs officers were rightfully frustrated that they did not have the power to detain suspected drunk drivers until the local police could intervene. The standard operating procedure at that time was to let the driver through and notify the local police, hoping and sometimes praying that they would catch up with any impaired individuals. This was unsatisfactory.

In fact, it was shocking. Most people in my riding just could not comprehend this. Some said “Well, an individual has powers of arrest, citizen’s arrest”, but the customs officers were very reluctant to take these powers because of concerns if they were injured in doing so, the question of false arrest, liability implications, et cetera. It was not recommended by either management or the union. This was unsatisfactory.

The course of action that was followed was far too dangerous for our border communities and too many times resulted in an accident before the driver could be apprehended. My customs officers told me that this had to change and I agreed with them.

In 1995, an in-depth study of officers’ powers confirmed this and concluded that the existing situation was unacceptable. The study proposed an extension of customs officers’ powers to include Criminal Code offences. Support for this idea came from groups such as Canadians Against Violence Everywhere Advocating its Termination, which we have come to know as CAVEAT, police forces, Revenue Canada, employees, the customs excise union and the general public in my riding of Erie—Lincoln.

In 1995, I began to prepare a private members’ bill on this issue. I met with some of the stakeholders, including the customs excise union president at that time, discussed how this issue should be addressed and what the best course of action would be. Around this time I was informed by my colleague, the former minister of revenue, that the department was also looking to resolve this problem by amending the Customs Act and the Criminal Code. This government listened.

The result was Bill C-89 that was tabled this past March. This legislation, as many of you know, unfortunately died in the Order Paper in April. Over the course of the summer I was pleased to learn from our new minister of revenue that reintroducing this legislation was a priority. On October 30 he fulfilled that commit-

ment. I congratulate him for the expeditious manner in which this important bill was reintroduced.

• (1325)

Under the proposed legislation, customs officers will be provided a first response capability at the border with the power to detain or arrest individuals suspected of having committed offences which fall under the Criminal Code, such as impaired driving or child abduction.

The intent of the legislation is to bridge the gap between the time customs officers detect a Criminal Code offence and the time when the police can arrive to intervene. Provincial authorities will continue to be responsible for prosecuting individuals for Criminal Code offences at the border.

Customs officers encounter criminal behaviour at the border that is outside the parameters of the Customs Act and the fact that they cannot take appropriate action places all Canadians at risk. This legislation will correct an enforcement gap which is not acceptable to the public, local police agencies, victims’ rights groups or customs officers.

I believe that these changes will result in safer communities, but above all they will help to contribute to long term public protection.

I understand that once the bill receives royal assent it could take six to nine months to implement this initiative and that customs officers will be trained to ensure that they act fairly, responsibly and within the confines of the law in carrying out their new duties.

Current training programs will require changes and no customs officer will be permitted to carry out the first response function until he or she has received and passed the appropriate training.

This is not an entirely new function because customs officers are already designated as peace officers for the purposes of the Customs Act. They already undergo extensive training on search, seizure and arrest. Customs officer training also includes instruction on the charter and its implications in exercising the powers of search and arrest. I understand that plans are under way to introduce training on the use of force for personal protection and to compel compliance with the law.

No customs officer should be put in the position of having to carry out this or any other function without appropriate training. I urge the government to carefully plan this training as it is crucial for the customs officers to have adequate education and training. They want nothing less and our border communities demand nothing less.

It is said that the additional responsibilities will only be given to officers who deal directly with individuals seeking entry into Canada. This will involve about 2,500 members of the current

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customs officer workforce of 3,200. I am pleased to note that it will not include any student customs officers.

Many young people in my riding have part time or summer jobs at customs and, realistically, do not have the experience or the time to be properly trained for this function. We certainly do not want to put them at risk. I was very happy to see that this concern was taken into consideration.

I wish to discuss the functions that extend beyond the drinking and driving issue that were brought to my attention two years ago. Customs officers currently have the power to detain and arrest individuals for Customs Act offences such as smuggling. They also have the authority to search for and seize goods, such as illegal drugs, firearms, contraband tobacco and liquor, and prohibited materials such as child pornography.

The scope of the customs officers' existing powers of arrest and detention will be broadened to bridge the gap between the time customs officers detect a Criminal Code offence and the time it takes for the police to arrive and intervene. The changes will also authorize customs officers to arrest individuals who are subject to arrest warrants issued under the Criminal Code. In the case of impaired driving, designated customs officers will administer the preliminary roadside screening test. Individuals who do not pass the screening test will be turned over to the police for a breathalysers test.

Provincial authorities will be responsible for any further investigations and prosecutions of individuals for Criminal Code offences at the border.

Those of us who received a package from the customs excise union last month will have undoubtedly read the letter written by Mr. Stan Johnson, a customs inspector at the Windygates, Manitoba border crossing. As recently as October 3, 1997, Mr. Johnson was unable to detain an impaired motorcycle driver returning to Canada from an evening of drinking in the United States. Minutes after crossing the border one of the two motorcycle drivers lay dead from a deadly combination of speed and alcohol.

It is evident from Mr. Johnson's letter that he is struggling with the frustration that his role as a customs officer did not allow him to stop this tragedy. It is wrong to subject our customs officials to this frustration when these tragedies are clearly preventable.

I urge this House to deal expeditiously with this legislation. It has been demanded by customs officers, border communities, elected representatives and the families and friends of those who became victims of impaired drivers.

• (1330)

The customs and excise union has been calling for this type of corrective measure for more than a decade. The customs and excise union and those on the front line at the Peace Bridge in Fort Erie

support this measure. In a recent letter the union said there was a tremendous need to bridge a very obvious gap in legislation that had existed far too long.

I will comment on a couple of questions asked in the House today. Why has it taken so long to get to this position? The situation is not a simple one. We have to do it right. It was necessary to assess thoroughly the nature and severity of the situation across Canada. It was also necessary to properly evaluate the various options and to discuss them with both federal and provincial officials. I am confident the proposed legislation is both reasonable and workable.

The question of arming customs officers has often been raised. Again it was raised in debate today. The health and safety of customs officers have been and will continue to be priorities. Customs officers do not carry firearms. The proposal to extend the scope of their arrest powers would not change that. Some customs officers believe they should carry a weapon for their personal protection. However it is the government's position that introducing firearms at the border is unnecessary and could be a serious mistake.

We have to bear in mind that this is not entirely new ground for customs officers. As I said, they are already designated as peace officers for purposes of the Customs Act. To date they have not needed a firearm to fulfil their responsibilities safely and efficiently. Arming them could invite more violent behaviour on the part of travellers.

If not handled properly, an officer's firearm could provide an otherwise unarmed traveller with a weapon that could actually be used to injure or kill the officer or other people in the vicinity.

We also have to bear in mind that the role of customs officers will be very limited. They will provide a first response only. They will not be expected to participate in Criminal Code investigations or to transport prisoners, as the police will intervene at a very early stage. For these reasons the government has chosen not to arm our officers.

Some concern was expressed about the impact on police and the judicial case load. It would probably be very minimal. Furthermore we expect that implementing this initiative will have a deterrent effect. We expect the number of incidents will drop significantly when the travelling public realizes and becomes aware that the customs officers are empowered to deal with criminal offences.

As I have indicated, this is good legislation. It should hopefully be passed unanimously by the House. The concerns being expressed today are very minimal. The country would be well suited to defend its borders and citizens from criminal activities, from individuals crossing its borders with criminal intent and undertaking criminal activities.

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Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, my constituency has about three border crossings. It is basically in the middle of the Rocky Mountains or the range immediately to the west of the Rocky Mountains. Some of these border crossings have Canada customs persons present and only one person overnight.

I visualize a situation where customs officers, because of the lack of manpower, will have the opportunity under the legislation to take certain remedial action in situations. The question in my mind is, that being the case, whether they will actually have the resources.

There are situations right now from about 11 o'clock in the evening to 6 or 7 o'clock in the morning. The one border guard could be tied up in a potential smuggling situation involving a car coming across the border. Over the ensuing half hour period—and this is a very common occurrence—five or six or seven cars could be lined up, waiting.

We could end up giving these border guards extra resources legally. Will the government be prepared to give extra financial resources and people to actually get the job done?

• (1335)

Along the same lines I am also concerned about the fact that many people involved in Canada Customs at the border in all likelihood would be easily overpowered in the event of a physical altercation.

Has the government given thought to changing the profile of the people it will be hiring for Canada Customs? If more physical action is expected by Canada Customs inspectors, will courses be available? Will training be available for them so that they come up to speed and handle themselves?

It is one thing for this legislature to enact law that will empower the officials, but is the government actually prepared to devote the fiscal resources to Canada Customs to ensure it will be able to carry out that law without there being the potential of danger to itself and its fellow workers?

Mr. John Maloney: Mr. Speaker, I thank the hon. member for his question. It is a very good one.

If we give these powers there have to be resources available to allow them to utilize them. The hon. member lives in an area where border crossings are very light. I live in an area where there are four border crossings, all of which are very high volume border crossings. The situation of one person being on the border would never happen. There are many people on all shifts.

We have to address those concerns too. Obviously it is a light border crossing and criminal incidents would probably not be as significant as what I have elaborated in my speech about my area.

They definitely need the resources to do the job. I have some concerns with one person being on a border in the evening.

The hon. member asked if they would have the proper training or the proper education. I have indicated that is a necessity. As far as anticipation of more physical altercations at the border is concerned, I do not anticipate it will happen any more than it happens right now. They should be properly trained for that. Notwithstanding, certainly more training is required and more training will be given. Resources will be committed.

Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, I thank the hon. member for his excellent speech. It is my knowledge that he has been consistent and has persevered in bringing the attention to these matters that they deserve not only in this Parliament but in the last parliament.

Many members have worked and lived in constituencies across the land with border points. The member has written to the department. He has been involved in continuing dialogue and supporting the legislation as it came forward. Many members with border points in their constituencies have been there, which we as a department appreciate.

It is my firm belief that concern for Canadians is not a partisan issue. Members on the benches opposite have the same concerns the hon. member and I have about the safety of Canadians. We have different size border points and different needs. I hope we will start on this exercise shortly.

To train staff appropriately, we will probably start with the very large centres. We will do the appropriate training. We will manage this change as well as other changes we have made over the past number of years to make our border a smart border, a border that customs officers and Canadians can be proud of.

We do not want to hassle people as they cross the border. We want proper risk management. We want to target goods and people who present a security or a criminal risk to the country.

• (1340)

We want to stop smuggling. Our goal is to help the tourism industry. Our goal is to help returning Canadian residents when they travel abroad to access all the facilities they need in a professional and competent manner.

We at Revenue Canada are providing customs officers with tools to help them better do their job. In the last parliament we brought forth initiatives on some new projects that we are working toward implementing throughout the land.

We will have a very sophisticated, modern customs administration. As the minister said earlier, Canada can be very proud of its customs administration. We can be very proud of the people in

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customs. I know union officials in the hon. member's riding have talked to him.

I congratulate him in his work and all other people in the House, no matter what party, who helped us move the legislation forward.

Mr. John Maloney: I thank the hon. member for her comments.

Customs officials in my riding approached me on the issue since day one when I was first elected. They have worked very well with me, with their national executive and with departmental officials.

We have come up with legislation that is certainly to be desired. It is a concern we have had to date but we are there now and we are happy to have it.

[*Translation*]

Mr. Odina Desrochers (Lotbinière, BQ): Mr. Speaker, as presented by the revenue minister, Bill C-18 meets an urgent need to exercise greater control at Canadian customs offices.

Each of the provinces, including Quebec, that share a border with the United States experience situations where individuals from that country cross our border while intoxicated, or after committing serious offences across the border.

The proposed changes will affect nearly two thirds of the total strength of 3,200 customs officers, a number we believe to be insufficient to strengthen border crossings.

Recent statistics published by Revenue Canada show that, over the past two and a half years, Canada customs officers have been faced with the following situations, provided for by the Criminal Code, at ports of entry across the country: more than 8,500 cases where drivers were suspected of driving while impaired; 200 alleged cases of child abduction; nearly 2,000 cases of persons against whom an arrest warrant had been issued; and finally, more than 500 cases of individuals who were in possession of allegedly stolen goods, mainly vehicles.

While customs officers reported these incidents to local authorities, the police was only able to apprehend a few suspects. Such incidents happen at most ports of entry by land, air or sea, 80% of which are located on our highway system.

It goes without saying that, based on these troubling statistics, there is no need for the revenue minister to justify Bill C-18 any further. The minister also indicated that this bill would confer broader powers on Canada Customs.

Under this proposal, customs officers would help police officers by taking immediate action at the border. The customs officers' current powers to arrest and detain would be broadened in an effort to fill the gap between the time when they observe a Criminal Code

offence and the time when the police arrives on the scene and can take over.

The proposed changes would also give customs officers the power to arrest any person against whom an arrest warrant has been issued under the Criminal Code. Designated officers could demand samples of breath from suspected impaired drivers. People who show high levels following this screening test would be turned over to the police for a breathalyser test. So it is the responsibility of provincial authorities to continue the investigation and to prosecute those who are alleged to have committed an offence under the Criminal Code at the border.

• (1345)

Let us now talk a bit about Quebec. These stricter measures at the Quebec-U.S. border would help Quebec's campaigns against drunk driving. Impaired driving is still the primary cause of highway deaths in Quebec. Alcohol is involved in about 45% of deaths and 25% of serious injuries on the highways.

Over the last decade, in Quebec, the number night-time cases of drivers with a blood alcohol content above the limit has decreased by 40%. Greater control at border crossings would therefore help support the efforts of Quebec's provincial police officers.

Let us go back now to the bill. The preamble states that a number of customs officers will be designated by the Minister of Revenue to carry out the new duties. I think the Minister of Revenue should specify in his bill the provinces, cities and towns that will be affected by the changes proposed in Bill C-18.

We agree that the minister should have discretion to designate the customs officers mentioned in the bill, but we would like more information on this subject. Also, I would like to ask another important question to the Minister of Revenue concerning the mechanism for selecting customs officers. Will this procedure be carried out in co-operation with union representatives?

The proposed changes as outlined in this bill will most certainly be creating a new class of customs officers. Will their pay be higher? How will these changes be reflected in the existing collective agreement? Will the seniority clauses be respected? All these questions need clarification before our party can take a final position on Bill C-18.

What will be the limits of the powers given to customs officers in their new duties? I hope we are not creating a new police force that could end up with the same powers as the RCMP. I need hardly point out that our party and the Liberal government have locked horns several times since 1993 on the sharing of jurisdiction between Quebec and Ottawa.

The Minister of Revenue must therefore make a commitment to respect the responsibilities and jurisdictions of Quebec. The mandate of the Sûreté du Québec, our provincial police, and of the courts imposing the fines and penalties for these criminal acts must

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be respected. Too often, under the pretext of national security, of national health, the federal government has used such political opportunities to try to convince us that national standards are required.

Furthermore, in these difficult years, we do not often see a government invest without providing for additional revenues. The Minister of Revenue tells us that provincial authorities will retain their responsibility to prosecute under the Criminal Code, but he gives no information on a very important detail. Who will be collecting the fines, Revenue Canada or Revenue Quebec?

• (1350)

The Bloc Québécois is in Ottawa to protect Quebec's interests, including the areas that come under provincial jurisdiction. Therefore, our party will make sure the federal government fully respects Quebec's jurisdiction in the context of Bill C-18.

The principles underlying Bill C-18 are acceptable, but the way these changes in the customs officers' duties will be implemented still raises numerous concerns.

For example, given the budget cuts imposed by the finance minister, where will the revenue minister find the money to renovate customs offices? Where will he get the money to train customs officers? Did the minister estimate the total cost involved in delegating these new responsibilities to customs officers?

Earlier in my speech, I said that these changes will have to be made in co-operation with the Public Service Alliance of Canada.

The revenue minister claims he decided to table this bill after conducting the following consultations. In 1995, an in-depth study of the powers conferred on customs officers revealed that the existing situation was unacceptable. There is no need to go back over this, since the figures I mentioned just a few moments ago confirm it beyond a shadow of a doubt. It was therefore proposed that the powers given these officers be increased to include offences under the Criminal Code. Groups such as CAVEAT, Canadians Against Violence Everywhere Advocating Its Termination, the Canadian Civil Liberties Association, police forces, Revenue Canada employees, and CEUDA have offered their support.

But, here again, did the federal government consult the right people before tabling this bill? Did it take the time to go and see the people in the provinces who will have to live with the amendments resulting from this bill? Did the Solicitor General, who is taking part in the implementation of this bill, consult provincial authorities in this connection? Or is the federal government once again getting ready to meddle in provincial areas of jurisdiction?

In addition, the minister is indicating that implementation of this bill could take from six to nine months after royal assent is given. First of all, he intends to train designated customs officers, and then to renovate certain Customs Canada facilities in order to create secure areas in which suspects can be held.

Once again, a grey area remains, making it difficult for us to see where the minister is really headed with this bill. Does he intend to take a global approach, or has he already identified regions where there is a more pressing need for these customs posts?

There are many questions, but we believe in the rationale behind Bill C-18 and this is why we are supporting it in principle.

[English]

Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, in response to the many questions posed by the hon. member in his speech, many of the answers were delivered earlier today in this debate. For the edification of the hon. member I have no problem restating some of the answers. I hope it will assist him because this is a very good bill for tous les Canadiens et toutes les Canadiennes.

This is not a partisan bill, no matter what the questions or how they are posed. The RCMP will continue to do all of its work between the border points across this country. That will not change.

• (1355)

The work of our customs officers throughout this country, including Quebec, will also not change. They are still dealing with all these issues under the customs and excise acts and the numerous other acts that our customs officers administer for us at our border points.

This is a first response not only after discussion with the people and the unions involved but is also being supported by these same employees inside. They are very supportive. This honourable member may very well find that the head of the union of customs will have sent a letter to all members asking for support for this bill, and I draw that to his attention.

This is not replacing or creating some new police force. This is a situation where we are filling a gap, a narrow gap that existed, that will help the safety at first response, the point where we can first intercept at our border point, and security for Canadians.

There are situations where children are being abducted. This is the place where we can detain until the appropriate and responsible police force comes to the assistance and follows out with the rest of the process. This is the place where a drunk driver, driving up to our borders, can be intercepted. Before, we could not detain an individual for a lengthy period of time in case the appropriate local police force was not, through other responsibilities, able to assist in

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a timely manner. This is a better situation. We will have the legal authority to charge and to detain.

Also, very clearly this gives us that authority to make an arrest where there is an outstanding warrant and then turn over to the appropriate authority.

These are very positive measures. We are giving the human resources, as we have given many other tools over a time period in all of our experiences as professionals. We have to work with upcoming technology, new technology. Unfortunately, I do not think all of us get pay raises every time a new machine comes in. I wish that were true, but it does not necessarily happen that way.

This is, though, a tool, a legislative tool that will assist our people, the people who protect Canadians, to do their jobs better. To give the assurance to this honourable member which he deserves, yes there has been ongoing consultation and there will continue to be ongoing consultation not only with the provincial and other policing authorities but with our unions, the people who work for us. This is very much a welcome piece of legislation and I respect that this honourable member did, in his concluding remarks, actually indicate that the Bloc is being supportive overall.

If I can help with any of his further questions, as a parliamentary secretary I am at his disposal to give him further briefings whenever he requests that. As the parliamentary secretary, I wrote to the representative of their caucus as well as the other caucuses, offering briefings in this matter.

I would like to give a little time before question period for the member opposite to acknowledge it.

[*Translation*]

The Deputy Speaker: I think the member will have to wait until after Oral Question Period to reply to the comments by the hon. parliamentary secretary.

We will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[*English*]

ALZHEIMER'S DISEASE

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, some weeks ago I had the pleasure of meeting some of the members of the Royal Canadian Legion, North Calgary Branch No. 264, along with the Alzheimer Society of Alberta. The occasion was their annual Coffee Break fund-raiser. I was delighted to have been asked to attend.

The Alzheimer's Coffee Break is a grassroots initiative to promote awareness of Alzheimer's disease. To date, there is no

known cause or cure for this terrible disease that can strike adults of any age. Currently over a quarter of a million people suffer from the illness and the dementia caused by this condition.

By the year 2030 it is estimated that over three quarters of a million Canadians will have Alzheimer's disease. The devastation of this disease is terribly hard on the family members of its victims. Inevitably it robs them of their loved ones.

• (1400)

I urge all members of this House to become involved in a coffee break program in their ridings. Members should please contact their Alzheimer's society or their legion to offer their support.

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GREY CUP

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, on November 16 the 85th Grey Cup was held in Edmonton. Canadians were witness to real football, three down football, football with the wider field and the deeper end zones. In the cold of a crisp late fall day a truly unique Canadian sport was played out before more than 60,000 fans and millions of television viewers.

Football in Canada is truly our game with our unique Canadian rules including the extra point for missed field goals. The importance of this game to Canadians should not be underestimated. Images of Calgarians who brought their horses into the lobby of the Royal York hotel in Toronto and Saskatchewan residents dressed in rider green, some representing the smallest communities in their province like Tantallon, Saskatchewan; this is what the Grey Cup is all about.

The Grey Cup and Canadian football help to define us as a nation. It is part of our cultural identity. Congratulations to the Toronto Argonauts on back to back impressive Grey Cup victories. Canada needs a Grey Cup and we need to appreciate the tremendous value it has. It has helped define us as a nation.

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LIVING ARTS CENTRE

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, it gives me pleasure to bring to the attention of the House the official opening of the Living Arts Centre in Mississauga on November 14. The Living Arts Centre will be the heart of downtown Mississauga. This modern state of the art facility will provide citizens of all ages with multiple performance venues, studios and exhibition space.

We look forward to attending shows by high calibre international artists like Julio Eglizes, Penn and Teller, Raffi, Broadway productions and of course the many local artists and performing companies that will grace the Living Arts Centre stage.

Construction of the state of the art facility was funded under the federally initiated national infrastructure program. All three levels of government including the region of Peel provided \$31 million in financing. The Living Arts Centre has itself launched a major community fund-raising effort which has already raised almost half of the \$30 million goal.

We look forward to being royally entertained for years to come as the world comes to our new stage.

* * *

[Translation]

RAILWAY TRANSPORTATION

Mr. Maurice Dumas (Argenteuil—Papineau, BQ): Mr. Speaker, I am pleased today to draw attention to the sale of the section of rail between Saint-Augustin and Thurso by Canadian Pacific to Genesee Rail-One and the operation of that corridor by its subsidiary Les chemins de fer Québec-Gatineau.

Canadian Pacific decided in 1994 to dismantle this section of track. Bloc Québécois MPs and stakeholders in the Outaouais and Laurentian regions were opposed to this. The hon. member for Blainville—Deux-Montagnes and myself co-authored a brief which convinced the national transportation committee to hold public hearings on the matter.

The train between Saint-Augustin and Thurso, which serves Lachute and Montebello along the way, is back in operation. This is a great victory for the people of Argenteuil—Papineau and an excellent example of how useful the Bloc Québécois is in Ottawa.

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FRANCOPHONIE SUMMIT

Ms. Claudette Bradshaw (Moncton, Lib.): Mr. Speaker, I would like to draw the attention of the House to the Francophonie Summit which was held at Hanoi from November 14 to 16. The Prime Minister headed a Canadian delegation of some 30 francophones.

This proved to be a great success for Canada, confirming its lead role within the Francophonie. Canada expressed strong opinions on the political, economic and co-operative aspects of the summit, proposing concrete actions. The summit marked a significant step toward making the Francophonie more political, with the election of its first secretary general, Mr. Boutros Boutros-Ghali.

In addition, the selection of Moncton, New Brunswick as the site of the 1999 Summit was confirmed by the heads of state and heads of government. I know what a great honour it is for the people of the greater Moncton area to host the Summit.

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The Acadians of New Brunswick have long awaited the opportunity to welcome such a delegation and to show them their region.

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[English]

RAILWAYS

Mr. Stan Keyes (Hamilton West, Lib.): Mr. Speaker, 57,000 knowledgeable, skilled Canadians work for the railway industry. Today their representatives from coast to coast are here in the House of Commons to remind parliamentarians of the importance of this industry for Canada.

Canada's freight railways do not exist just to run trains but to move customer freight traffic in a timely manner. Exports such as grain, coal, fertilizers, forest products and motor vehicles are dependent on rail transportation.

• (1405)

Rail is not only a safe means of transportation, it is also an environmentally friendly one. With its millions of carloads of freight and more than one million containers and trailers a year, the rail industry helps reduce highway congestion.

As the Parliamentary Secretary to the Minister of Transport, I am proud to welcome rail industry representatives to Ottawa and to invite all members of Parliament to take the opportunity to meet with them and learn more about this essential industry.

* * *

ROBERT NORMAN THOMPSON

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, I rise today on behalf of Canadians to pay tribute to Robert Norman Thompson.

Bob was a man who spent an impressive part of his life serving Canadians. He became national leader of the Socred Party in 1961. He was elected in 1962 for Red Deer and then re-elected in 1963, 1965 and 1968. He left politics in 1972 and taught political science at Trinity Western in Langley, B.C.

I was a student at Trinity during the mid-1970s and one of the first people I met was Bob Thompson. He had a way about him that one just could not ignore. Bob was fast, feisty and a fierce competitor when it came to political debate.

When I was elected in 1989 he became and has been one of my closest political advisers for all these years. My husband Lew and I had a wonderful visit this summer with Bob and Evelyn at their home in Langley. He was in rare form and we had a great talk. He told me he was being promoted. Promoted he has been.

We love you, Bob, and we thank you, Evelyn. God bless you.

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LATVIAN AND POLISH INDEPENDENCE DAYS

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, today Canadians of Latvian origin celebrate the 79th anniversary of their independence, and on November 11 Canadians of Polish origin celebrated theirs.

As the first member of Parliament of Baltic heritage, it gives me great pride to recognize these important dates.

It is an occasion to contemplate the rich traditions of these countries that serve as an inspiration for all who cherish the values of freedom and democracy.

In the aftermath of World War I, in 1918 the Republic of Latvia gained its independence and, at the same time, Poland regained its. However, this freedom was very shortlived. Under Soviet occupation it was lost. However, even a half century of totalitarian rule did not stifle the love of freedom and cultural heritage. In Poland it gave rise to solidarity.

In 1991, after the tragic killings in Vilnius and Riga, the Canadian government was the first to recognize the independence of—

The Speaker: The hon. member for Beauport—Montmorency—Orléans.

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[Translation]

RAIL TRANSPORTATION

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, today representatives of the railway industry are visiting Parliament Hill in droves to talk to many senators and members on the importance of rail transportation. I am proud to say that rail transportation is vital to a healthy economy in the major centres and the regions of Quebec and Canada.

In recent years, we have witnessed the birth of many short line railways. The entrepreneurship of their management and the flexibility of their operation enable them to free up the roadways in the regions and to maintain safe transportation.

Because their infrastructures connect with the main railway lines, the short line railways link their clientele to the vast North American market.

I join with industry members in reminding people that, for many businesses, the way to the future is by rail. Let us keep it competitive.

TUNISIA

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, on November 7, 1997, President Ben Ali celebrated ten years as the head of my country of origin, Tunisia.

In an attempt to dispel certain myths circulated by extremists and too often given media attention, I would like to tell this House of the measures President Ben Ali has announced in connection with this anniversary. They include greater separation of the executive and legislative branches, the prohibition of race and religion as bases for political parties, public funding of political parties, enshrinement of the equality of men and women in the exercise of democracy, guaranteed seats for the opposition in the chamber of deputies and on municipal councils, a multi-party system, confirmation of the role of judges in connection with passports, and so on.

All these measures reflect values that we as Canadians hold dear. I congratulate President Ben Ali on leading his people along the route to an ever stronger democracy and I offer the expression of my affection to the people of Tunisia.

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[English]

HIBERNIA

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, I rise today to congratulate all those involved in the Hibernia project and the people of Newfoundland for yesterday's milestone event when oil began to flow one month ahead of schedule and under budget. This day has been long awaited not only by the people of Newfoundland but the shareholders and taxpayers.

● (1410)

Investors can now begin to see a return on the billions of dollars used to finance the megaproject. Shareholders now have confidence to invest in future offshore oil projects. The people of Newfoundland will have up to 650 well paying jobs for the next several decades.

Newfoundland Premier Brian Tobin is quoted as saying that he expects Newfoundland to be a have province by the end of the decade. We Albertans know well the pride and benefits when oil flows.

Once again, congratulations to the people of Newfoundland.

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IRISH FAMINE

Mr. Pat O'Brien (London—Fanshawe, Lib.): Mr. Speaker, the summer of 1997 was named the Irish Summer by Heritage Canada

in honour of the victims of the great Irish famine from 1845 to 1850. During these five terrible years in Ireland, one million people died of starvation and famine fever. Another one million fled across the Atlantic, some 300,000 to British North America, including my own ancestors.

These Irish refugees were escaping repeated failures of the potato crops, but also brutal and indifferent economic theories which held sway at the so-called centre of civilization.

The worst year of all was 1847, Black '47, when 20,000 Irish died on the coffin ships or in the quarantine stations of Grosse Isle, Quebec and Partridge Island, New Brunswick.

One hundred and fifty years later this government affirmed its commitment to preserve and protect the sacred burial grounds and monuments. The best tribute to the victims of the Irish famine is that Canada always be a nation which welcomes the refugee peoples of our world.

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[Translation]

FRANCOPHONIE SUMMIT

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, being the proud Acadian that I am, I would like to congratulate the City of Moncton on being selected to host the next Francophonie summit. This is an honour that highlights the vitality and diversity of all francophone communities in Canada.

At the Moncton summit, the focus will be on youth, the youth that represents the future of the French community. It is therefore important to look at the challenges facing young francophones worldwide on the eve of a new millennium.

The Francophonie summit will generate significant economic benefits in the Moncton area and throughout New Brunswick. On the heels of the successful 1995 Congrès mondial des Acadiens, the Moncton area has demonstrated its capacity to host an international event.

The hard working spirit and hospitality of Acadians are legendary and will no doubt ensure the success of the 1999 summit in Moncton.

* * *

QUEBEC CITY MAYOR

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, Quebec City mayor Jean-Paul L'Allier is still reluctant to fly the Canadian flag in front of city hall, arguing that doing so would invite vandalism and violence.

Perhaps mayor L'Allier could show the same faith in the good conduct of his fellow citizens in this instance as he did when a

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monument was erected to commemorate the stupid remark General de Gaulle uttered on Canadian soil.

“Don de Dieu ferai valoir” is your beautiful city’s motto, Mr. Mayor. Instead of coming up with all sorts of tricks to better serve the king of separatist colonials, Lucien I, you should do the honourable thing and represent all those Quebec City residents who are proud to be Canadians and proud to be Quebeckers.

You should not hesitate to pay tribute to the symbol of the greatest country in the world, a country that still counts Quebec City as one of its jewels. A decision on this matter will be made at city hall on December 1.

I therefore urge all Canadians and Quebeckers to pressure mayor L'Allier by calling city hall in Quebec City.

* * *

[English]

HIBERNIA

Mr. Charlie Power (St. John's West, PC): Mr. Speaker, today the people of Newfoundland and Labrador are celebrating the birth of a new industry.

Yesterday as oil flowed on board the \$5.8 billion Hibernia platform, workers celebrated their accomplishments. Many of the 5,800 construction workers, 90% of whom are Newfoundlanders, are also quite proud of their contribution.

It is also time for Canadians to share in our celebration. Of the \$5.8 billion cost, \$2.7 billion was spent in Newfoundland, but \$1.4 billion was also spent in other parts of Canada.

The \$1.8 billion loan guarantee of the Government of Canada will never be called upon. The billion dollar grant will be repaid in full. In fact, Canada will receive much more now that the amount of recoverable oil has been significantly increased.

This new industry with a potential of \$100 billion of business from the 5.8 billion barrels of oil and 52 billion cubic feet of natural gas will be a major contributor to Canada's oil supply, government revenues and business profits.

On behalf of all Newfoundlanders we are delighted to begin our contribution.

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NORTH BRAMPTON YOUTH DROP-IN CENTRE

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, I rise today to congratulate and commend the efforts of the North Brampton Youth Drop-in Centre committee to create a place that the youth of my riding of Brampton Centre can call their own.

Oral Questions

• (1415)

The aims of the committee are to address the issue of teen violence in Brampton, to provide a safe haven off the street, and to provide the youth with opportunities to develop a stronger sense of community and belonging.

I fully support the creation of the youth drop-in centre in the Heart Lake district of my riding and I urge all stakeholders at the provincial and municipal levels to endorse the creation of this very worthwhile project and support the youth of our communities.

ORAL QUESTION PERIOD

*[English]***AIRBUS**

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, it is about time for some answers on this Airbus affair.

The former prime minister says there was a high level government plot to smear his name and then an attempt to cover up the plot. The current prime minister denies the whole thing. He says there were no Liberal ministers involved. He says the whole idea came from a lowly RCMP sergeant who was just sitting around in the police station and decided to go after the former prime minister.

Two prime ministers and two different stories. Which prime minister is telling the truth?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in January of this year there was an agreement signed with the lawyers of the former prime minister. It was written in the settlement that was tabled in the House today that the parties accept that the RCMP on its own initiated the Airbus investigation.

The documents were tabled in the House. That was a statement made by Mr. Mulroney, through his lawyers, in January 1997.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the prime minister says that no Liberal politicians were involved.

Yesterday outside the House the Deputy Prime Minister admitted that the Airbus investigation is continuing, it is still going on. When he was asked if Brian Mulroney is still a suspect, he did not rule that out.

Is Brian Mulroney still under investigation or not? If he is not, why does the government not retract the letter to the Swiss which started this whole mess in the first place?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the RCMP said that it is still carrying on the investigation.

It is up to the RCMP to decide who it investigates; it is not for the government to decide. The RCMP in doing its job never

mentions the names of the people who are being investigated because if there is no charge there is no need to know the names. We have to respect the freedom of individuals who are not called to appear before the courts.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, what has this bungled Airbus investigation accomplished? It has wasted a lot of taxpayer money. It has tarnished the reputation of the justice department and it has tarnished a lot of personal reputations as well.

I am no fan of Brian Mulroney but even he has the right to be presumed innocent until proven guilty.

Who in the government is responsible for this mess? Was it the solicitor general, is it the justice minister, is it the former justice minister or is it the prime minister?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, again I will quote from the agreement. It states the parties have always acknowledged that the RCMP must continue investigating any allegations of illegality or wrongdoing brought to its attention. That is what was signed between the parties in January 1997.

Under our system nobody is guilty until proven guilty. It is in accordance with the tradition of Canada that when there is an investigation we do not name the people—

The Speaker: The hon. member for Edmonton North.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, I would like to get this straight. The prime minister says that no one is guilty until they are proven guilty. That is wonderful news. Canadians will be thrilled to hear that.

The prime minister I am sure is nervous to go on the CBC town hall meeting after an answer like that. I cannot blame him for that.

• (1420)

Millions of dollars have been spent and the Prime Minister sloughs it off. The former minister of justice is smirking about it. I want to ask anyone on that front bench who will stand in their place now and accept responsibility for Airbus.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I always take responsibility for my government. I have never run away from any responsibilities.

The people of Canada want a system wherein the police do their job without receiving instructions from their political leaders. That is the system that has worked well in Canada and that I respect.

The police are responsible and are doing their job.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, sadly the police are not allowed to do their job and I think Sergeant Fiegenwald is proof of that.

Some hon. members: Oh, oh.

Oral Questions

Miss Deborah Grey: They are nervous about it. What we see here is that the Liberals are going around and can give all the standing ovations they like. They are in damage control mode and trying to blame everybody but themselves where the blame belongs.

The lawsuits are piling up with \$2 million to Brian Mulroney. Now Karlheinz Schreiber has come forward. He has a \$35 million lawsuit, and we have not even heard from Frank Moores' lawyers yet.

Taxpayers want to know exactly how much they will be fleeced for this latest Liberal scandal.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in a settlement with Mr. Mulroney they asked for \$50 million in damages but accepted no dollar damages, just costs. That was the settlement agreed by the parties in January.

When there is an agreement with persons who have cases against the government and they decide to accept no compensation, we have to say that it did not cost the government anything. However, we accepted to pay the fees as we do in most cases with citizens in Canada.

* * *

[Translation]

SEARCH AND RESCUE HELICOPTERS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, for several weeks, everyone has been speculating about the purchase of rescue helicopters by the federal government. There are now many rumours about the helicopter chosen, the date of the announcement and the total cost of the contract. There is obviously a great deal of confusion regarding this important issue.

Will the Prime Minister show some openness and tell the House what is happening with the purchase of helicopters by the government? It is not complicated: we want to know where the government is headed regarding this issue.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, within the next few weeks, the government will select one of the four proposals made by the four different groups. The government has yet to make that decision. The studies have not been completed. As soon as they are, the House will be informed accordingly.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the issue is in the media; the companies are promoting their product, the lobbyists are busy, and the issue is under review by cabinet. It is discussed by everyone, except the elected members of this House.

Does the Prime Minister not find it unacceptable that elected members of this House cannot discuss one of the most important

purchases made by the government since it took office, one that will cost in excess of \$600 million?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the helicopter issue goes back a long way. There have a number of opposition days during which members could have raised the issue and made proposals. They did not do so, even though the opposition can do so in this House. Bloc members did not dare raise the issue and have a debate on it. It was their prerogative. They chose to talk about something else. Too bad for them.

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

The Canadian government is about to spend over \$600 million to purchase helicopters without holding any real debate on this issue in Parliament.

Does the Prime Minister agree that it would be essential that Parliament hold a special debate on this issue, and does he intend to call such a debate himself before a contract is awarded and to stop laying the blame at the opposition's door?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the member has provided the answer herself. If this issue is so important, why did they not raise it on an opposition day?

• (1425)

Moreover, each department's forecasts are studied during the year. They did not point to any problem. The helicopter issue has been around for a long time, and the government has said that helicopters were needed to patrol Canada's shores for rescue operations, and the opposition never raised this issue, neither in the House nor in committee.

We will make the decision that it is the responsibility of the government to make in the coming weeks.

Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, this issue has been raised often in this House and in committee.

Since this is an expenditure involving over half a billion dollars, would the Prime Minister agree to allow the defence committee to verify the transparency of the process in terms of the selection criteria that will be used to choose the helicopter model?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, as we have said many times, there were four bids, which are presently being reviewed to make the decision to buy.

Once the decision has been made, we, that is myself as Minister of Public Works and Government Services and other ministers, can appear before a committee with officials.

But presently, we are at the review stage. Once the analysis has been completed, cabinet will meet, a decision will be made and there will be a public announcement.

*Oral Questions**[English]***NATIONAL DEFENCE**

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my question is for the Minister of National Defence.

As the minister knows the confidential document prepared for his defence management committee discloses government plans to cut \$350 million by the year 2001. This means axing up to 9,000 civilian defence employees.

Will the minister confirm that his management committee is in fact considering job cuts of this magnitude?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, we are, as are other government operations and departments, going through the results of program review. Deficit reduction is required. Decisions on cuts in government spending were made two or three years ago and we are in the throes of implementing them.

Yes, there are changes. There are cuts in jobs. I cannot confirm those figures however. The cuts that are being made are being done in a fair and reasonable fashion. People are being treated fairly and humanely in terms of departure incentives from the defence department.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, you would never know we are talking about the lives of tens of thousands of people.

Well placed sources indicate the defence management committee is considering additional job cuts of 5,000 civilian workers and 18,000 regular force military personnel by December 1999. I repeat these 23,000 cuts are in addition to those already announced.

Is it the minister's intention to begin issuing these pink slips before Christmas, or will he be delaying the massive layoffs until Easter when his budget kicks in?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I think we are hearing a lot of scare mongering here, in particular with these figures that do not have a basis in fact.

We are going through implementation of cuts. As we go through them we consult with the unions involved and with the personnel involved. We are doing this in a fair and reasonable fashion as in fact we have done with all cuts in terms of the public service, because that is the proper way our employees should be treated.

* * *

CANADA PENSION PLAN

Hon. Jean J. Charest (Sherbrooke, PC): Mr. Speaker, we welcome the Prime Minister back to Canada, but I am sorry to

inform him that in his absence the unemployment rate under his government went up once again to 9.1%.

Notwithstanding, the government will increase CPP premiums, a job killer, by 70%. I would like to know today whether he continues to refuse any tax relief to Canadians.

Furthermore I would like to know, given this increase in premiums, whether he will make public today studies on the impact this increase in premiums will have on the jobs of Canadians.

[Translation]

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the issue has been discussed and is currently before this House. The agreement concerning the Canada pension plan was reached with the provincial governments. The legislation reflects the decision of the provincial governments and of the federal government to ensure that the Canada pension plan can continue to operate in the next century.

There is an agreement with the provinces, and there will surely be an impact because of the increase, but at the same time we expect that during the coming years, there will be a reduction in contributions for—

The Speaker: I am sorry to interrupt the Right Hon. Prime Minister, but the hon. member from Sherbrooke has the floor.

• (1430)

Hon. Jean J. Charest (Sherbrooke, PC): Mr. Speaker, the Prime Minister, once again, is trying to evade the question. I am talking about his government's taxes, not those of the provincial governments.

[English]

The Canadian Federation of Independent Business has already affirmed now and stated that this increase in CPP premiums will cost a firm that employs 10 people about \$7,000 a year. This will cost jobs for students, two to three summer jobs.

How could the Prime Minister accept this? How is it that he will not offer tax relief to Canadians to offset this increase in CPP premiums?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the first responsibility of the federal government was to clean up the mess created by the Tory government. We took a deficit of \$42 billion and reduced it to zero. In fact during the last four years more than 970,000 new jobs have been created.

During the last campaign the leader of the Conservative Party promised one million jobs in five years and we have done it in four years.

*Oral Questions***AIRBUS**

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, the government refuses to withdraw a letter containing a false accusation that was the basis for the \$50 million lawsuit in the Airbus scandal. It settled that mess out of court and it cost taxpayers millions of dollars.

Based upon that same false piece of correspondence we now have a \$35 million lawsuit against taxpayers. When will the Prime Minister withdraw that letter and stop the lawsuits against taxpayers?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I am sure the hon. member knows, I cannot comment on the Schreiber case. It is a matter before the Supreme Court of Canada.

Let me remind the hon. member that in the terms of settlement entered into between the government and the former prime minister of Canada, he specifically acknowledged the fact that it is a duty and obligation of the RCMP to pursue all investigations and all allegations made in relation to the matter before us.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, my question for the Prime Minister was why he would not withdraw the letter that laid the base for the \$50 million lawsuit and that now lays the base for the \$35 million lawsuit.

They know it contains false information and false accusations. Why will they not withdraw that letter?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the government has made it very plain to the Swiss authorities to whom the letter was sent that anything contained in that letter are in fact allegations. No conclusions of guilt or innocence are raised. They are in fact allegations.

The terms of settlement are clear. The former prime minister acknowledges the right and responsibility of the RCMP to pursue these investigations.

* * *

[Translation]

CANADA POST

Mr. Réjean Lefebvre (Champlain, BQ): Mr. Speaker, my question is for the minister responsible for Canada Post.

Last night, the minister responsible for the Canada Post Corporation stated that before special legislation could be introduced there had to be a strike. In so doing, he was suggesting that he would not hesitate to use special legislation if there were a postal strike.

Over and above the good intentions the minister responsible for Canada Post claims to have, is he not provoking postal workers with such thinly veiled threats?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I would like to inform the hon. member and the House that negotiations resumed yesterday and are still under way between Canada Post and the postal workers' union. I can state that these are progressing well and I would like to give them a chance.

The hon. member can, therefore, be glad that negotiations are under way. We trust that they will continue, and that a settlement will soon be negotiated.

Mr. Réjean Lefebvre (Champlain, BQ): Mr. Speaker, is the real scenario the government wants to see not a general strike it could settle promptly through special legislation, as the minister let slip late this past summer?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the wish of the government, and of all Canadians I believe, is for a settlement to be negotiated, and we hope to have one as soon as possible.

* * *

• (1435)

[English]

TAXATION

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, yesterday the tax department released its 1994-95 report which confirmed that in that year alone income taxes paid by the average taxpayer went up by 10%. That is largely because the government has kept in place Brian Mulroney's hidden tax grab called bracket creep, which the OECD says is hammering our economy.

Since the finance minister will not commit to broad based tax relief, will the Prime Minister commit to stop raising taxes through the hidden tax grab called bracket creep?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, members on this side of the House are very familiar with the fact that our income taxes are very high. When we have the appropriate measures—

Some hon. members: Hear, hear.

Hon. Jim Peterson: I am very pleased that we have taken a step by not bringing in wholesale tax cuts in the way the opposition wanted. That would have put our fiscal deficit out of reach. We have done the responsible thing and we will introduce a tax cut only when it can be sustained—

The Speaker: The hon. member for Calgary Southeast.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, we are glad to finally hear that admission. The problem is that Canadians are suffering because of a tax burden which is getting higher every year.

Oral Questions

It is not a question of cutting taxes. It is a question of not raising taxes any more under bracket creep. When will the Minister of Finance or the Prime Minister stop this destructive tax on inflation, or will they continue to be known by Canadians as the bracket creeps?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, we will work in a responsible way to bring down taxes because we know that Canada of all G-7 countries has one of the highest rates of personal income tax. We will not sacrifice our efforts to reduce the deficit and to bring down our debt just because this party is calling for a tax cut.

This is a party that has called for getting rid of the GST. This is a party that is calling for cutting payroll taxes. This is a party that is calling for the cutting of CPP premiums. We have to be responsible—

The Speaker: The hon. member for Rosemont.

* * *

[Translation]

THE ENVIRONMENT

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, my question is for the Prime Minister.

While environmental groups have unanimously condemned the Regina agreement and cited the position taken by Quebec as an example, the president of the Canadian Association of Petroleum Producers, for his part, said that it was the best agreement his association could have hoped for.

Will the Prime Minister admit that his position is the best proof that his government has caved in to the petroleum lobby and to its representative, the Reform Party?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would like to reply to this question because it is the first time we have managed to reach an agreement with the provinces. The provinces said that the Canadian position is a position—

Hon. Jean J. Charest: Without Quebec.

Right Hon. Jean Chrétien: Yes, it is easy for you to say that now. There will be an agreement. This is a position that we are going to defend in Kyoto and that we can improve.

Now we know what the provinces are prepared to do. Rather than impose our views, we tried to reach a consensus with the governments of all provinces—

An hon. member: Except Quebec.

The Speaker: The hon. member for Rosemont.

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, the Prime Minister had promised a very firm position on the reduction of greenhouse gases. Today, he is content to follow the American position.

Is this not another of the Prime Minister's broken promises?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we consulted the provinces. We have not taken a final position yet, but we are very happy to see that the provinces realize that there is a problem and that they will have to work with the federal government.

We are continuing our consultations with other governments and we hope to have an agreement in Kyoto signed by the Europeans and the Americans. We also hope that the third world will want to be part of any agreement, because atmospheric problems concern developing, as well as developed, countries.

* * *

• (1440)

[English]

CANADA PENSION PLAN

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, today it is the Canadian Taxpayers' Federation blasting the mess the Liberals are making of CPP reform. Forty-eight billion extra dollars will be snatched out of the pockets of Canadians between 1997 and 2003. That amounts to over \$3,000 in new CPP taxes per working Canadian.

Is taking more to deliver less the minister's idea of retirement security for Canadians?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, we acted after 15 years of inaction. We were the government that was able to work with the provinces to put the Canada pension plan on a sustainable basis. If we had not acted, the premiums would have gone to over 14%.

None of us like tax increases, but more than anything else we have sustained the viability of the Canada pension plan and we are proud of it.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, this new CPP tax will take out of Newfoundland \$860 million more. Out of Saskatchewan it will take nearly \$2 billion extra. Even out of the Northwest Territories it will take nearly \$200 million extra dollars.

The taxpayers' federation says that the government's proposed reforms are not sustainable, not affordable and patently unfair.

When will the minister simply admit how unfair this plan really is?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, talking in terms of fairness, this is the party that had no plans to deal with the \$600 billion of unfunded liabilities in this plan. It then finally comes along and the hon. critic who has just spoken says "there is a mess and we need to look at perhaps paying some of the unfunded liability out of general tax revenues". She was then muzzled. We have taken the responsible course. It was something we did in consultation with the provinces.

Our senior citizens can rest assured that they have an indexed pension—

Oral Questions

The Speaker: The hon. member for Saint-Jean.

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[*Translation*]

FORMER SINGER EMPLOYEES

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development.

The federal government is stalling for time in the matter involving the former employees of the Singer company. We must remember that the Minister of Human Resources Development has always maintained his compassion for them and his diligence on their behalf.

Where are the minister's compassion and diligence as he drags people whose average age is 82 before the courts instead of providing a settlement?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, we are acting totally responsibly. I have instructed our lawyers to act diligently and quickly, and we are not in a position to settle out of the court because we cannot acknowledge a responsibility that was not ours with respect to the Singer pension fund.

* * *

[*English*]

PRIVACY

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, my question is for the secretary of state responsible for financial institutions.

At the stroke of midnight on Halloween night, the Toronto-Dominion Bank passed all of its customer information to its insurance, mortgage and security subsidiaries unless each customer said no to its negative option marketing demand.

Will the secretary move by legislation to stop this invasion of privacy?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, as the member knows, from 1990 to 1996 the Canadian Standards Association, which consists of management, labour, consumers, provincial and federal governments, worked to draw up a code of privacy for our financial institutions.

I am pleased to say that in this instance the guidelines of the Canadian Standards Association were met. However, privacy is an issue which is of very great concern to us. We hope the task force

is going to look into it and, of course, the finance committee would welcome their views.

* * *

● (1445)

FOREIGN AFFAIRS

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, in the House the Liberals are fond of standing up, beating their chests talking about how great they are with the UN, about how good they are at attacking Saddam Hussein, but they are letting a billion dollar trade deal sneak through and hopefully nobody will see it, leaving it to the UN to decide what to do.

When will this government stand up and let Saddam Hussein know exactly where it stands on that issue?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, we already have. We have made it very clear that they must live up to all their obligations under the United Nations.

I want to point out to the hon. member that the proposal to exchange goods is for humanitarian purposes, to help the children of Iraq, not Saddam Hussein.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, yesterday we heard the Deputy Prime Minister say that they let the UN decide whether this was a good deal or not, whether trucks were all right and whether trucks could be used for humanitarian purposes or used by the military. That is the question.

We need to send a message to Iraq on where we stand and that we are with our allies, standing up for the sanctions the UN is going to impose.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the hon. member is clearly out in space on this.

The reality is that under the UN sanctions we first consider any application that comes to us and whether it meets the criteria. It is then referred to the UN and comes back to us to see if it fits our export and import laws.

I would suggest that before the hon. member asks those kinds of questions that he first learn what goes on in Canada and not making fabrications to try and suggest that something is happening which is not happening.

* * *

CANADA POST

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, yesterday the Minister of Public Works angrily condemned the Canadian Union of Postal Workers for refusing to allow Canada Post to eliminate 4,000 jobs. His comments indicated a clear bias in favour

Oral Questions

of the corporation and an open hostility toward the working Canadians who are fighting for their jobs.

Will the minister withdraw his damaging statements of yesterday and let the parties conclude a new agreement free of interference and free of the kind of threats that we heard yesterday?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, what I said before in French I will say now in English. The two parties have been in negotiations since yesterday. They negotiated and according to reports I have, they are doing very well. I hope that very soon we will have a negotiated settlement.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the biggest single obstacle in this round of bargaining stems from the Liberal government demanding that Canada Post pay dividends of over \$200 million over the next five years. Canada Post wants to meet those demands by eliminating jobs.

Since when is Canada Post supposed to generate hundreds of millions of dollars in profits when its mandate is to put revenues into better service for Canadians?

Will the minister and his government withdraw this unreasonable demand for profits, take away the need to eliminate jobs and thereby move us toward a speedy settlement in this round of bargaining?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, what this government and this minister want is a very viable postal service for all Canadians so that Canadians can continue to receive the mail and Canadian workers can continue to have jobs and create new jobs. That is what we are doing. That is what is on the table.

I hope that the hon. gentleman with his connection to the union will speak to his friends so that we can have a negotiated settlement as soon as possible.

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HIBERNIA

Mr. Charlie Power (St. John's West, PC): Mr. Speaker, my question is for the Prime Minister.

Yesterday was a great day for Newfoundland and, indeed, all of Canada as Hibernia oil flowed for the first time. A new industry was born which will produce billions of dollars for the Government of Canada.

On October 18, 1994 the Prime Minister stated in the House in response to a question on Hibernia financing "If we had to do it all over again, perhaps we should have not gone ahead".

Will the Prime Minister now acknowledge that the Hibernia project was a great project for all the people of Canada?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when I was minister of energy I worked very hard to make sure that we would proceed very quickly. I was trying to get an agreement which was denied by the then Conservative government of the Province of Newfoundland.

If that had happened, production would have occurred in Canada 10 years ago.

* * *

• (1450)

EMPLOYMENT INSURANCE

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, my question is for the Minister of Human Resources Development.

Undoubtedly the minister will be aware—and if he is not aware, he should be—that his department has delayed the issuance of employment insurance payments in Newfoundland. These payments are due tomorrow, but because of a looming postal strike, they will not be issued until next week. He should know that these people are living from cheque to cheque and from week to week. They need their money now.

Will the minister give these people assurances that payments due this week will be issued this week, postal strike or not?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, of course we hope very much that there will not be a postal strike but indeed for people who are to receive the benefits, my department will do its very best to deliver all payments as usual as we do as the posts are still working for the time being.

* * *

POST-SECONDARY EDUCATION

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, my question is for the Minister of Human Resources Development.

Young Canadians are increasingly aware that the most important criteria for whether they have a job when they are 30 is the level of their post-secondary education. They are also increasingly concerned that they might not be able to afford it.

I ask the minister what he is doing to ensure that all Canadians will be able to get this kind of education when they want it.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I thank the member for her very timely question.

Our government does recognize the financial difficulties of students and it is taking action. Yesterday and today I have been hosting the first ever national conference of all stakeholders addressing student loans. We have had the students' associations and the association of the bankers. I can state that we have gained very good insights from these people. We will be taking these very

good ideas and will be building these recommendations into good strategies for students.

* * *

PARKS CANADA

Mr. Cliff Breitkreuz (Yellowhead, Ref.): Mr. Speaker, since the Heritage Minister shut down Banff and Jasper airstrips, pilots have been ticketed. Last week a plane loaded with Parks Canada officials landed in Banff and was not ticketed. Why were they not ticketed? Why are they flying above the law?

Hon. Andy Mitchell (Secretary of State (Parks), Lib.): Mr. Speaker, the hon. member should know that Parks Canada has regulations that govern those airstrips. Part of those regulations are that emergency landings can be made. This was an emergency landing. It was under the regulations and it was an appropriate use of that airstrip.

Parks Canada follows the law and this was part of following the law.

* * *

[Translation]

EGYPT

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Yesterday's attack in Egypt sent shock waves around the world. The safety of tourists and foreign travellers is at risk throughout the country.

Could the minister tell us what measures he has put in place to guarantee the physical safety of Canadians currently in Egypt?

[English]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, first I should indicate to the hon. member that for several months now we have been issuing travel advisories demonstrating that there could be some problems in Egypt. In fact, I was in Egypt just last week and met with the officials. We did talk about those kinds of issues.

What we will be doing now is reviewing very distinctly what kind of other measures we might take to ensure safety. In this case the primary responsibility is to issue the advisory and to ensure that people understand what kind of problems there might be.

Oral Questions

SELF-GOVERNMENT

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, the lack of this government's leadership on aboriginal issues was shown once again as courts were left to make controversial rulings about logging rights on crown land.

As aboriginal leaders and premiers meet today to discuss constitutional issues, will this government now show leadership and state support for both ongoing formal participation of aboriginal leaders in constitutional talks and for constitutionally recognizing aboriginal peoples' inherent right to self-government?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, this government's position on self-government is very clear.

● (1455)

We introduced a policy recognizing the inherent right to self-government and our government is working in partnership with First Nations to ensure the development of those self-governing bodies that will allow for better and more timely application of programs and strategies for our aboriginal people.

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HALIFAX AIRPORT

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, my question is for the Minister of Transport. Yesterday at the aviation conference, he said that he would like to have the opportunity to refute some of the negative remarks in the newspapers about the devolution process regarding the Halifax airport. I am pleased to give him the opportunity.

I wonder if he could give assurance to the Halifax airport people that Halifax airport will get the same investment, the same facilities and the same consideration as the airports in Winnipeg and Ottawa got under their devolution process because they all have about the same volume of traffic.

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I can unequivocally guarantee the hon. member that Halifax will be treated the same way all other cities in the country have been treated in the negotiations.

I do not propose to negotiate in public. This is a matter between my officials and the Halifax Airport Authority but we have appointed a management consulting firm of accountants to give a third party opinion. I hope that all sides can be bound by the results of that study.

*Oral Questions***VIA RAIL**

Mr. John Cannis (Scarborough Centre, Lib.): My question is for the Minister of Transport. There has been speculation in the press lately that the government is considering restructuring VIA Rail in order to accommodate partnership with the private sector.

Can the minister clarify what the government's intentions are regarding the privatization of VIA Rail?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I think all Canadians have a commitment to the continuation of the passenger rail service. I think VIA's management has done an outstanding job at reducing costs over the last few years.

With the level of subsidy that VIA has at its disposal, it does not have the money to refinance for new equipment. We have to find other ways. What I said in a speech yesterday is that we should look at bringing in the private sector, perhaps with some kind of franchising arrangement.

I will be asking the Standing Committee on Transport to look at all these matters in the new year so that it can give us its advice and so that there is a wide spectrum of opinion for the government to make its decisions on.

* * *

AIRBUS

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, my question is for the Prime Minister.

Brian Mulroney and indeed every Canadian is entitled to due process of law. It is obvious to everyone, to the RCMP and to every Canadian that the case against Brian Mulroney is frivolous and vexatious.

Brian Mulroney is an innocent man and the Prime Minister knows it. For that reason, his government approved a settlement in the case that Mr. Mulroney brought against the Government of Canada.

To allow the investigation to carry on, the Prime Minister is suggesting that there is—

The Speaker: The hon. member for Nanaimo—Alberni.

* * *

THE ENVIRONMENT

Mr. Bill Gilmour (Nanaimo—Alberni, Ref.): Mr. Speaker, last week in Regina the provinces reached an agreement to limit greenhouse gas emissions to 1990 levels by the year 2010.

However, the federal government has not said what its position will be, whether it will be going with the provinces' position or take something else to Kyoto.

My question is what is the position of the government in Kyoto? Secondly, what is the plan to achieve these targets? What is the position? What is the plan?

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, we still have not heard any position from the Reform Party. The reality is that we had a federal-provincial communique last week in Regina in which the provincial ministers said that they agreed that the federal government should have flexibility with regard to our targets.

They said that they wanted emissions reduced by approximately 2010 and agreed that there should be further reductions after that. We wish that the Reform Party would show some concern for the environment and its serious national interest.

* * *

[Translation]

FOREIGN AFFAIRS

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Suzie Robitaille's five children have yet to be released by their father in Egypt, and an agreement between Canada and Egypt has yet to be signed. But the Minister of Foreign Affairs said he would travel to Egypt to try to resolve the matter.

Could the minister, who is now back from Egypt, tell us whether he discussed Mrs. Robitaille's situation with his Egyptian counterpart and signed an agreement recognizing Canadian court rulings?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, indeed, I made representations directly to President Mubarak of Egypt, who promised to immediately look into the matter and take appropriate action.

* * *

● (1500)

[English]

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the government has just confirmed Greenpeace findings of lead content in children's toys and vinyl products that is higher than Health Canada guidelines. It then had the gall to dismiss its own findings by stating there is no significant risk to children.

Why does the government not care enough about the health and safety of children to do something about this serious issue? Would the Minister of Health himself buy for his children a product with dangerously high levels of lead and cadmium like this particular product?

The Speaker: Colleagues, I urge you not to bring any props into this House. The question then I will rule out of order. That brings to a close our question period.

I have notices of questions of privilege from the hon. members for Sarnia—Lambton and York South—Weston. And I have a point of order from the member for Pictou—Antigonish—Guysborough.

PRIVILEGE

DRAFTING LEGISLATION

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, pursuant to the notice I gave yesterday I rise on this question of privilege.

Yesterday morning the legislative counsel office advised me that in response to a request for a status report on a private member's bill being drafted for me that the work of drafting this legislation is in the hands of a classroom of students at Ottawa University. This advice came by phone and subsequently by letter.

I am aware that the recent annual report of the House of Commons alluded to a partnership between this House and the University of Ottawa with respect to training students. That being noted and as a consequence I would submit the following to you as a *prima facie* case of privilege.

First, giving this drafting assignment to a classroom of students is placing in the public domain certain ideas which I assume would be first tabled in this House at first reading of the bill.

Second, as a member I have the right to assume and I have the right to expect that work carried out on my behalf will remain confidential; that is, out of the public domain until such time that it is in fact tabled in this House or released by me.

I would hardly think that a classroom of students at a public university in any way meets the test of confidentiality of bills being drafted. It is in fact releasing work in progress from a member's office into the public domain.

• (1505)

Third, sending this matter to a university class for drafting goes outside the parameters of the authority of the Board of Internal Economy.

Mr. Speaker, as you pointed out in a ruling on October 23 of this year, section 52(3) of the Parliament of Canada Act vests in the board the administrative rights with respect to members and staff. Clearly by farming out this work to a university class, the board has no control or authority over these drafters. These students are clearly not staff of the House of Commons. In fact, by falling outside the purview of section 52(3) they are clearly and plainly in the public domain.

Fourth, if work in my office is to be released into the public domain either by me or my staff or House staff, my consent is necessary. This work was sent to the legislative counsel's office on the assumption that it would remain confidential. Without my consent it has been released to a classroom of students, which is by any definition not a confidential setting.

Privilege

Finally, in the letter I received from the House this morning I was advised that my file was being directed by Professor Keyes at the University of Ottawa. Interestingly, this person is one and the same John Mark Keyes who works as a lawyer for the Department of Justice. This was confirmed by placing a phone call to him this morning at his office at the Department of Justice.

One of the fundamentals of privilege is that members be able to do their work free from the interference of the crown. In other words, a member of this House does not resort to employees of the crown for advice, yet that is what occurred when my file and presumably others were sent to him and to his class at the University of Ottawa.

Is it not interesting that a Department of Justice lawyer has advance notice of private members' bills being drafted and has input into their creation? That, I understood, was the reason for the creation of the legislative counsel.

Clearly this is a serious matter of privilege. As the defender of the rights and privileges of members, I submit to you, Mr. Speaker, that this releasing or delegation, or whatever you want to call it, of confidential work in progress to a classroom of students is in fact releasing into the public domain, without my consent, work or matters which are confidential. It is a *prima facie* case of privilege.

With your permission I would move that motion.

Second, giving this file to a Department of Justice official, a crown official, is also a matter of privilege, and with your permission I would move a second motion on that.

Third, I would suggest to you that there is a residuary discretion vested in your office to correct decisions of the Board of Internal Economy when that board inadvertently intrudes into matters of privilege.

In this regard I acknowledge the general principle, as enunciated by you, that the board can regulate generally the office of the legislative counsel. However, at some point the board made a decision that passed through the threshold of reasonableness and in fact became a question of privilege, as evidenced by sending members' drafting requests, requests that are expected to be confidential, to a class of students at a public university and to a Department of Justice lawyer.

Mr. Speaker, I request that you exercise this discretion and acknowledge that the decision made by the Board of Internal Economy to allow students to do our drafting work is evidence that there is inadequate legislative counsel support for members.

If you make the comparison, and I acknowledge that this is only a comparison, that there are two legislative counsel in the other place and there are still only two for members of this House, then I

Privilege

have to say that the members of the other place have on a pro rated basis three times the level of service that we have.

Certainly the cuts by the board, I would suggest, have passed the point of determining the general operations of the legislative counsel's office and have triggered the threshold of privilege.

Once again, with your permission, I would move a third motion on this.

• (1510)

The Speaker: The hon. member for Sarnia—Lambton has made his case. I would like to look into some of the allegations he has put forth. I will reserve judgement on this until I get more information. I want to satisfy myself. When it is necessary I will come back to the House on this particular question of privilege.

On a second question of privilege, the hon. member for York South—Weston.

ORAL QUESTION PERIOD

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, I would like to thank you for recognizing me today during question period to ask a question.

While the Speaker has the right to recognize members of Parliament during question period to ask questions, I would submit to you, Sir, that every member of Parliament except cabinet ministers and perhaps parliamentary secretaries has the right to ask questions in the House of Commons. To deny a member the opportunity to ask questions during question period, whether the member of Parliament is a government backbencher or a member of the opposition, is a breach of that member's rights and privileges.

A practice has developed, and it started developing before you became Speaker, where opposition members of Parliament who did not belong to a political party were treated in a different fashion from opposition members of Parliament who belong to political parties and indeed treated differently than government backbenchers. That practice is to recognize those members of Parliament who do not belong to political parties in the last five minutes of questions period.

More important, the practice has developed where those members of Parliament who do not belong to a political party are denied the opportunity to ask supplementary questions. There is no valid basis for that form of double standard, not only with respect to members of Parliament on the oppositions side who do not belong to a political party but also to government backbenchers because they too are treated differently in that they are not permitted to ask a supplementary question.

I would ask that you review this practice, which has developed over the years, with the view to treating every member of Parlia-

ment the same, treating every member of Parliament in a fair fashion.

I was elected, just as all other members were elected, by constituencies. We were given a mandate to represent our constituents to the best of our abilities. By allowing this practice to continue, Mr. Speaker, you are discriminating against the voters of my riding and the voters of the other members who find themselves in a situation where they do not belong to a political party. That is discriminatory. I would ask that you review the practice.

The Speaker: My colleague, I would of course not want to be discriminatory either in question period or in the debates.

What I have tried to do over the years but surely during the last two weeks in this Parliament is ensure that more members of Parliament can take part in question period. I think that by and large, because it was the will of the House, the questions seem on the whole to be much shorter and the answers seem to be much shorter. We have been able to get in more members of Parliament.

If what the hon. member is suggesting is that every member who stands has a question and a supplementary, that would be something I could consider. This would have some other ramifications in the rotation and in the number of people.

There are some parties that have chosen, instead of having a question and a supplementary, to have a question by one member and a second question by another member. I find no problem with that.

If what the hon. member is suggesting is that there always be a supplementary, I will consider it. If it is feasible to do such a thing in question period I will consider it in the hopes that this will make for a better question period.

• (1515)

It has been my view, and I share it with you openly, that the more members who can get on for questions the more questions we can get answered. It would make in my view, but it is only my view, of course, for a better question period.

I say in compliment to the House that whereas in last term we were getting in maybe 22 to 24 questions in a question period it is not uncommon for us now to get in between 38 and 42. In that way I believe it has improved.

I am always open to suggestions from members of Parliament. I will take your suggestion under advisement, if that is what it is. It is not a point of privilege if you want me to rule on that.

Mr. John Nunziata: Mr. Speaker, you did not give me the opportunity to finish my submissions. I am afraid you have misinterpreted my submissions.

If it is your wish to get more members of Parliament asking questions, that is fine. What I am saying is that a practice has developed and you know that a practice has developed because all the questions I have asked in the House since Parliament has

reconvened have been between 2.55 and 3 p.m. On no occasion have I been entitled to a supplementary question. In fact today you did not even give the government an opportunity to answer the question that I was about to put.

The Speaker: I do not want to enter into a debate with the hon. member. I believe he has made his point and, as I said, I will take it under advisement. I have been trying to get the questions in, in a reasonable amount of time. I would encourage all members. As a matter of fact most questions today came in, in quite a reasonable amount of time, but there were some discussions on before we came in.

The hon. member is an independent member and of course he would fall directly under my purview. I am very, very much aware of that. By way of improving the question period I will take the suggestions under advisement.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I appreciate the opportunity to rise. I just want to put on record that we in the Conservative Party support the contention of the government member who spoke previously on his point of order. Similarly I just want to speak very briefly with respect to the hon. member for York South—Weston.

My reading of his question of privilege is that in fact as an independent member he is more vulnerable perhaps to the process that we have undertaken. I fully appreciate your position in the chair, Mr. Speaker, as having to try to equitably distribute the questions both between government and opposition members. An extensive negotiation process went into that.

I want to support the hon. member in his contention that he must be given an equitable portion of that and that having his question earlier in the question period may involve some significant rotation point, so I do rise in support of that issue.

The Speaker: I thank the hon. member for his opinion with regard to that. Was that his point of order?

Mr. Peter MacKay: No, Mr. Speaker.

* * *

POINTS OF ORDER

TIMING OF PRESENTATION

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am sure that you as Speaker are aware that at the close of question period there seems to be a rush to the exits. I would just put to the Chair that it is my feeling points of order and questions of privilege do affect and have a significant impact on the governing of the House which you have to oversee.

Points of Order

I am just wondering if there is some way to effect a more prompt interjection on your part, Mr. Speaker, in having these points of order heard before the entire body of the House.

The Speaker: I can appreciate your request to have as many members here as possible to hear points of order. However, in the House of Commons members are free to come and go as they will.

I would encourage hon. members, if they are interested in the points of order and the questions of privilege being raised, to indeed stay to hear them. If it proves to be beneficial for them then so much the better.

ORAL QUESTION PERIOD

Mr. Ted White (North Vancouver, Ref.): Mr. Speaker, I want to add slightly to your consideration of the question raised by the member for York South—Weston.

Perhaps you can consider the impact on the rest of us of agreeing to the suggestions made by the member. If he were to receive a supplementary question on the odd occasions he is here and asks a question, I do not think it would detract much from the rights and privileges of the rest of us.

• (1520)

I hope you will take that into account, Mr. Speaker.

The Speaker: I appreciate the magnanimity of the member. Yes, I will take that into account.

DRAFTING LEGISLATION

Ms. Colleen Beaumier (Brampton West—Mississauga, Lib.): Mr. Speaker, I would like to add some comments to the question of privilege raised by the hon. member for Sarnia—Lambton. It is very important for you to understand what this means to back-benchers and for private members' bills.

It is absolutely impossible for me to understand how this could happen. It is not only a matter of privilege but it denigrates Private Members' Business.

The Speaker: Of course I appreciate the hon. member's remarks. I have not yet decided if it is a question of privilege or not. I am going to look into the matter and when I have satisfied myself one way or another I will return to the House if it is necessary.

Ms. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, I too would like to comment on the matter of confidentiality. It is absolutely disturbing to think, with no disrespect to the university or to the students, that bills are being proposed and prepared for Private Members' Business through a student body at the university.

Again with no disrespect intended toward the students, my concerns are to ensure privacy and the legal framework under

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which our business is being conducted. I always believed that drafting for private members' hour was carried out by individuals under the direct control of the House.

I would first like to know if the Board of Internal Economy was aware of this and, more important, I would like to add my observation that in my opinion this is a case of privilege.

The Speaker: I thank the hon. member for her opinion that it is a case of privilege, but I am sure she will give me the latitude to decide whether or not it is a case of privilege.

The information has been well documented by the hon. member for Sarnia—Lambton. I will look into the matter and try to get to the bottom of it.

I have already ruled on this issue in the sense that it was not privilege but was an administrative matter. A few more points have been brought into the debate, which is why I want to take my time and look at all aspects to see if we can come up with something else.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I would like to add my support to the hon. member for Sarnia—Lambton.

I raised the same concern a month ago in the context of the process. We as members are not being allowed to decide this in the House of Commons. It is being decided by the Board of Internal Economy. We are not being given direct input.

I raised a question of privilege on that and I have not had a reply as yet. Things are getting worse and worse as we continue down this road. This needs to be addressed and I would like to see the whole House discuss it at some point.

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, I want to put on record for the whole House and all parties involved that the Speaker who chairs the Board of Internal Economy and presides over our meetings does not act arbitrarily. We seek his guidance quite often but ultimately in the end we as representatives of our parties deal with subject matters such as the one before the House now.

On one hand I am pleased that hopefully by next week the other place will have given us royal assent on the Parliament of Canada Act which will bring other representatives from the New Democratic Party and the Conservative Party to the Board of Internal Economy.

The House should be reminded that this issue has had a fair amount of debate at the Board of Internal Economy. I know the hon. member for Sarnia—Lambton and other colleagues from my side speak to me almost daily about the issue. I encourage members from the other parties to do likewise with their House leader and representatives.

• (1525)

Hopefully next week when the board resumes its meetings the issue will be resolved.

[*Translation*]

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, I would like to add my voice to those of my colleagues because, earlier, the hon. member for Hochelaga—Maisonnette wanted to address this issue, but you did not recognize him. So, with your permission, I would like, on his behalf, to tell the House that the Bloc Québécois very enthusiastically supports the point raised by the hon. member.

This having been said, and as pointed out by the chief government whip, the issue has already led to intense discussions within the House of Commons' Board of Internal Economy, and while I am prevented by my oath of office as a member of that board to elaborate, I am surprised to see that the unanimity reached in the House does not exist within the Board of Internal Economy.

[*English*]

The Speaker: So much for that. I do not want you to get into any secrets here.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, since everybody else was weighing in on this weighty matter I just thought I would put on record that the NDP caucus shares the concern raised by the member for Sarnia—Lambton.

We hope in the days to come that this can be dealt with successfully in the places where it should be dealt with. In my judgment it is not a question of it not being dealt with by Parliament just because it is being dealt with by the Board of Internal Economy. The Board of Internal Economy consists of representatives of the various parties.

If the member has a problem he should take it to his member on the board and not suggest that somehow Parliament is not dealing with it, because that is how Parliament does deal with it.

The Speaker: I thank you very much for your interventions. I will take all that under consideration. I am going to come back to the House if necessary.

GOVERNMENT ORDERS

[*Translation*]

CUSTOMS ACT

The House resumed consideration of the motion that Bill C-18, an act to amend the Customs Act and the Criminal Code, be read the second time and referred to a committee.

Mr. Odina Desrochers (Lotbinière, BQ): Mr. Speaker, when the hon. member opposite gave his reply and his comments on the

speech I made before question period, you told me I would have a few minutes to reply to his questions and comments.

Therefore, I would like to know how much time I have left to complete my remarks.

[*English*]

The Acting Speaker (Mr. McClelland): The hon. member for Lotbinière is quite correct. He has the floor to respond to a question previously put. We will resume debate after the hon. member has responded. He has five minutes left in questions and comments.

[*Translation*]

Mr. Odina Desrochers: Mr. Speaker, obviously, my colleague opposite was a bit surprised at the many questions I had about Bill C-18, an act to amend the Customs Act and the Criminal Code.

You will understand that we in the Bloc Québécois are here to genuinely defend Quebec's interests, and when we see the way our friends opposite have been behaving since the beginning of this 36th Parliament, it goes without saying that we are even more on our guard, since the government, using all sorts of excuses, all sorts of national guidelines, is trying to interfere in matters that concern the Government of Quebec.

• (1530)

When I see, for example, what they did with Dorval airport, where an agreement had almost been concluded with the Sûreté du Québec to assume responsibility for airport security and the federal government stepped in and imposed the RCMP, you will understand that, because of the powers that will be given to our customs officers with Bill C-18, members of the Bloc Québécois want to make sure that provincial jurisdictions are respected.

When someone is apprehended at the border point, a process will be set in motion and things must be clear, that is to say that it will be the Sûreté du Québec and the courts of provincial jurisdiction, as the provincial authorities, that will have control regarding possible charges laid by the legal system.

I also asked a few questions that were not answered. For instance, I asked the hon. member what assurances she had given union representatives. She replied that she had received a letter. I did not, however, hear anything specific about whether seniority clauses will be respected and whether the collective agreement of people represented by the Public Service Alliance of Canada will also be respected. So, with this in mind, the Bloc Québécois would like things to be clear.

The throne speech delivered not all that long ago made the federal government's intentions clear; it intends to use every opportunity to get involved in areas under provincial jurisdiction, so we are going to remain very much on our guard in reading bill C-18.

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I would remind you, however, that we are very much in favour of Bill C-18 as such, since the statistics I have given offer a very good explanation of why we would like to see customs officers' powers enhanced. However, we want to see all of this happen with the utmost transparency and we want to see provincial jurisdictions respected throughout the process of passing the legislation, of training the customs officers, of renovating Canada Customs posts.

I think that everyone, if treated fairly, both in Quebec City and in Ottawa, will be very pleased with the passage of Bill C-18, for which I reiterate my support.

Mr. Claude Drouin (Beauce, Lib.): Mr. Speaker, I would like to split my time with the hon. member for Niagara Falls.

I am very pleased to take my turn at expressing support for Bill C-18, which will give Revenue Canada customs officers the additional powers they require to enforce the Criminal Code at the border. It will be recalled that Bill C-89 ought to have been passed last March, but the elections intervened and it was put off.

This bill will have a positive impact for all Canadians, particularly those in Beauce, where we have the Armstrong border crossing. It will allow us to fill in a gap in enforcement which currently prevents our officers from intervening at border crossings to control criminal behaviour, such as impaired driving, child abduction, the possession of stolen goods. It also gives officers the power to arrest and detain any individual for whom there is an outstanding arrest warrant.

Bill C-18 will reinforce Revenue Canada's commitment to protect Canadians. Thanks to our position at the border, we have a unique advantage in identifying and intercepting criminals. We want to take advantage of our advantageous position. The bill will transform enforcement of the Criminal Code at the border considerably. It will in fact allow us to intercept criminals at the border and consequently to provide the communities in our country with better protection.

We can assure Canadians that we will provide customs officers with training that will equip them to perform their new duties in a fair and responsible manner while remaining within the law.

• (1535)

The government's position is that there is no need to have personnel at the border carry firearms, as this could, moreover, escalate violence instead of helping resolve conflicts. Customs officers perform their jobs effectively without firearms, and everything leads us to believe that this is the way it will always be.

What it means is that they will be able to intervene without waiting for the police when they believe someone has committed, or is in the act of committing, an offence under the Criminal Code. They will, for instance, be in a position to take the following steps: detain impaired drivers; take a breath sample, hand over to the police those whose alcohol level is high enough to justify their

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taking a breathalyser test; detain or arrest suspected child abductors; arrest or detain persons against whom a warrant for arrest has been issued under the Criminal Code. Customs officers will hold suspects in detention until the police can intervene. This makes a huge difference in the enforcement of the Criminal Code at the border.

It is essential to bear in mind that customs officers will use these powers only within the framework of their duties at entry points. They will not take part in investigations under the Criminal Code. With the exception of testifying in court, they will not take part in investigations once the police have intervened.

At present, customs officers have the power to arrest and detain persons for offences under the Customs Act and the Excise Act. But when they observe Criminal Code offences, the only line of action open to them is to notify local authorities. The purpose of the bill put forward today is to confer on designated officers the power to arrest and detain persons who contravene the Criminal Code. This means that customs officers will have the power to perform arrests for such offences as impaired driving, child abduction or, as I said, possession of stolen goods.

It is important that this bill be passed as quickly as possible so that selection and training can start. We hope to implement this program within six to nine months after the bill is passed. We intend to apply the program at all ports of entry, starting with those with the heaviest traffic and the largest number of Criminal Code offences.

Every manned border crossing will have designated officers responsible for enforcing the Criminal Code. We are glad that the various police forces at the municipal and provincial levels, as well as the RCMP, welcomed this change. With this legislation, the police will be able to rely on customs officers to arrest and detain at the border any person suspected of a Criminal Code offence, which will make a big difference in the workload of the police.

We plan to continue discussions with the provinces and with our federal colleagues to finalize the implementation plan.

Designated officers will be vested with the powers required to arrest or detain persons suspected of violating the Criminal Code. These officers will work at ports of entry across Canada and will have direct contact with travellers wishing to enter Canada. Immediate response powers will only be granted to those full time customs officers who have received appropriate training. That is why I am pleased to support Bill C-18 today.

[English]

Mr. Gary Pillitteri (Niagara Falls, Lib.): Mr. Speaker, I am pleased to speak in support of Bill C-18, legislation reintroduced in this House to give customs officers new powers under the Criminal Code.

This legislation continues the good work carried on in Bill C-89, a bill that died when Parliament was dissolved prior to the last federal election.

• (1540)

Customs officers are our first line of defence in keeping drugs, contraband and illegal firearms out of the country. I am proud to lend my support to Bill C-18. I believe this legislation will make our communities safer and will be beneficial for border communities such as the one that I have the privilege of representing federally.

Under this new legislation, customs officers—many of my constituents happen to work as customs officers as there are four point crossings in my constituency—would provide first response capability at the border.

Bill C-18 will make the enforcement of our criminal laws more efficient and effective and will help to render every community in Canada a safer place in which to live.

Under the proposed legislation, customs officers will be given the capability of detaining or arresting at the border those individuals suspected of having committed criminal offences, for example, impaired driving or child abduction.

At present, customs officers have the power of detaining and arresting individuals who commit customs act offences such as smuggling. Customs officers also have the authority to search and seize goods such as illegal drugs, firearms, contraband tobacco and liquor and prohibited materials such as child pornography from entering Canada.

A study conducted in 1995 concluded that the existing situation was unacceptable and it proposed an extension of customs officers' powers to include Criminal Code offences. The recommendations made by this study received support by many important organizations and groups such as police forces, Revenue Canada employees and the customs excise unit.

History showed us that if customs officers had had in the past the powers, lives could have been saved.

Six years ago, sexual predator Jonathon Yeo was prevented from entering the United States at the Niagara Falls border crossing. He was armed. American officials alerted Canada Customs that an armed man was heading back into Canada. Sadly, Canadian officials did not have the legal right to detain him. As we know, he went on to murder three people before killing himself. One of the victims was the daughter of Priscilla de Villiers, founder of CAVEAT, a group that has been pushing for expanded powers for customs officers.

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In the case of Mr. Yeo, the jury believed that customs officers should have been able to do more to assist the police. I believe that the proposed legislation is consistent with the jury's recommendation.

Our customs officers encounter many criminal situations while on duty. I know, as many of my colleagues here know today, that Canadian customs officers perform their duties in an exemplary way. For example, in the last two and a half years, customs officers were faced with 8,500 different suspected impaired drivers, almost 200 incidents of suspected child abductions, cases of individuals who were subject to arrest warrants and more than 500 individuals who had in their possession suspected stolen goods, most being motor vehicles.

These kinds of crimes are not acceptable in our community as they are hurting all of us. At this point we may ask: By delegating additional powers to customs officers are we putting them at risk? Bill C-18 will ensure that customs officers will receive additional training. Customs officers will be trained to ensure that they act fairly, responsibly and within the confines of the law in carrying out their duties.

• (1545)

Customs officers in my riding have raised the issue of bullet proof vests. The Department of Revenue will make bullet proof vests available to those designated officers who believe that their personal safety will be enhanced by choosing to wear a protective vest.

Many of the youths in my riding get jobs during the summer as customs officers. Some may ask if those student customs officers will receive first response powers. The answer is no. First response powers will be restricted to a fully trained, permanent customs officers, full time and part time, who have direct contact with people seeking to enter Canada at points of entry. Designated officers will respond to the Criminal Code situation identified by the students.

From the time this bill receives royal assent it could take six to nine months before it would be fully implemented. Customs officers will receive full training during that time and holding facilities will be constructed at border points across the country. This initiative will strengthen the already excellent working relationship between Revenue Canada customs and the RCMP, which will represent a more efficient way in which to help my own community of Niagara Falls and Niagara on the Lake and indeed every community in Canada a safer place in which to live.

I am aware that some customs officers believe that they should carry a weapon for their personal protection. However, I believe and it is my government's position that introducing firearms at the

border is unnecessary. In fact, it could be a serious mistake. We have to bear in mind that this is not entirely new ground for customs officers. They are already designated as peace officers for the purposes of the customs act and to date they have demonstrated that they have no need for firearms to fulfil their responsibilities very safely and efficiently. Arming them in fact could invite more violent behaviour on the part of criminals. If not handled properly, an officer's firearm could provide a would-be criminal with a weapon that could actually be used to injure or kill the officer.

The role the government has in mind for our customs officers will be to provide a first response service. They will not be expected to participate in a Criminal Code investigation or transport prisoners. Police will intervene at the earliest possible stage.

As I said before, a great many of my constituents work as customs officers. I am well aware that they are carrying out a tremendous job with Child Find Canada and Operation Go Home in trying to alleviate the suffering for all those who experience the pain of missing or abducted children. Customs officers have every reason to be proud of their contribution to Canada's efforts to return abducted children to their homes. They have always acted professionally and completely within the scope of their authority.

The legislative changes called for in the legislation we are debating today will enhance their ability to assist with the retrieval of missing children because it will enable them to detain suspected abductors and turn them over to the appropriate police authority.

I am in favour and I lend my support to Bill C-18. To those who are saying that the government has the intention of creating another police force, I say these measures are a means of assisting police in their work, not replacing them. Under this legislation customs officers will be authorized to only make a preliminary action to hold suspects until police arrive.

I am in favour of and I am pleased to support Bill C-18. While I fully endorse this initiative, I am asking the House for the speedy passage of these changes that will benefit my community and other communities across Canada.

• (1550)

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it is a pleasure today to speak on Bill C-18. As previous speakers have mentioned before, you will find a great deal of consent in the House for this bill. It is a bill that is long overdue to give our customs officers the powers they should have had a long time ago, powers in effect of a peace officer.

As we mentioned before, they are repeatedly confronted by situations that at times are dangerous but historically they have not had the power to enforce the law at our borders.

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As a result, at times we have seen some tragic results of individuals who have been murdered. The hon. member across the way mentioned Ms. de Villiers who was murdered by Mr. Yeo who came into this country when he was turned away by an American immigration officer, after which the American immigration officer told our forces on the other side what was occurring. There was a failure to respond.

I might say at this moment that our officers who work at the borders do an incredible job under extraordinarily difficult circumstances and we can all be very proud of the work that they attempt to do under those difficult circumstances.

However, let us just talk a little more about this bill. As we said before, it does give the power of peace officers to our customs officers, but we have some concerns over this.

Number one is the concern of the repeated use of students in roles that at times could be dangerous. It has been noted in this House that at times up to 90% of customs officers working in areas that are high traffic, high density and potentially dangerous are covered by students who have only two and a half weeks of training.

This is not to denigrate the students but we must believe that these students must have the adequate training and the protection for themselves to carry out the job.

As time passes, as criminals become more desperate, as our borders become more porous, the need for these officers to be trained appropriately and have adequate protection is going to become even more urgent.

I can only impress on the government that these students who were working in this position for their sake must have the appropriate training and protection that they require.

It is a failure of this bill that it does not address that. This bill also does not address the cost factor. We recognize the need for it but the government must also be prepared to let us know where the costs are coming from.

Perhaps the way to recoup these costs without dipping into the public purse would be to use the moneys from drug traffickers and people who are trying to bring contraband across our borders.

For too long the penalties that have been placed on individuals trafficking and bringing illegal contraband into this country have been ineffective.

Criminals know that if they come into this country and they are caught, the chances are the penalties they receive will be minuscule compared with the profits from criminal behaviour.

I will give one example right now and I will get to more later. If one were to smuggle five handguns into this country in a box one could charge over \$50,000 for those handguns. The margin of profit is enormous.

We know from our correctional services that many times the penalties for trafficking, the penalties for using weapons, are often plea bargained away to get an expeditious conviction. That sends a message of absolutely zero penalty to the criminal.

Let us go through some of the flaws of the system that we have had for too long. I will go through them piece by piece.

Canada has a large porous border and the problem we have with respect to weapons is not Bill C-68. It is not criminals going and getting a firearms acquisition certificate and going in and getting a course, applying for a permit and then committing a crime. Those criminals who are using illegal weapons in the commission of a crime are doing so generally with weapons that are smuggled across our border. They are smuggled across our border because there has been a failure to block off this serious problem.

Canadians are paying the price for this and we have done an appalling job of trying to prevent this among us. The government's response to this is to invoke Bill C-68 which, at least the part that has to do with registration, will do almost nothing to make our streets safer and I would argue would make our streets less safe because of the costs incurred in trying to bring the system forward. The hon. Minister of Justice knows this right now.

• (1555)

Rather than investing its efforts into Bill C-68, I would ask that the government invest in supporting our peace officers on the line and in the line of duty to do their job and to also support and enforce the existing penalties in our justice system.

Second, we will talk about drugs, another very important substance that is coming across our borders in contraband. We have again failed to do this.

It was interesting to hear, in speaking to law enforcement officers recently, that if someone is charged with a crime, unless it is murder or an extremely serious offence, they are released on bail. Because of overcrowding due to a failure in investing in judges and crown counsel, we have such a backlog in our system that individuals who are guilty of serious crimes, crimes that affect innocent civilians across this country, are being let go or are being given paltry penalties. Criminals are walking away laughing because they know that our system is so backlogged. It is such a bureaucratic morass right now that the criminals are getting away, which does nothing to bring confidence into the justice system for the people of this country.

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If one looks at the amount of crimes reported in this country, over 70% of violent crimes are never reported. Over 80% of rapes are never reported. Over 70% of break and enters and assaults are never reported. It is not because of the police officers who are doing their hardest to do their jobs. It is because the public has little confidence that these individuals are going to be prosecuted.

Bill C-18 can go a lot further in trying to enable our customs officers to enforce the law.

The trafficking of illegal immigrants and criminals into this country is a serious problem, mentioned before by members of the government and from our side. This cannot be overlooked. Although we have a large border, it is not impossible to deal with this issue. It is in fact essential for us to do that.

If an illegal immigrant comes to this country with a criminal record and is posing a threat to innocent civilians in Canada, be they immigrants or citizens, is it not our responsibility to do what we can to protect them? It is a lot more expensive to try to get somebody out of the country once they are here than to prevent them from coming across our borders. I think we need to keep that in mind.

Alcohol is another substance that is brought into our country across the borders and is a very serious matter. Cigarette trafficking has also been a serious problem. The government invoked a bill to decrease the price of cigarettes. That did nothing to decrease the conduit of smuggling. It decreased the trafficking of cigarettes north-south but did nothing to decrease the trafficking east-west. Furthermore, it increased trafficking east-west.

In my province of British Columbia we have a serious problem with cigarettes coming from the east and people making a profit as a result of that. A much more serious issue is the health consequences of that bill, which has committed over a quarter of a million young Canadians to pick up cigarettes.

There was an answer that would have decreased smoking among youth and would have also decreased the trafficking. It was to bring forth the export tax. The government did that but it also dropped the price. The export tax alone on cigarettes would have cut the legs out from the trafficking of cigarettes north-south.

When Mr. Mulroney did this, I think in 1992, within seven weeks the smuggling of cigarettes decreased by 70%. The Conservative government of the day backed down because the cigarette companies said they would get out of this country if the government did not pull the export tax. What did the Conservative government do at that time? It stuck its tail between its legs and removed the export tax. The smuggling continued. It does nothing to diminish one aspect of cigarette trafficking. We have to address all the components of trafficking which are the conduits. Bill C-18 does go some way to do that and I congratulate the government for pursuing that course.

• (1600)

Finally, I will talk about endangered species. The smuggling and trafficking of endangered species in Canada is a serious problem. Canadians may be interested to know that we are one of the top countries in the world for the smuggling of endangered species products, everything from powdered rhino horn, tiger bones, penguin bones, rare orchids, rare butterflies and birds. All of these are brought into Canada and shipped to other parts of the world and we are culpable.

The failure to act in this area has resulted in the decimation of some very important species, species that could have benefits for all of us, but more important are the heritage of everyone in the world.

The black rhino population has been decimated by 98% over the last 20 years and the elephant population by over 80%, but is now starting to replenish. The Bengal tigers of India were for a time increasing after some measures were invoked by India. Because of rampant trafficking and slaughter and the lax system for trying to apprehend people who are doing this, the tiger population is plummeting.

There are other species such as the Sumatran tiger and the spotted cat of China which are being decimated in large part because of the trafficking in these animals.

It is a shame that we as a country that prides itself in standing for justice, fairness, one which is sensitive to the environment, would not enforce the laws dealing with endangered species. Canadians would be interested to know that there are only a handful of hard working, overworked, and underfinanced fish, game and wildlife officers who are trying to prevent the decimation of these beautiful creatures. They cannot do it.

Another problem in their job has been the failure of the justice department to invoke penalties that fit the crime. Individuals who are trafficking in gall bladders laugh at the penalties. The penalties meted out to them are nothing compared to the profits of the trafficking in endangered species. But there are some solutions.

Perhaps the government would entertain the idea that instead of using students in front line customs positions as Bill C-18 alludes to, which could be potentially dangerous, perhaps they could be used with fish, game and wildlife officers to search for contraband. Then we could get a better handle on apprehending individuals who are trafficking in drugs and contraband materials.

The government could also invoke the Pelly amendment such as the legislation that exists in the United States which would give a lot of teeth to try to prevent the trafficking in endangered species.

In closing, I would again like to lend our support to Bill C-18 and commend the government in its pursuit of this important legislation which will finally give our customs officers the power they

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require to do their jobs safely and effectively. I would also ask the government to for heaven's sake make sure that the students who are working in those positions are trained properly and protected from harm. Let us also ensure that the courts will be empowered to enforce the law in our country.

It will be for the justice minister to take a very close and brutally honest look at the justice system as it is presently and to finally delve into the serious problems we have in trying to ensure that justice is met, that the Canadian public will be protected and that criminals will be arrested and will pay the penalty for breaking the laws in our country.

• (1605)

Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, I thank the hon. member opposite for his thoughtful presentation.

I want to address one of the areas of misunderstanding which he has about the bill. He believes quite honestly that students will have the first response powers. That is definitely not the case. I have stated that a number of times in this House today.

I want to assure him that the decision has been made to give these extra powers to full time and permanent part time employees but they will not be given to the student officers who we utilize in customs, and utilize quite well I might add, having been one in 1974 at one of the busiest border points in Canada, the Niagara border point.

He can be assured that the decision has been made and that his concerns are unfounded in this regard.

I believe that we have a smart border in Canada. I do not say that just because it sounds nice. We have designed our customs administration to protect Canadian society, and not only against contraband. We have set up a system which facilitates legitimate travel and legitimate trade. We use our intelligence networks to target high risk situations.

Canadians have to understand the volume we are dealing with. It is a very large border. We are processing approximately 109 million travellers a year at our border points. We expedite our trade. We all know that one out of three jobs in this nation is dependent on trade. It is a growing area. It has grown from the time we took power in 1993. At that time it was one in five jobs and now it is one in three.

We are dealing with 158,000 large importers and exporters. There is a huge responsibility at our border crossing points to expedite and professionally deal with trade. However, we must always be on the lookout for the other element of society which tries to get through our screens. It is a big responsibility.

It is important to understand that the first line people are going to be assisted by this legislation. That is really important to understand.

The numbers are phenomenal and they are growing. In 1996-97 Revenue Canada processed \$248 billion in trade, representing more than 28 million transactions, resulting from 10 million commercial entries.

This is very important for the hon. member to understand. He raises many different areas in his speech in which he has an interest but which are not truly the subject matter of this bill. However, I am glad to hear that the hon. member is in agreement with the subject matter of this bill.

I will let him comment on my comments, but I did want to correct the misunderstanding involving the students.

Mr. Keith Martin: Mr. Speaker, I thank the hon. parliamentary secretary. I know how hard she has worked on this and so many other issues and I appreciate her comments.

We want to ensure, as I am sure all members do, that our students are protected and that they are carrying out their duties in a manner which is safe, primarily to them as the youth of this country.

However, I would like to bring to the attention of the hon. member two things which I hope she takes back to the minister. The first is the potential visa requirement which Canadians will have when they cross the border.

As the hon. member mentioned, trade is very important to our country. Living in Victoria, it is exceedingly important to my neck of the woods, which has over 600,000 Americans coming in every year to spend their money in Victoria and the surrounding areas. It is a serious issue for the people of Victoria. It is a serious issue, as she knows, for Canadians across this country.

I cannot impress upon her enough that she speak to the minister and ask that he use all of his power to convince the Americans that we require an exemption from this visa requirement. It is ludicrous for us. It will hurt the Americans even more so if the visa requirement is imposed.

• (1610)

Second, in my speech I gave a number of I hope constructive suggestions that she may take back to the minister, not the least of which was the issue of detailing the different contraband materials that come into this country, the failure of the justice department to deal with this issue once people are brought to trial, the need for effective penalties as a dissuasive measure for criminals and lastly on the endangered species aspect to ensure that our fish and wildlife officers have the manpower to carry out their jobs.

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I suggested that perhaps students could be used in part in less dangerous aspects of their job in doing searches, not only for endangered species but also for other aspects such as drugs and weapons that students could be utilized for. That might be a cost effective way to try to damn up our border which is very porous and needs to be plugged.

The Acting Speaker (Mr. McClelland): The Chair was aware that the member for Esquimalt—Juan de Fuca was very clever in bringing some added relevance to the debate. On questions and comments, the hon. parliamentary secretary.

Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, we are all aware of relevancy. Some of those issues which were raised by my hon. colleague across the floor are not particularly relevant to this bill as it stands and is going forward today.

The questions of justice are relevant at any time to our whole Canadian society. We are constantly looking at ways of doing our work better. I think it is always useful to hear different views and suggestions presented in a constructive manner.

Although it is not relevant to this bill today, on the issue of the visa I would like to say that certainly it is very serious. Not only our minister but more importantly the Minister of Foreign Affairs is dealing with this issue with the Americans at this point in time on their piece of legislation that could affect us. That, as the hon. member knows, is being dealt with not only on the political level but on the diplomatic level with our ambassador and on other things that have been out there.

We are aware of the seriousness of this issue. I just did not want to leave this debate without addressing that problem because I thought it was too large an issue not to say some words on it.

I thank the hon. member and all hon. members on all sides of the House who have contributed to the debate today. I think we have an unusual consensus in the House. I hope now that this bill can move toward closer examination at the committee stage with a consensus in the House.

Mr. Keith Martin: I would like to thank the hon. member again for her statement. I want to again impress upon her the fact that we need to ensure that Canada has an exemption for this. As she is well aware, from an economic perspective it would be economic suicide for the Americans to invoke these requirements on Canadians.

I am sure that there is a model from which we can work more co-operatively with them, although we do work very well with our American friends now on the issue. Perhaps there is more we can do to ensure that we have a greater co-operation between our respective law enforcement officers and that we do not see the tragedy that was mentioned before by a member from her side on the situation of Mr. Yeo who murdered Ms. de Villiers. We never ever want to see a tragedy like that repeated in this country.

I am sure, Mr. Speaker, you will find co-operation on our side, from members on our team who are willing to help the government ensure that we have the toughest and most constructive bill possible for the benefit of Canadians.

• (1615)

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

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DRINKING WATER MATERIALS SAFETY ACT

The House resumed from November 5 consideration of the motion that Bill C-14, an act respecting the safety and effectiveness of materials that come into contact with or are used to treat water destined for human consumption, be read the second time and referred to a committee.

The Deputy Speaker: The Chair is informed that when this bill was last before the House the member for Hamilton Mountain had the floor. Since the member for Hamilton Mountain is not on her feet the debate goes to the other side of the House.

The Chair recognizes the member for Macleod on debate.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I believe the member for Hamilton Mountain had completed her discourse at any rate. That would be why she is not here.

The bill is designed to make sure that Canadian drinking water is safe. I am strongly in support of it but there are some difficulties. I am always concerned when I am on the save wavelength as members of the Bloc. On this issue members of the Bloc and I are in concurrence.

Water control has traditionally been a provincial matter. The bill is purported to look at materials, piping, filtration, chlorination systems and matters that are not supposed to be under provincial control. I have tried to look at it from an unbiased perspective and to say initially what need exists for Bill C-14.

I have gone to the organizations in Canada currently involved in this area. For the benefit of all Canadians, let me list those organizations. They are the Canadian Bottled Water Association, the Canadian Institute of Plumbing and Heating, the Safe Drinking Water Systems Coalition and the Canadian Soft Drink Association.

I contacted these groups for their expertise, advice and guidance. I was fascinated to find these expert organizations to a group are all opposed to Bill C-14. Whenever I find opposition of that nature I ask what need exists for the bill.

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I went to each one of the organizations. I have quite a series of documents from them. I want to highlight some of their concerns. Let me start with the Canadian Safe Drinking Water Systems Coalition.

This group says that it tried very hard to have its opinion heard by Health Canada and has been singularly ineffective in that approach. It is bizarre to me that a group that has an interest in the issue would not be well heard. I read that the minister says consultation was broad and thorough. It says neither are in fact accurate.

This group has a number of concerns. It says there is no documented scientific case for the regulations, no problems that warrant this degree of intervention. It says that nationwide infrastructure codes and standards are already in place, safe, excellent drinking water standards.

It goes on to talk about problems with things that are not correct, warranties that are wrong, and that there are hazardous products acts and mechanisms to deal with them. It talks about Revenue Canada customs already having the ability to look after enforcement at the border. It goes through a host of things the bill purports to address.

• (1620)

The Canadian Institute of Plumbing and Heating also expressed very vigorously that its attempts to contact, meet with and influence Health Canada were rebuffed. It wanted to co-operate but there was poor notification of the introduction of the legislation. Its attempts to meet with Health Canada were difficult. It is also having difficulty finding the scientific need for the legislation. There are problems with our water supply but it says not in the areas the bill approaches.

This group gets quite specific. It supplies roughly 90% of the domestic distribution of components such as pumps, pipes, valves, fittings and faucets, and 90% of the home use water filtration. It simply says the bill is unnecessarily intrusive and expensive.

I could go on but I probably should not do so because time is relatively short here. Let me say that the groups most affected are the industry individuals, the bottled water association and plumbers. They are not small groups. One group I mentioned comprises 600 Canadian manufacturers and installers. When it says the bill does not seem to have a great need, is intrusive and could be very expensive, my ears perk up.

Is this an effective use of our resources when it relates the needs of Canadians for safety and friendliness? Costs are uncertain. I have seen significant estimates of costs, but I cannot dig up any cost estimates from the government. They were unavailable. Many other areas are far more desperate for funds than this area. There

are waiting lines for health care, poor technology for health care and massive loss of nurses and lab technicians, just to name a few.

I listened to the speech by the member opposite as it related to the bill, hoping that she would enlighten me and give me the pearls of reason for going down this road. I picked up a pearl from the member for Hamilton Mountain. She said one problem with the bill was the issue of cryptosporidium infection. The doctor that I am, I went to my Cecil textbook of medicine. For those listening who want to do this, it is the 20th edition, page 1910, where it mentioned cryptosporidium.

I looked at whether the bill would help patients infected with cryptosporidium. Let us cut this monster word down to something understandable. Maybe I could call it crypto. This organism causes diarrhoea. It is worse in AIDS and immune compromised patients, those whose immune system is messed up. It is not treatable so it would be a good idea to prevent it. Most Canadians would recognize that.

There are eye infections in the young in communities where there is warm wet weather and in communities where there is overcrowding. This is not something common to Canada. It is spread from animals to humans. It can be spread from humans to humans, usually by contaminated source water. It does not show up in the pipes. It does not show up in treatment facilities. Unsanitary conditions are the main problem. When found in treated or untreated water it is resistant to common disinfectants. In other words it is a tough bug to kill, a tough bug to have any impact on. The bill will be singularly ineffective in combating cryptosporidium.

The pearl of reason for going down this road in my judgment was not sufficient. I searched more and I found some scientific information from a group that felt the bill was not sufficient to suggest where we could go in a constructive way. Reformers try not to only oppose. We try to say that there are some problems with fresh drinking water and that maybe we should go in another direction.

• (1625)

Here are my suggestions for the minister and for those who might be interested. There are problems with our drinking water. They are generally problems at source. In other words, our well water is not so good and our commonest problem with well water is leaking sewer pipes. That is eminently fixable but it is not eminently fixable by regulations. It is eminently fixable by going into the ground to fix the infrastructure, to fix the sewer pipes.

The scientific study found estimates that leakages from sewer pipes were from 10% to 35%. Some municipalities do not have a clue how much is leaking. The recommendation, because these sewer pipe discharges may penetrate groundwater supplies and

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contaminate well water, is to fix the leaking and rusted sewer pipes. Funds should be spent to start fixing the infrastructure.

There were more scientific studies to look at our drinking water in a broader context. I found them to be quite satisfying. We have been paying attention to our drinking water. The Great Lakes are a fascinating source. It is a mini capsule look at how we are doing with the environment. It is interesting that the industrial discharge of phosphorous into the Great Lakes has dropped from 20,000 tonnes to 7,500 tonnes over the past 20 years.

The study measured PCB levels in herring gull eggs. They have dropped over some 20-plus years from 160 parts per million down to below 20 parts per million.

Doom and gloom is always wonderful, but Canadians do enjoy a pretty good standard of drinking water. Maybe some individuals who say that environmental legislation is totally ineffective should reflect upon the success we have had.

Two reasons for my rejecting the bill would be if it were intrusive into an area where there was no need and if it were potentially very expensive.

Broad categories seem to come from our legislators today. I also have concerns about the regulatory and inspection components of the bill. They are very broad powers of inspection. They are unspecified fees. The governor in council, which is fairly typical, may make regulations that are necessary for anything they want to do.

I have objected to every single bill when I have come across broad regulations. I have tried to find other constructive mechanisms to see what could we do with the regulations. My constructive suggestion is that they should be brought to the committee that passed the legislation. Quite frankly I hope the bill does not pass but I presume the majority will get it through. The regulations should come back to the health committee.

We had a mini victory on the tobacco bill that passed in the last parliament. It was an accident but the regulations on the tobacco bill must come back to the health committee.

I cannot say how strongly I feel it is necessary to have scrutiny by the individuals elected to look at regulations so that we do not have a framework of a bill in parliament and then intrusive regulations doing things that were never intended.

I think I will be making this comment throughout my life as a parliamentarian. I simply say that broad regulations that are not specified are not a good idea. Bureaucrats are not the best individuals in this area. We need to have public scrutiny of regulations and of other things such as fees and bills. It is amazing to look at some of these fees, \$300,000 for breaking some of these acts. Three hundred thousand dollars may not be much to a bureaucrat who is used to dealing in billions but it is sure a lot to the company representatives I spoke with.

• (1630)

The following statement summarizes how I feel about this bill, why I am opposed to it and suggest strongly that Parliament reject it. This bill further allows the federal government to pickpocket us under the guise of what it deems is best for us. This bill is unnecessary. This bill is intrusive. This bill is potentially expensive. For those reasons I will oppose it vigorously.

[*Translation*]

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, Bill C-14 deals with the safety and effectiveness of materials that come into contact with or are used to treat water destined for human consumption.

This legislation is patterned on Bill C-76, which was introduced by the former health minister. Clause 3 states that its purpose is:

—to protect the health of Canadians by providing for the certification and regulation of drinking water materials; the making of national drinking water quality guidelines—

In recent years, we learned that we must be very vigilant whenever this government introduces a bill because, as the Reform Party member pointed out, certain provisions often go well beyond the stated intentions.

Upon reading Bill C-14, one quickly realizes that, while claiming to promote good will and public health, the government is taking direct aim at areas under provincial jurisdiction, and this is an affront the Bloc Quebecois cannot let go unchallenged.

Let me elaborate. Quebecers feel, rightly so, that drinking water is a collective wealth, just like wheat in the prairies or oil in Alberta. It is a resource found in abundance in Quebec and, given the population growth and the increasing number of droughts, water will undoubtedly become a highly coveted resource in the 21st century.

In the past several months, a large number of experts, company and government agencies officials and elected officials have expressed their views regarding the privatization of water management, the development of groundwater and the export of water. This is not a coincidence, given the increasing importance of this natural resource because the world population is expected to reach 10 billion people during the 21st century.

Therefore, Quebec has a duty to do its best to preserve this resource for itself and also for other nations that might need it some day. It is therefore important to give the matter some thought so as to be able to make the right choices based on our values of fairness and solidarity.

It will therefore be easily understood that the people of Quebec want to see a serious, comprehensive policy for the management of this resource. Once again, however, with Bill C-14, the federal

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government is trying to get a foot in the door and increase its control, let us be frank, to cover everything to do with water.

Where is this bill coming from and why is the government suddenly getting involved in the management of drinking water? For though the minister firmly denies it, this is indeed what is happening. Despite vigorous protests to the contrary, the government actually wants to regulate everything to do with water—water collection, distribution, supply, and treatment systems—in order to take in, as stated in clause 2 of the bill:

(d) any thing or class of things prescribed by the regulations to be a drinking water material;

So it is giving itself the power to regulate everything it finds useful to regulate.

As a brief background, until the late 1980s, it was common for the provinces and territories to take advantage of the program allowing them to consult the U.S. Environmental Protection Agency. This program helped in determining what treatment additives or system components should be used in drinking water supply systems.

• (1635)

When the EPA announced in June 1988 that it was closing down its consultation program, some provinces sought assistance from Health Canada. They suggested to Health Canada that it fill the void by regulating treatment additives and drinking water system components. It need hardly be pointed out that this call for federal intervention did not come from Quebec.

Since then, the federal government has been looking for a way to regulate several aspects of drinking water management. The strange thing is that it did not ask itself why the Americans had abandoned national regulations. Was general neglect the option chosen? Of course not.

In fact, many states now take it upon themselves to oversee the safety of water materials, according to their own standards. This is an example of decentralization that this government should consider more closely.

But on the federal side, they are constantly looking for ways to fill this regulatory gap which may threaten the quality of drinking water. But what about this gap? How wide is it?

On the Quebec side, we have our own provincial regulations. There are five departments with a key role in the management of drinking water. The Quebec department of the environment and wildlife has considerable powers in deciding the fate of water related projects. That department must approve any project dealing with the construction of water systems, water intakes, feeding systems for water treatment, sewage systems and facilities for

treating waste water, and it has had these responsibilities since at least 1978.

In addition, under the Environment Quality Act, that department has the authority to deliver operating licences for water delivery and sewage systems, to monitor water quality and waste water management, and to oversee the disposal of riverbeds and sea floors and their shorelines. That department is also responsible for the construction and maintenance of storage reservoirs for water from lakes, ponds, rivers and waterways.

The Department of Natural Resources has responsibilities throughout Quebec that have a profound and lasting impact on water management. It is responsible for water resources and for Hydro-Quebec, for the management and use of public lands and for the mining industry. It also assumes provincial responsibilities related to mapping, surveying, land registers, geology and remote sensing.

The Department of Municipal Affairs also has a key role in municipal decisions on the construction and management of water facilities. Under the municipal code, municipalities can amend or repeal regulations to allow any company or individual to build or manage water facilities. Furthermore, the municipal code provides that all regulations must be subject to the approval of those entitled to vote and of the government.

Municipalities have tangible and critical responsibilities in the area of water management. They must ensure that individuals and businesses can drink this water. Cities own and manage most water systems. They are responsible for the production and distribution of drinking water, and for the collection and treatment of waste water.

The Acting Speaker (Mr. McClelland): Sorry to interrupt.

It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Longueuil, Pay Equity; the hon. member for Hochelaga—Maisonnette, Tobacco Legislation; and the hon. member for Yukon, Foreign Affairs.

Resuming the 30-minute debate period. The hon. member for Drummond.

• (1640)

Mrs. Pauline Picard: Mr. Speaker, another department, Agriculture, Fisheries and Food, has always had considerable influence on soil and water management in rural Quebec, for example through programs for land drainage, water course excavation, grain crop development and dairy and swine production. In the early 1990s, this department turned to sustainable development by focusing more on resource conservation, soil degradation and

erosion, and reducing underground water and ground water pollution by pesticides, fertilizers, manure and effluent.

It can be clearly seen that, even in the absence of federal standards, Quebec and several Canadian provinces are not leaving this field uncontrolled, nor are the various independent bodies studying the various facets of the issue and advising governments, departments and municipalities on management techniques and improvements to be made to the regulations in place.

Finally, the Government of Canada has certain powers available to it for intervention in the environmental field, in agriculture, fisheries and the protection of navigable waters.

We are not fools, however. Since the government cannot intervene directly in water management, it is going through the Department of Health to get a foot in the door. It does this, of course, in the name of public health. This is the only way it can interfere once again in a field that does not belong to it. It would have been presumptuous to intervene directly given that the provinces would have reacted and criticized this additional meddling by the federal government.

Under section 109 of the Constitution Act, 1982, formerly section 108 of the British North America Act of 1867, ownership of lands and natural resources belongs to the provincial crown. The power of Quebec and all other Canadian provinces to establish legislation on water and other environmental matters derives from this right of ownership.

This is why the federal government's intervention in the area of drinking water through Bill C-14 comes to us from the Department of Health and not from Environment Canada. Even though health too is a matter of provincial jurisdiction, the federal government has always felt free to intervene, program after program and national standard after national standard, in this area of jurisdiction clearly attributed in the Constitution to the provinces.

Last Tuesday, the Minister of Health accused us of being opposed to safe water and common health standards for all Canadians. That is totally wrong. We all want to be on the side of the angels. Who would not want our drinking water to be safe? No one, either in Canada or in Quebec, wants to eliminate basic public health criteria. The minister, the Prime Minister and everyone in the federal government are all fully aware of this.

What is sad is this impression, this feeling of superiority or lack of trust in the provinces, this notion that, if the federal government does not look after the problem, nobody will, this idea that there are some things that are too important or too complicated for mere provinces to deal with without screwing up.

This typical federal government attitude is what lies behind many of the rules, politely referred to as "national guidelines",

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imposed on the provinces. The impression is given that, especially in Quebec, people are just waiting for certain guidelines to be dropped to dismantle the health system, when it is very well known that Quebec has always been a leader in the public health sector.

The recent examples of home care and drug plans, which were introduced by Quebec and which the federal government is now trying to imitate, are a clear indication that the provinces have nothing to learn from the federal government when it comes to the administration of health care, any more than they do in other areas coming under their jurisdiction.

But if we are to believe the government, everything would be in a mess if there were no national guidelines. So it is taking no chances and Bill C-14 contains a reference to national guidelines.

• (1645)

Clause 5, under the *National Drinking Water Directives*, reads as follows:

5.(1) In order to encourage the provision of quality drinking water throughout Canada, the Minister may, after having consulted the provinces, establish national guidelines respecting

- (a) the concentrations of organisms, organic and inorganic substances and radionuclides, naturally occurring or otherwise, in drinking water;
- (b) the physical and chemical properties of drinking water;
- (c) the aesthetic characteristics of drinking water;
- (d) the methods for analysing drinking water; and
- (e) the collection, treatment, storage and distribution of water destined to be used by humans for drinking or for washing the body.

Merely reading this clause is enough to clearly see that the stated goal of simply regulating "materials that come into contact with or are used to treat water destined for human consumption" is largely exceeded.

The concentrations of organisms, the physical and chemical properties of water, its aesthetic characteristics, the methods for analyzing drinking water: all this is far from the definition of "drinking water material" found in clause 2 and which reads as follows:

(a) any device or article manufactured, sold or represented for use in modifying the composition, characteristics or properties of water destined to be used by humans for drinking—

Part (b) reads:

(b) any chemical or biological substance, or any organism, manufactured, sold or represented as a means—for modifying the composition, characteristics or properties of water destined to be used by humans for drinking or for washing the body—

I could go into more detail but, in short, the provisions deal with devices, chemical substances manufactured and sold to be added to water, replacement parts, etc. Nowhere does it say that Bill C-14 is intended to regulate the colour, odour or any other physical or chemical property of drinking water as stipulated in clause 5.

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In addition, the Minister of Health was categorical in his response to questions from the Bloc Québécois about the purpose and scope of Bill C-14. He said, and I quote: "What the bill does is regulate a matter entirely within federal jurisdiction; that is to say, standards for the manufacture, sale and use of mechanisms and equipment used in connection with the transporting of drinking water."

Manufacture, sale and use of products used in connection with the transporting of water, but nothing about national guidelines respecting the colour, chemical composition and physical properties of water as stated in clause 5 of the bill. If that is not doublespeak, I wonder what is.

About the inspectors, and I agree with my colleague from the Reform Party on this, Bill C-14 also contains a clause on the enforcement of the bill's provisions. It provides for the appointment of inspectors, once again duplicating what already exists in the field.

Not only is this duplication, the powers conferred on inspectors are very broad. At clause 17.(1), the bill states:

If the conditions for obtaining a warrant under section 487 of the Criminal Code exist in respect of the commission of an offence under this act but by reason of exigent circumstances it would not be feasible to obtain the warrant, an inspector who is accompanied by a peace officer may exercise the powers of search and seizure provided in that section without a warrant.

You will understand that, as the inspector would be accompanied by a peace officer, one can wonder why the inspector, and not the peace officer, should be the one authorized to exercise these powers without a warrant. Who will decide where and when to act? Who will determine that it is appropriate or necessary to obtain a warrant? Peace officers are trained to make this type of decision, and they do so under very strict and clear rules. As for Bill C-14, it is definitely not clear in this area.

When they talk about consultations, they seem to imply that an agreement has been reached. This is not an agreement, this is a consultation. In addition to the interference, the double talk and the lack of clarity surrounding Bill C-14, there is the government's casual attitude in saying: "We have consulted everyone, we have responded to the provinces' requests and we have the agreement of all the provinces to go forward with this bill." As with jurisdictions and national standards, the facts are not as simple as the minister would have us believe.

In fact, there has been no political agreement between the federal government and the Government of Quebec on the management of drinking water.

• (1650)

On this point, the Minister of Health, for whom I have tremendous respect, went quite far in this House by quoting during question period a letter from Quebec's deputy minister of health

dated May 1996 which, according to him, confirmed Quebec's approval of the bill at that time.

In fact, he read only one sentence, taking it completely out of context and going against the spirit of the letter. He quoted Quebec's deputy minister of health as saying: "As far as protecting public health is concerned, we therefore have no objections to this bill going forward—"

Yet, in that same letter, it was clearly stated that agreement for such a project, which involves provincial jurisdiction over natural resources, had to come not from the Department of Health but from the Department of the Environment and Wildlife, which is in fact responsible for the management of drinking water. But the Minister of Health was very careful not to read that part.

Why? Why make such a statement that support has been granted, by misquoting a letter he knew we would receive? In short, why trumpet that everyone, including Quebec, supported the bill when this is not the case at all?

But one thing that is certain is that Quebec did not give its agreement on this issue. There has never been any, nor will there be because, as has already been said, Quebec has become far more aware of the need to take control over everything concerning water, its transport, its processing, its use, in short every facet of that resource.

To summarize, drinking water falls under the jurisdiction of the Government of Quebec and we are looking after it.

In conclusion, I would like to inform you that Bill C-14 is inappropriate and must not be passed. There is already too much duplication, too much encroachment, too much interference in areas where, most of the time, provinces already have their own legislation. Is there any need for another piece of legislation?

I would like to tell you that the bottom of the river is federal, but the water flowing in it is provincial. Fish are federal until they are out of the water, then they become provincial. Launches are federally registered, but constructed according to provincial standards, of course in keeping with federal safety regulations. The shores are provincial, but the ports are federal property.

With this bill, drinking water would be a provincial jurisdiction, whereas its physical and chemical properties, as well as the materials to carry it, would become a federal jurisdiction. There is something absurd in all of this.

Recently, in a Throne Speech, the government made a commitment to no longer interfere in areas of provincial jurisdiction without provincial agreement. No one really believed this. Fortunately not, because once again the federal government is showing us what it means by good management and respect for jurisdictions as far as the environment is concerned. They want to harmonize the laws and regulations, but the words were barely out of their mouths before they intervened with legislation on environmental

protection, the oceans, endangered species, and now Bill C-14 with all its implications.

It encroaches on three areas of provincial jurisdiction, namely health, natural resources and the environment. It dictates national standards on the quality of drinking water. It creates new duplication in drinking water quality control. It is not subject to provincial approval and was never approved by Quebec.

For all these reasons, each sufficient in itself, the Bloc Québécois cannot support this bill in any way.

Mr. Speaker, I would now like to table an amendment. I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following:

"this House declines to give second reading to Bill C-14, An Act respecting the safety and effectiveness of materials that come into contact with or are used to treat water destined for human consumption, because it does not because it does not take into account provincial jurisdiction over natural resources and health."

• (1655)

The Acting Speaker (Mr. McClelland): The Chair takes the amendment under advisement for the time being and will return to the House shortly with a decision.

[*English*]

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to begin the debate on behalf of the New Democratic Party on Bill C-14, known as the drinking water materials safety act.

On first blush and at face value, one would perhaps immediately jump to the opportunity of giving this bill our enthusiastic support. If one looks at and reads through the background material that the Minister of Health has provided on Bill C-14 we read the following:

Some drinking water materials may contaminate drinking water, for example by leaching lead or by failing to destroy or remove micro-organisms. This could put the health of Canadians at risk. Currently, only 30% of product models of components and devices sold in Canada are certified to accepted North American health based standards on a voluntary basis.

There is not a person in this House I am sure who is not interested in this government's assuring all Canadians that the water we drink is safe and free from any toxins, contaminants or poisonings. There is not a person in this House I am sure who would not be interested in this government's guaranteeing every Canadian that the water we drink, the food we eat, the air we breathe and the drugs we must take for medical reasons are safe at all times.

It would be so much easier to address this bill and give it wholehearted support and endorsement if we knew that was the kind of framework from which this government was operating and

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if we knew that there was a philosophical commitment to providing measures that would guarantee that the products we intake are safe at all times.

There is no question about the need in this country for a very tough regulatory, proactive position on the part of the government on such fundamental issues that pertain to the health and well-being of every Canadian.

In that context, we have a great deal of difficulty trying to place this bill in the broader context and trying to understand its motives, its purpose and what it is attempting to accomplish. On every other front we are seeing the opposite. We are faced with a government that is rapidly moving out of regulatory approaches. It is rapidly seeking ways to privatize areas once assumed to be areas for government intervention. We are seeing a government increasingly tied to the demands of transnational corporations on a global scale.

I only have to go back as far as question period today when we raised a very important issue pertaining to lead poisoning. Lead poisoning is found in a great number of children's toys and vinyl products on the market today.

• (1700)

I remind members in this House of the kind of actions we have seen, or lack thereof, from this government on such an important issue.

Let me put it in context. We had findings previously unveiled by Greenpeace about high lead content and high cadmium content in a number of children's toys and products.

The government, the Minister of Health and Health Canada all agreed that this was an issue worth exploring and proceeded to do their own studies of high lead content in products that end up causing serious neurological disorders when that poisoning enters the body.

The government released its findings a short while ago and verified that there is a very high lead content in a number of those products. In fact, it demonstrated that the lead content and the cadmium content in a good number of those products was even higher than the findings of Greenpeace.

That was acknowledged but the key point to it all and why this is so relevant to a debate on water and the safety of water materials present in our society today is that this government then said "Yes, the levels are high. Yes, they exceed Health Canada's standards but there is no risk to children in our society today".

What was the reason? Something to do with the fact that unlike the miniblind issue, these products were not necessarily subject to high heat intensity or to sunlight and therefore were not going to release that lead poisoning. Never mind the fact that there was a

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level of poisoning that far exceeded Health Canada's standards to begin with.

My question today is where does this legislation come from? What is it intending to achieve? What regulatory framework does it fit into? How firm is this government in meeting its current obligations never mind pursuing any other standards or any other regulatory approaches?

Do we not have a critical situation now in Health Canada in all those areas I have mentioned: drugs, food, water and air? We have a government that is in the middle of very quietly moving toward a privatized deregulated approach seeking to reduce its liability. Those are the words right out of the departmental document outlining the full intentions of this government.

What is the result of that approach? We have lost a valuable research bureau on drugs. We no longer have an independent body in this country for assessing the impact of certain drugs allowed into this country and their interaction with other drugs, their interaction with foods, their interaction with environmental toxins.

Come on, a regulatory body of utmost importance has vanished. Costing what? \$2 million to \$3 million. That is what this government is saving by ridding this country of one of the most important regulatory bodies that we have in the whole drug field.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, I rise on a point of order. This is a very important debate. We are talking about the federal intrusion of provincial jurisdiction and I do not see a quorum here. In fact, I even have trouble seeing the government sitting in this House to hear this debate.

The Deputy Speaker: I do not see a quorum. Perhaps I should ring the bells. Call in the members.

• (1705)

And the bells having rung

The Deputy Speaker: I see a quorum.

The hon. member for Winnipeg North Centre may resume her speech.

Ms. Judy Wasylcia-Leis: Mr. Speaker, the drug bureau is gone. This is a very important part of health protection in the country under which the regulation of water standards fall.

We also know how close we came to losing the food research bureau. Under the government's agenda cuts were made and because of pressure from activists in the community, pressures from the House and disclosure in the media the government was forced to back off that issue for now. However, we know the agenda is still alive and well.

What about the water and air research lab of the Health Protection Branch. Where is it and when will it fall? Where is it on the agenda?

How can we talk about standards and about protecting the health and well-being of Canadians and ensuring safe water supplies when the government is busy behind our backs eliminating every regulatory measure and every research capacity we have to ensure the health and safety of Canadians.

That raises a very serious point with respect to this bill as well. So much of what has happened has been done without the benefit of parliamentary debate. It has been done in the most secretive manner possible. It was attempted in the dead of summer, without the benefit of public knowledge and input.

Here we are today with a bill which according to the minister is the result of consultations held with various groups throughout the development of the legislation. He goes on to say "These stakeholders include representatives from industry, public health, consumer groups and standards organizations".

Why are we now starting to get correspondence and calls from stakeholders in all of those areas questioning where the bill came from, why it is on our agenda and why they were not consulted?

The health critic for the Reform Party has touched on this issue. Let me elaborate. The Safe Drinking Water Coalition attempted to have dialogue with the minister and indicated to him by letter on July 31, 1997 that the coalition was prepared to work with the minister to ensure that standards pertaining to drinking water materials were adequate.

That coalition includes the Canadian Association of Pump Manufacturers, the Canadian Copper and Brass Development Association, the Canadian Institute of Plumbing and Heating, the Canadian Water Quality Association and the the Nickel Development Institute. That is a significant number of organizations in the country that tried to dialogue with the minister, were prepared to work with him on the so-called standards that the minister says are necessary. Now they are wondering where this legislation came from.

Mr. Garry Breitzkreuz (Yorkton—Melville, Ref.): Mr. Speaker, on a point of order.

Less than five minutes ago we requested that there be some people on the government side listening to the debate, especially the ministers who have introduced this. We feel it is very important. I think that if they cannot even sit here for five minutes and listen to the debate, we have a problem in this House.

The Deputy Speaker: I am afraid I do not hear a point of order in what the hon. member has said.

Mr. Garry Breitzkreuz: I am calling for a quorum count.

The Deputy Speaker: Oh, the hon. member is calling for a quorum. If he had stated that more succinctly I would have started the count.

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• (1710)

And the count having been taken:

The Deputy Speaker: I see a quorum.

The hon. member for Winnipeg North Centre.

Ms. Judy Wasylcia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I was commenting on the minister's claim that Bill C-14 is brought to this Chamber as a result of a very serious and thoughtful consultation process.

All the evidence points to the contrary. In fact, we do not have any evidence before us to show that this minister consulted and that there are groups coming forward to say "This bill is important and we want to see you support it". We have had nothing but individuals and organizations contacting us to say "This is a complete surprise We've been talking to the minister. We've been offering to help to ensure that the standards are up to whatever level the minister wants. We're prepared to do anything".

In fact, the Water Quality Association had promised to do a serious scientific assessment of the risks associated with drinking water consumption with respect to drinking water material. That study is in its final stages and is about to be released, probably as early as next week.

Why is it that the minister was not prepared to consult fully, to wait for that kind of helpful advice and then make a decision pertaining to legislation that might be in order? Why are we now left with the situation with every group coming to us saying "Bill C-14 is very controversial. Bill C-14 should not be before this Chamber. Bill C-14 is not necessary".

We do not have any evidence to the contrary. We do not have a shred of evidence from the minister or from any other group to say exactly what this bill is supposed to do, what standards are not now being met and what the problems are. Yet we know that this bill, if applied according to the way it is laid out, will place very hefty fines on those who deviate from these standards or guidelines, very significant costs to the consumers of this country, and yet we do not know the reason.

• (1715)

All of us, at least on this side of the House, are prepared to say that we need strong regulations. Sometimes they cost money, but we have to pay if they are important in terms of the health and well-being of Canadians. However, we are faced with this legislation today and we do not know where all of this money is going to go. What will it accomplish? How will it protect us? What does it mean?

The chair of the Standing Committee on Health said to wait until the standing committee gets the bill, but we are here debating on principle. We are here to try to make a judgment call about whether

to support this bill in principle or not. We cannot because all of the evidence suggests that there is not a basis for this legislation and that in fact these high standards that the minister talks about could be achieved in other ways.

As an example, I refer to the fact that the Water Quality Association has pointed out that it is prepared, with the minister, to look at the NSF International standards and to apply those standards here in Canada. As I understand it, one of the intentions of this bill is actually to use those international standards, probably provided by NSF International, which is a private, not for profit U.S. standards agency, which has representation from industry, Health Canada and provincial representation here in Canada as well as representation from the United States.

We have a bill which will supposedly look at those standards and apply them here in Canada. We have a council for water quality. We have a coalition of people concerned about safe drinking water. We have a whole lot of other consumer groups which are prepared to say they will look at those standards, consider those standards and work with us if that is what we think is the best model.

It begs the question why this legislation? What is it for? What is the rush?

On the basis of what we have read to date and on the basis of the input that various community organizations are providing it is not supportable at this time.

What are the priorities of this government? Why are we dealing with this legislation at this point when the government is busy dismantling all those agencies which ensure the health and safety of Canadians is protected?

On the topic of water, it begs the question of what this government is actually doing to ensure safe drinking water in all our communities. Just this morning at the Standing Committee on Health we dealt with issues pertaining to health care for our first nations and Inuit peoples. It was acknowledged that there are many problems which cause ill health, one of them being poor quality of water. Where is that on the priority list? Why are we not dealing with that in this House? Why are we dealing with legislation when we do not know what the risks are? Why do we need to change the standards? What is wrong with working with the groups concerned about safe drinking water?

On the basis of the kind of inadequate consultation process that we believe to be the case, on the basis of the evidence that suggests there may be no risks at present, on the basis of the fact that this government has been so hasty once more in pushing through this legislation without proper dialogue and consultation, we will at this point in time oppose this legislation. We urge the government to go back to the drawing board and come back with a meaningful plan based on proper consultation.

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Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.): Mr. Speaker, I listened to the hon. member speak against this proposed legislation. I believe the hon. member's heart is in the right place. She brought up some very thoughtful questions. She made some very thoughtful interventions.

• (1720)

I want to comment on a couple of the questions that the honourable member asked.

The first question was why the haste in bringing in this bill. This bill was first tabled in December 1996. This is not haste. This is just bringing something back that because of various reasons, breaks, et cetera, has not had due course in the House. Having first reading of the bill in December 1996 and talking about it almost a year later is considered to be haste.

Second, the honourable member spoke about lots of other very important health issues that she felt that the government should be dealing with at this point in time. Are we suggesting an either/or set of initiatives so that if we do safe drinking water we will not be paying attention to other issues? It is obvious that you cannot do all things at once, but this is important.

The question is why now. Why do we need this bill now? Why do not we wait until we have a lot of evidence, until there are innumerable small children who have died from gastroenteritis because of drinking unsafe water, until we have had lots of people become ill, and then when we have all that data, let's do something about it?

The whole concept of good public health policy is to be proactive. It is to protect people, to prevent. It is called preventive health care at its very best. This is what I see this bill about. I think that the question again is why not work with stakeholders. It is obvious that it is in the second component of this bill when it goes to committee that we will be hearing from stakeholders, where we will factor in all of the whys and wherefores and concerns and new ideas that will come in to strengthen the bill. That is what the legislation is about.

Ms. Judy Wasylycia-Leis: Mr. Speaker, I want to answer by asking a question in return to the member, because this goes to the heart of the matter.

Is it proactive in terms of the health and well-being of Canadians to eliminate the drug research bureau as part of the health protection branch? Is it proactive to eliminate a body which costs roughly \$2 million to \$3 million and lose any independent capacity in this country for ensuring that the drugs people take are safe? Is it proactive to try to dismantle the food research bureau in the health protection branch? Is it proactive to study the lead content of children's toys, identify an acceptable content and then say there is no risk for children? Is it proactive to pursue an approach of

privatization, deregulation and reducing the department and the government's liability when it comes to people's health and well-being?

Those are the key issues. How do we put this bill in that context if we have a government not committed to being proactive, to a regulatory approach in terms of the food we eat, the drugs we have to take for medical reasons, the air we breathe, the water we drink? How can we start understanding the need for this legislation at this time when we have organizations saying the standards the minister is talking about they are prepared to co-operate on, they are prepared to implement, they are prepared to enforce without the costs that will result from this bill if it goes forward?

The proactive approach is to demand a strong health protection branch, a strong role by Health Canada and to ensure that this government backs off its right wing agenda of privatization, deregulation and offloading. That is what I would like to hear from this government.

Mr. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I heard with great interest my colleague from across the way talking about privatization, deregulation, and so forth.

I am wondering if the member is sitting in the provincial legislature in Queen's Park in Ontario or if she is sitting right here.

Talking about privatization, I do not think this is happening here. But with great interest I heard that the member said that we do not have any dialogue with organizations, we have inadequate consultations, no proper dialogue. We have been at this almost a year. How much more do we have to wait, according to the member's sense of evaluation, until we have to see the light and get a proper bill on the table, which in my estimation this is, to get Canada moving? How much longer do you want to wait? Another two years until you have, in essence, dialogue with everybody or are you ready to move right now?

• (1725)

The Deputy Speaker: I know the hon. member will want to address the Chair in his remarks.

Ms. Judy Wasylycia-Leis: Mr. Speaker, the member raises the important issue of privatization that is happening at this level of government. He may not be aware of the number of steps that his own Minister of Health and other government officials have taken in that direction.

I would ask him to review the whole situation with respect to the elimination of the drug research bureau which costs taxpayers \$2 million to \$3 million and which means the loss of any independent research capacity when it comes to drugs and for which the minister answered by saying that the private drug companies can monitor themselves and do their own research. If that is not privatization what is?

On his second point, there are a number of organizations that felt they were in the process of dialogue with the Minister of Health and were prepared to work on the improvement of standards. They feel Bill C-14 came out of the blue in the middle of that consultation and dialogue.

If they were prepared to do that and were prepared to come forward with an important study about the scientific assessment of risks associated with drinking water and drinking water materials then why could we have not waited to see the results of the study? Why could we not have found ways to achieve these objectives other than a very costly mechanism which by the minister's own admission could cost consumers and taxpayers in the order of \$2 million?

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, could the member comment on the circular I received from the health department which stated that consultations were held with various groups throughout the development of this legislation. These stakeholders include representatives from industry, public health, consumer groups and so on.

Yet I presented to the House information that consumer groups and industry had tried very hard to be in touch with the department on this issue and had been denied. I have quite a correspondence from them. Does the minister agree with the fact that this consultation has been cursory and quite restrictive?

Ms. Judy Wasylcia-Leis: Mr. Speaker, the member is quite right in pointing to the number of organizations in terms of the industry, the health activist community and the interest groups that there was inadequate consultation if any.

Mr. Jim Karygiannis: Mr. Speaker, I rise on a point of order. I want to clarify with the member across the way what minister she is talking about. When the question is put to the New Democratic Party, what minister is the member actually—

The Deputy Speaker: I think the hon. member for Macleod was referring to the hon. member for Winnipeg North Centre. He meant to say member and he said minister. I believe that was the mistake that was made. Perhaps the hon. member for Macleod wishes to clarify the point.

Mr. Grant Hill: Mr. Speaker, if I made a mistake and called the member minister—maybe in another life. I did mean member. I was speaking of the Minister of Health having received this information.

The Deputy Speaker: I trust that clears the matter up.

[Translation]

I would like to speak about the amendment moved earlier by the hon. member, just before the speech by the hon. member for Winnipeg North Centre. It is the Chair's opinion that the amendment is in order.

Therefore, the next time the bill is considered by the House, the debate will be on the amendment.

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[English]

It being 5.30 p.m., the House will now proceed to the taking of several deferred recorded divisions.

Call in the members.

• (1750)

[Translation]

And the bells having rung:

* * *

PARENTING ARRANGEMENTS

The House resumed from November 5 consideration of the motion.

The Speaker: Pursuant to order made Wednesday, November 5, 1997, the first recorded division is on Motion No. 7, under Government Orders.

• (1800)

[English]

(The House divided on Motion No. 7, which was agreed to on the following division:)

(Division No. 23)

YEAS

Members

Abbott	Ablonczy
Adams	Alcock
Anderson	Assad
Assadourian	Augustine
Axworthy (Saskatoon—Rosetown—Biggar)	Axworthy (Winnipeg South Centre)
Bachand (Richmond—Arthabaska)	Bailey
Baker	Bakopanos
Barnes	Beaumier
Bélair	Bélanger
Bellemare	Bennett
Benoit	Bernier (Tobique—Mactaquac)
Bertrand	Bevilacqua
Blaikie	Blondin-Andrew
Bonin	Bonwick
Boudria	Bradshaw
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Brisson	Bryden
Bulte	Byrne
Caccia	Cadman
Calder	Cannis
Caplan	Carroll
Casey	Casson
Catterall	Cauchon
Chamberlain	Chan
Charbonneau	Charest
Chatters	Chrétien (Saint-Maurice)
Clouthier	Cohen
Collenette	Comuzzi
Copps	Cullen
Cummins	Desjarlais
DeVillers	Dhaliwal
Dion	Discepola
Dockrill	Doyle
Dromisky	Drouin
Dubé (Madawaska—Restigouche)	Duhamel
Duncan	Earle
Easter	Eggleton
Elley	Epp
Finestone	Finlay
Folco	Fontana
Forseth	Fry
Gagliano	Galloway
Gilmour	Godfrey

Supply

Godin (Acadie—Bathurst)
 Goodale
 Graham
 Grewal
 Hanger
 Hardy
 Hart
 Herron
 Hill (Prince George—Peace River)
 Hoepfner
 Ifody
 Jaffer
 Johnston
 Jordan
 Karygiannis
 Keyes
 Kilgour (Edmonton Southeast)
 Konrad
 Lavigne
 Leung
 Lincoln
 Lowther
 MacAulay
 Mahoney
 Maloney
 Manley
 Marchi
 Marleau
 Martin (LaSalle—Émard)
 Matthews
 McCormick
 McGuire
 McLellan (Edmonton West)
 McTeague
 Mifflin
 Mills (Red Deer)
 Morrison
 Murray
 Nault
 Nunziata
 Obhrai
 O'Brien (London—Fanshawe)
 Pagtakhan
 Paradis
 Patry
 Peric
 Pettigrew
 Pickard (Kent—Essex)
 Power
 Price
 Proud
 Ramsay
 Reed
 Richardson
 Robillard
 Saada
 Scott (Skeena)
 Solomon
 St. Denis
 Stewart (Northumberland)
 St-Jacques
 Stoffer
 Szabo
 Thompson (Wild Rose)
 Ur
 Vanclief
 Vellacott
 Wasylcia-Leis
 Whelan
 White (North Vancouver)
 Williams—227

Goldring
 Gouk
 Gray (Windsor West)
 Grey (Edmonton North)
 Harb
 Harris
 Harvey
 Hill (MacLeod)
 Hilstrom
 Hubbard
 Jackson
 Jennings
 Jones
 Karetak-Lindell
 Kenney (Calgary-Sud-Est)
 Kilger (Stormont—Dundas)
 Knutson
 Lastewka
 Lee
 Lill
 Longfield
 Lunn
 MacKay (Pictou—Antigonish—Guysborough)
 Malhi
 Mancini
 Manning
 Mark
 Martin (Esquimalt—Juan de Fuca)
 Massé
 Mayfield
 McDonough
 McKay (Scarborough East)
 McNally
 McWhinney
 Milliken
 Mitchell
 Muise
 Myers
 Normand
 Nystrom
 O'Brien (Labrador)
 O'Reilly
 Pankiw
 Parrish
 Penson
 Peterson
 Phinney
 Pillitteri
 Pratt
 Proctor
 Provenzano
 Redman
 Reynolds
 Ritz
 Rock
 Scott (Fredericton)
 Shepherd
 Speller
 Stewart (Brant)
 Stinson
 St-Julien
 Strahl
 Thibeault
 Torsney
 Valeri
 Vautour
 Wappel
 Wayne
 White (Langley—Abbotsford)
 Wilfert

Debien
 Dubé (Lévis)
 Dumas
 Gagnon
 Girard-Bujold
 Guay
 Lalonde
 Lebel
 Loubier
 Marchand
 Mercier
 Picard (Drummond)
 Sauvageau
 Tremblay (Lac-Saint-Jean)
 Turp

Desrochers
 Duceppe
 Fournier
 Gauthier
 Godin (Châteauguay)
 Guimond
 Laurin
 Lefebvre
 Marceau
 Ménard
 Perron
 Rocheleau
 St-Hilaire
 Tremblay (Rimouski—Mitis)
 Venne—43

PAIRED MEMBERS

Plamondon

Volpe

The Speaker: I declare the motion carried.

* * *

SUPPLY

ALLOTTED DAY—GOODS AND SERVICES TAX

The House resumed from November 6 consideration of the motion and of the amendment.

The Speaker: Pursuant to order made Thursday, November 6, 1997, the next recorded division is on the amendment relating to the business of supply.

Shall I dispense?

Some hon. members: No.

The Speaker: Mrs. Lalonde moved that this House condemn the government for blatant unfairness to Quebec in the matter of the GST, the government having denied it compensation without letting it submit its arguments to an independent arbitration panel made up of three experts, the first to be appointed by the federal government, the second by the Government of Quebec and the third jointly by the first two.

Ms. Alarie moved that the motion be amended by deleting the word “blatant” and substituting the following therefor: “flagrant”.

The question is on the amendment.

• (1810)

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

NAYS

Members

Alarie
 Bachand (Saint-Jean)
 Bergeron
 Îles-de-la-Madeleine—Pabok
 Brien
 Chrétien (Frontenac—Mégantic)
 Dalphond-Guiral

Asselin
 Bellehumeur
 Bernier (Bonaventure—Gaspé—
 Bigras
 Canuel
 Crête
 de Savoye

(Division No. 24)

YEAS

Members

Alarie	Asselin
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bellehumeur	Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)	Bergeron
Bernier (Tobique—Mactaquac)	Bigras
Brien	Brisson
Canuel	Casey
Charest	Chrétien (Frontenac—Mégantic)
Crête	Dalphond-Guiral
de Savoye	Debien
Desrochers	Doyle
Dubé (Lévis)	Dubé (Madawaska—Restigouche)
Duceppe	Dumas
Fournier	Gagnon
Gauthier	Girard-Bujold
Godin (Châteauguay)	Guay
Guimond	Harvey
Herron	Jones
Lalonde	Laurin
Lebel	Lefebvre
Loubier	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Marchand
Matthews	Ménard
Mercier	Muise
Perron	Picard (Drummond)
Power	Price
Rocheleau	Sauvageau
St-Hilaire	St-Jacques
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Mitis)
Turp	Venne
Wayne—60	

NAYS

Members

Abbott	Ablonczy
Adams	Alcock
Anderson	Assad
Assadourian	Augustine
Axworthy (Saskatoon—Rosetown—Biggar)	Axworthy (Winnipeg South Centre)
Bailey	Baker
Bakopanos	Barnes
Beaumier	Bélaïr
Bélangier	Bellemare
Bennett	Benoit
Bertrand	Bevilacqua
Blaikie	Blondin-Andrew
Bonin	Bonwick
Boudria	Bradshaw
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Bryden	Bulte
Byrne	Caccia
Cadman	Calder
Cannis	Caplan
Carroll	Casson
Catterall	Cauchon
Chamberlain	Chan
Charbonneau	Chatters
Chrétien (Saint-Maurice)	Cloutier
Cohen	Collenette
Comuzzi	Copps
Cullen	Cummins
Desjarlais	De Villers
Dhaliwal	Dion
Discepola	Dockrill
Dromisky	Drouin
Duhamel	Duncan
Earle	Easter
Eggleton	Elley
Epp	Finestone
Finlay	Folco
Fontana	Forseth
Fry	Gagliano

Supply

Galloway	Gilmour
Godfrey	Godin (Acadie—Bathurst)
Goldring	Goodale
Gouk	Graham
Gray (Windsor West)	Grewal
Grey (Edmonton North)	Hanger
Harb	Harty
Harris	Hart
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Hoeppner
Hubbard	Iftody
Jackson	Jaffer
Jennings	Johnston
Jordan	Karetak-Lindell
Karygiannis	Kenney (Calgary-Sud-Est)
Keyes	Kilger (Stormont—Dundas)
Kilgour (Edmonton Southeast)	Knutson
Konrad	Lastewka
Lavigne	Lee
Leung	Lill
Lincoln	Longfield
Lowther	Lunn
MacAulay	Mahoney
Malhi	Maloney
Mancini	Manley
Manning	Marchi
Mark	Marleau
Martin (Esquimalt—Juan de Fuca)	Martin (LaSalle—Émard)
Massé	Mayfield
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan (Edmonton West)	McNally
McTeague	McWhinney
Mifflin	Mills (Red Deer)
Mitchell	Morrison
Murray	Myers
Nault	Normand
Nunziata	Nystrom
Obhrai	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Pagtakhan	Pankiw
Paradis	Parrish
Patry	Penson
Peric	Peterson
Pettigrew	Phinney
Pickard (Kent—Essex)	Pillitteri
Pratt	Proctor
Proud	Provenzano
Ramsay	Redman
Reed	Reynolds
Richardson	Ritz
Robillard	Rock
Saada	Scott (Fredericton)
Scott (Skeena)	Shepherd
Solomon	Speller
St. Denis	Stewart (Brant)
Stewart (Northumberland)	Stinson
St-Julien	Stoffer
Strahl	Szabo
Thibeault	Thompson (Wild Rose)
Torsney	Ur
Valeri	Vanclief
Vautour	Vellacott
Wappel	Wasylcia-Leis
Whelan	White (Langley—Abbotsford)
White (North Vancouver)	Wilfert
Williams —209	

PAIRED MEMBERS

Plamondon	Volpe
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Supply

The Speaker: I declare the amendment lost.

The next question is on the main motion.

[*Translation*]

Mr. Bob Kilger: Mr. Speaker, I think you would find unanimous consent to apply the preceding vote to the main motion now before the House.

[*English*]

The Speaker: Is there unanimous consent to proceed in this manner?

Some hon. members: Agreed.

• (1815)

The Speaker: I declare the motion lost.

[*Editor's Note: See list under Division No. 24*]

* * *

AMENDMENT TO THE CONSTITUTION OF CANADA (QUEBEC)

The House resumed from November 17 consideration of the motion.

The Speaker: The next recorded division is on Motion No. 4 under Government Business. Shall I dispense?

Some hon. members: No.

The Speaker: The question is as follows: Mr. Dion, seconded by Mr. Chan, moved that:

WHEREAS the Government of Quebec has indicated that it intends to establish French and English linguistic school boards in Quebec;

AND WHEREAS the National Assembly of Quebec has passed a resolution authorizing an amendment to the Constitution of Canada;

AND WHEREAS the National Assembly of Quebec has reaffirmed the established rights of the English-speaking community of Quebec, specifically the right, in accordance with the law of Quebec, of members of that community to have their children receive their instruction in English language educational facilities that are under the management and control of that community and are financed through public funds;

AND WHEREAS section 23 of the Canadian Charter of Rights and Freedoms guarantees to citizens throughout Canada rights to minority language instruction and minority language educational facilities under the management and control of linguistic minorities and provided out of public funds;

AND WHEREAS section 43 of the Constitution Act, 1982 provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by His

Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA CONSTITUTION ACT, 1867.

1. The Constitution Act, 1867, is amended by adding, immediately after section 93, the following:

“93A. Paragraphs (1) to (4) of section 93 do not apply to Quebec.”

CITATION

2. This Amendment may be cited as the Constitution Amendment, year of proclamation (Quebec).

• (1825)

(The House divided on Motion No. 4, which was agreed to on the following division:)

(*Division No. 25*)

YEAS

Members

Adams	Alarie
Alcock	Anderson
Assad	Assadourian
Asselin	Axworthy (Winnipeg South Centre)
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Baker	Bakopanos
Barnes	Beaumier
Bélaïr	Bélangier
Bellehumeur	Bennett
Bergeron	Bernier (Bonaventure—Gaspé—
Îles-de-la-Madeleine—Pabok)	Bermier (Tobique—Mactaquac)
Bertrand	Bevilacqua
Bigras	Blaikie
Blondin-Andrew	Bonwick
Boudria	Bradshaw
Brien	Brisson
Bryden	Bulte
Byrne	Caccia
Cadman	Calder
Cannis	Canuel
Caplan	Casey
Catterall	Cauchon
Chamberlain	Chan
Charbonneau	Charest
Chrétien (Frontenac—Mégantic)	Chrétien (Saint-Maurice)
Clouthier	Cohen
Collenette	Copps
Crête	Cullen
Dalphond-Guiral	de Savoye
Debien	Desjarlais
Desrochers	DeVillers
Dhaliwal	Dion
Discepola	Dockrill
Dromisky	Drouin
Dubé (Lévis)	Dubé (Madawaska—Restigouche)
Duceppe	Duhamel
Dumas	Duncan
Earle	Easter
Eggleton	Finestone
Finlay	Folco
Fontana	Fournier
Fry	Gagliano
Gagnon	Gauthier
Gilmour	Girard-Bujold
Godfrey	Godin (Acadie—Bathurst)
Godin (Châteauguay)	Goodale
Graham	Gray (Windsor West)
Grewal	Guay
Guimond	Harb
Hardy	Harvey
Herron	Hill (Macleod)
Jackson	Jaffer
Jennings	Jones
Karetak-Lindell	Keyes
Kilger (Stormont—Dundas)	Kilgour (Edmonton Southeast)
Lalonde	Lastewka
Laurin	

Lavigne
Lee
Leung
Loubier
MacAulay
Mahoney
Maloney
Manley
Marchand
Marleau
Martin (LaSalle—Émard)
Matthews
McGuire
McWhinney
Mercier
Milliken
Muisse
Myers
Normand
Obhrai
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Kent—Essex)
Pratt
Proctor
Provenzano
Reed
Richardson
Rocheleau
Saada
Scott (Fredericton)
Solomon
St. Denis
Stewart (Northumberland)
St-Jacques
Stoffer
Thibeault
Tremblay (Lac-Saint-Jean)
Turp
Vanclief
Venne
Whelan
White (North Vancouver)

Lebel
Lefebvre
Lill
Lunn
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Mancini
Marceau
Marchi
Martin (Esquimalt—Juan de Fuca)
Massé
McDonough
McLellan (Edmonton West)
Ménard
Mifflin
Mitchell
Murray
Nault
Nystrom
O'Brien (Labrador)
Pagtakhan
Parrish
Perron
Pettigrew
Picard (Drummond)
Pillitteri
Price
Proud
Redman
Reynolds
Robillard
Rock
Sauvageau
Shepherd
Speller
Stewart (Brant)
St-Hilaire
St-Julien
Szabo
Torsney
Tremblay (Rimouski—Mitis)
Valeri
Vautour
Wasylcia-Leis
White (Langley—Abbotsford)
Wilfert—204

NAYS

Members

Abbott
Bailey
Benoit
Breitkreuz (Yellowhead)
Carroll
Chatters
Cummins
Elley
Forseth
Gouk
Hanger
Hart
Hilstrom
Iftody
Jordan
Kenney (Calgary-Sud-Est)
Lincoln
Manning
Mayfield
McKay (Scarborough East)
McTeague
Morrison
O'Brien (London—Fanshawe)
Penson
Ramsay
Scott (Skeena)
Strahl

Ablonczy
Bellemare
Bonin
Breitkreuz (Yorkton—Melville)
Casson
Comuzzi
Doyle
Epp
Goldring
Grey (Edmonton North)
Harris
Hill (Prince George—Peace River)
Hoepfner
Johnston
Karygiannis
Konrad
Lowther
Mark
McCormick
McNally
Mills (Red Deer)
Nunziata
Pankiw
Peric
Ritz
Stinson
Thompson (Wild Rose)

Private Members' Business

Ur
Wappel
Williams—59

Vellacott
Wayne

PAIRED MEMBERS

Plamondon

Volpe

The Speaker: I declare the motion carried.

It being 6.28 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[English]

CULTURAL GRANTS ACKNOWLEDGEMENT ACT

Mr. Jim Abbott (Kootenay—Columbia, Ref.) moved that Bill C-204, an act to require that in the advertising and at the opening of a cultural project supported by public money a public acknowledgement of the grant be made, be read the second time and referred to a committee.

He said: Mr. Speaker, it is my pleasure to rise in the House to speak on second reading of my private member's Bill C-204 which was introduced in the House on September 25, 1997.

In summary, this enactment requires recipients of grants of public funds for cultural projects to acknowledge that a grant has been made and to specify the amount of the grant at the time the program is announced or advertised or open to the public. Non-compliance may result in the recipient having to repay the grant.

• (1830)

The legislation is significant in that it deals with the very emotional issue of spending in the area of arts and culture with public money. The cultural industry in Canada is run by bureaucrats, financed by subsidies, yet is virtually unaccountable to the government or the taxpayer from which it gets the funding.

This is a well drafted bill which would require little amendment to the present legislation. It simply calls for the acknowledgement at the opening of an event and then the literature associated with that event of the contribution by the federal government.

We are not talking about direct parliamentary appropriations like the CBC. However, it would apply to grants provided through agencies such as, for example, Telefilm, the National Film Board, the Canada Council, the Canada Information Office and the like. It is intended that specific dollar amounts be advertised. For example, Telefilm's contribution of dollars for the film *Sweet Hereafter* or

Private Members' Business

of the dollars for Telefilm and Canada Council contribution to the film *Kissed*.

People reading *Hansard* or watching this on television should be aware, for example, that the film *Sweet Hereafter* basically had a subtitle or a subtext which really was the entire plot of the film which was around the incestuous relationship between a father and his daughter. The film *Kissed* is a film specifically about necrophilia. Necrophilia is making love to a dead body. Canadian taxpayers have paid money into this film.

There are those of you who say art must be subsidized in order to survive. The Government of Canada has recently increased the budget of the Canada Council by \$25 million a year. The government spends millions of dollars more on cultural projects through various programs operated through the bureaucracy. Taxpayers are subsidizing these projects and they have the right to know where their dollars are spent.

Many projects are funded through a number of government programs. A project may have received Telefilm Canada subsidies, Canada Council subsidies, National Film Board subsidies and then be broadcast on the subsidized CBC. Let us tally up the dollars and report them to the viewing taxpayer.

This legislation is by no means focused on one region of the country. It is clearly a national concern because these funds are provided across Canada for all kinds of events, monuments, films and festivals.

Statistics Canada recently released the amount of dollars spent on culture over the last three years. The federal government allocated \$2.92 billion to culture in 1995-96. Let me repeat that. The federal government allocated \$2.92 billion to culture in the year 1995-96.

Federal spending on other cultural industries, which include film and video production, book and periodical publishing and the sound recording industry, amounted to \$383 million.

I say these figures very slowly because it is hard to imagine the wanton abandon with which the heritage minister seems to throw Canadians' dollars around on these issues. Federal spending on heritage activities including museums, historic sites and nature parks totalled \$624 million. Spending on performing arts was up more than 3% to \$109 million in 1995-96. We are talking about very substantial money here.

I am confident that few Canadians are aware of the sponsorship provided by their federal tax dollars for events even within their own communities. Clearly this bill would not discriminate in any way against any particular area of the country. As we all know, these dollars are spent on grants for events from coast to coast to coast. Again, this is reinforced by the statistics mentioned previously.

There is currently no government legislative agenda which would meet the requirements of my private member's bill. There is no partisanship involved in this legislation, as it comes under the realm of all political parties concerned with the spending and the accountability for the spending of taxpayer dollars.

● (1835)

I am confident that today's debate on this legislation should generate meaningful, lively non-partisan debate because it covers a number of points.

For example, acknowledgement of the contributions that Canadians are making through their tax dollars is the same as acknowledging a commercial sponsor. We have to ask do Canadians take ownership of these cultural projects that the Canada Council, Telefilm Canada, the National Film Board, the CBC and other granting agencies give to these projects? Are they proud of these programs or events that are put on? Indeed, do Canadians show any commitment to the fact that their dollars are going out for these projects?

Many individuals and groups have complained about the amount of dollars spent on culture. Some say too little, some say too much. Perhaps some of these complaints are attributable to the fact that it is not clearly indicated when the federal government has or for that matter has not funded an event.

The government is very prone to talking about the \$42 billion deficit which it inherited from the Conservatives when it took over in 1993. We are looking at the fact that there have been cuts, but the cuts have occurred in areas that directly impact people's lives, ranging from post-secondary education to health issues, all the issues that are so important to Canadians in their lives.

The question is could we during this period of time continue to sponsor many of these events? Much to my chagrin and that of many people who have contacted my office, indeed we have continued to sponsor these at the expense of very vital issues in Canada. Now that we are reaching the point of having a balanced budget and are starting to focus on the very high taxes it has taken in order for us to get to this balanced budget point, can we continue to afford to spend these dollars on some of these cultural projects?

I cite by way of example an unrelated issue except in terms of comparison. There is a \$400,000 expenditure happening, and let me qualify that it does not involve government money, within my own constituency that would see the expansion of recreational trails. And on the other side of the coin there are communities within my constituencies that are just begging for \$200,000, \$300,000 or \$400,000 to put in natural gas because we are dependent on either electricity or wood in the Canadian Rockies for heating.

Private Members' Business

There are always these points of comparison and in this instance what we are saying is that when the heritage minister says it is only a cup of coffee a day when it comes to the flag program and it is only another cup of coffee a day when it comes to the Canada unity office and only five cups of coffee a day when it comes to the Canada culture grants, I think our stomachs would burn out from a bit too much coffee when it is only one cup of coffee a day for these various programs.

I believe what is important is the potential for this to assist in the unity issue by raising the level of awareness of residents of the province of Quebec. For example, the contribution that the federal government makes to their culture is very much. For example, the Just for Laughs festival is a highly successful annual event in Montreal funded by the Canadian taxpayer. Why not advertise that fact?

As mentioned, many short feature films funded by Telefilm would not have been made without taxpayer dollars. As a matter of fact, of the total number of films funded by Telefilm, over half the total number of films have been sponsored in the French language specifically with Quebec content. So why not advertise not only the government funding but the amount that the taxpayer has provided? Give credit where credit is due, to the taxpayer.

Furthermore, this could well raise the awareness in the province of Quebec to the dollar contribution provided by all Canadian taxpayers to Quebec's language and culture.

This bill is also about accountability. Because of the extended visibility of the grant as a result of this advertising it will make the adjudicators, whether it be the Canada Council or Telefilm or any of the others, more conscious of the reaction of Canadians to the choices they are making. If the choices are good, they will receive positive applause and if not, Canadians will come down on them.

• (1840)

I was sent to this Chamber to be accountable to the people in my constituency, indeed to all the people in Canada, for the intelligent use and the intelligent spending of taxpayer dollars.

When I took this issue to the artists at the finance standing committee in its prebudget hearing, I said that if I did not want to be a critic, how could we possibly have accountability for this?

The artists' answer was that fundamentally they would be the judge, that they would judge whether this was money well spent or not, that they would judge whether this has artistic credibility or not.

I then took it to the minister because that answer was obviously unacceptable. I would like to read in part some of the dialogue, some of the testimony that occurred between the minister and me.

I read from the proceedings of the committee. I said: "We have on a weekly basis, without any solicitation whatsoever, at least a dozen letters from people who express a tremendous concern about some of the projects that are sponsored by the Canada Council. In a letter by Andrew McDermott, one of your senior policy advisers to my colleague, when he drew to your attention the particular publication that was called *Neurotic Erotica* the letter said—". The minister ended up making very light of this letter. Obviously this is a rather unusual title. In fact, the content in my humble judgment of this particular book is clearly obscene.

I went on to say, however: "I am not the censor. I do not want to become the censor as a politician or to be a censor for Canada, but I do ask the question how in the world can Canadians who are writing to me and who are writing to many of our colleagues to express extreme distaste toward some of this material, how can they hold you, the minister, accountable for the expenditure of these dollars on the production of some of this vile material?"

The minister answered: "I think you have to separate the two issues. First of all, you say you do not want to be a censor. Surely you do not want me to read every book that is funded by the Canada Council".

She went on to say that if someone goes to the O Canada exhibit, it does a whole analysis of how the Group of Seven was treated in 1920. They were treated as artistic pariahs. Then she went on to compare today's pornographers to the Group of Seven. This is the minister of heritage. I could not believe my ears when I heard her actually say this.

The point of this is that we have today a minister who correctly boasts that the government is taking action against abominable activities such as female genital mutilation. Yet by the same token and under the Canada Council grants it is sponsoring programs about tearing off women's nipples.

This is absolutely unspeakable and uncalled for. It gets worse, but for the benefit of the members of this House and people reading this transcript or watching on television, I will simply say the problem is that some of the material is so vile, some of the material is so bad that there is no way that I would demean myself to repeat what it is all about. Yet the Canadian taxpayer is paying for it.

What this bill would do is hold the people who make these decisions accountable to the will and the position of the Canadian public at large. That is what this bill is about because at the end of the day, the Canadian taxpayer must know that this House is going

Private Members' Business

to be holding the people in this House accountable for the expenditures of those dollars.

With that in mind and because of the importance of this, Mr. Speaker, I wonder if you would see if there is unanimous consent to make this bill votable.

The Acting Speaker (Mr. McClelland): Is there unanimous consent?

An hon. member: No.

The Acting Speaker (Mr. McClelland): There is not unanimous consent.

• (1845)

Mr. Deepak Obhrai (Calgary East, Ref.): Mr. Speaker, I am pleased to rise and join my colleague from Kootenay—Columbia in debating his private member's bill, C-204, an act to require that in the advertising and at the opening of a cultural project supported by public money a public acknowledgement of the grant be made.

As my colleague from Kootenay—Columbia mentioned, this act requires recipients of grants of public funds for cultural projects to acknowledge that a grant has been made and to specify the amount of the grant at the time the program is announced or advertised and opened to the public. Non-compliance of this requirement may result in the recipient having to repay the grant.

I strongly support this bill. In fact, I have introduced a similar bill, namely Bill C-222, which requires the recipients of grants to specify what percentage of the project was funded with taxpayer dollars. In this day and age, taxpayers are far more observant of how their tax dollars are spent. As parliamentarians, we must act responsibly to ensure that the tax dollars are effectively being spent. I believe that this bill is a step in ensuring that tax dollars on cultural projects are being spent wisely.

Over the last few months I have had the opportunity to speak with people from all across this great land of ours and they are often quite surprised about how our tax dollars are used for certain projects, most notably in instances where cultural grants are being pursued.

In some instances, some people are appalled at the fact that their tax dollars are being spent on what some consider to be objectionable material. I have been asked who is accountable for this spending and I cannot provide them with an answer as no one is willing to take responsibility. Typically, everyone washes their hands of taking responsibility.

As tax dollars are being spent on these projects someone must be held accountable. The responsibility falls on the government to ensure that the money is spent wisely and for all parliamentarians to ensure that the government is acting responsibly.

Bill C-204 is a step in the right direction. It targets any grants that are provided through agencies such as the Canada Council and the Canada Information Office. As my colleague mentioned, this does not apply to direct parliamentary appropriation such as those for the Canadian Broadcasting Corporation, the CBC.

The Minister of Canadian Heritage has stated that she is not responsible for agencies such as the Canada Council and leaves the decision as to who is given what for grants up to the council. I am presuming that this holds true for other arm's length agencies within the department as well.

This does give these agencies some autonomy so that they are not merely puppets of the governments of the day. However, on the flip side, it does not provide the taxpayer with any accountability for their contribution.

This leads to the question: Who is responsible? With the principle of responsible government that is one of the foundations of our parliamentary system, the answer should be the minister in charge. However, as I mentioned just a moment ago, she does not claim responsibility on how agencies related to the Department of Canadian Heritage spend our money.

This must change. Our government must take responsibility for how each and every dollar is spent. For far too long we have let governments spend money without being accountable for how it is spent. The taxpayer is demanding that an answer to the question on how we spend their hard earned money is given.

I do not think the purpose of this bill is objectionable. It is not meant to discriminate against any one agency or group that receives or gives grants for cultural events and projects.

As my colleague for Kootenay—Columbia mentioned, Bill C-204 is not focused on any one region of the country and is not meant to be discriminatory against any of these regions.

• (1850)

Events and projects are being funded by taxpayers dollars in every community across the country. Although there is some discussion and disagreement over the amount of funds provided by the federal government to subsidize such events, some individuals feel too much money has been spent on events. Some individuals feel more should go toward promoting cultural events. This is not the purpose of this bill. I will not be debating those arguments now.

What I will say that is that under this private members bill, the taxpayers will have some say, albeit indirectly, over how the tax dollars are being spent and a right to know when and where it is spent. Governments not held accountable succumb to pressure and go on wasteful spending sprees, resulting in higher taxes.

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While the government claims credit for balancing the budget, Canadians on the street know that the budget has been balanced on their backs. They are fearful that governments not made accountable can easily run a deficit. There is no law for this government to operate within its means and I commend the Government of Alberta for introducing the law requiring future governments to operate within their means. Perhaps this government will see the light and introduce a similar bill.

By making the public aware of various cultural projects which receive grants, either in whole or in part, the arm's length agencies, such as Canada Council, will be somewhat more responsible and accountable for their choices as to who receives what. Otherwise public pressure resulting from some unwise choices may lead, in extreme cases mind you, to funding for their agencies being decreased by the federal government in the future.

One of the many facets of private members' business is to fill the gaps that the government leaves open. Bill C-204 fills one of those gaps. I would encourage all my colleagues from all sides of the House to support this initiative. It is a small step in making us more accountable.

I would like to go on record to show that the governing party in the House has denied unanimous approval to make this bill votable. It is denying accountability to the Canadian taxpayer for expenditures on cultural grants.

In closing, I would like to take a moment to express my personal gratitude to those individuals and groups who promote and preserve Canadian heritage through various projects and performances. This bill is not intended as a barrier to these groups who are receiving funding, but instead it is intended to provide some accountability with the expenditure of taxpayers funds.

[Translation]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I am speaking today on Bill C-204, introduced by my hon. colleague, the Reform member for Kootenay—Columbia, the short title of which is the cultural grants acknowledgement act.

Its object as stated in the summary is, and I quote:

—[to require] recipients of grants of public funds for cultural projects to acknowledge that a grant has been made and to specify the amount of the grant at the time the program is announced or advertised and opened to the public—

More precisely, this is a bill which is aimed at making cultural organizations and artists publicize the funding they receive from the federal government.

I find this a reasonable idea. People who receive a grant ought to mention it; that would be a normal thing to do. Where I disagree is that we should have to pass legislation requiring this. As representatives of the people, as lawmakers, it is our role to solve problems affecting society and to see that public affairs are properly adminis-

tered. We do not have to pass legislation on everything, endlessly multiplying the number of acts and regulations.

• (1855)

Before considering the bill, we must ask ourselves whether there is a problem in terms of publicizing the fact that a grant has been given, something which is far from obvious. One has to wonder whether the Department of Canadian Heritage, targeted by this bill, has serious difficulty in having its participation in artistic projects acknowledged.

This sort of problem has never been raised on the Standing Committee on Canadian Heritage. We have not seen studies complaining of the Department of Canadian Heritage's lack of visibility. Would that cause a problem in the riding of the member for Kootenay—Columbia or in English Canada? If not, is the focus of this bill solely Quebec?

I would like to point out to my colleagues that this issue of acknowledging public funding is not a problem for artists. With the cuts to the cultural sector in recent years, the problem is often the lack of public funding.

In Quebec, even artists who are known sovereignists are not shy or ashamed to reveal the federal government's participation. For example, the credits of the film *Octobre* by federally blacklisted filmmaker Pierre Falardeau acknowledge the financial participation of Telefilm Canada in the film's production. It appears in big capital letters. The next line, also in big capital letters, reveals that the film is a coproduction with the National Film Board of Canada. That does not cause any problem.

Another example is Micheline Lachance's book entitled *Le roman de Julie Papineau*. This book gives a fictional account of the days of the Patriotes as seen through the eyes of Louis-Joseph Papineau's wife. It is mentioned at the beginning of the book that Les éditions Québec-Amérique are funded by the Canada Council's block grant program. Once again, this poses no problem.

The Reform members, and certain zealous federalists in the House, must be made to understand that, although these organizations contribute to Quebec's artistic production, the citizens of Quebec pay taxes, and Quebec and its culture are for now still part of Canada.

It would be natural for grants to be distributed equitably among artists, whatever their political persuasion, and works that are funded should reflect reality. The reality is that there is a people in Quebec and that a growing proportion of Quebec's citizens want this people to have a country.

In Quebec, there is no legislation like that being proposed today. Most organizations have guidelines and this is negotiated freely in collaboration with grant recipients. For example, Quebec's Con-

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seil des arts et des lettres merely requires that recipients of grants display the Conseil's logo.

The Reform Party often complains of excessive government interference and too many regulations. Now it proposes a bill that seems to have no purpose. The only purpose of this bill is to increase the federal government's visibility so as to strengthen its central authority or national unity.

A closer look at the bill reveals that it gives the Minister of Canadian Heritage extensive powers of political control over the awarding and announcing of grants. Under the bill, recipients of grants would be required to submit a certificate of good conduct to the minister. The minister would have the power to decide the time and manner in which acknowledgement of grants must be made. If recipients refuse to comply with the minister's political will, the minister may retaliate by requiring the return of all or any of the grants received.

• (1900)

After years of progress in cleaning up politics in Quebec and in Canada, a return to an era of political patronage is out of the question, an era when artists would be subject to the whims of political power and hostages of interparty feuds. Giving such direct powers of retaliation and control over grants to the heritage minister is opening the door far too wide to arbitrary decisions.

The system for awarding cultural grants by federal bodies is intended to be a merit system, one which recognizes people's creative talents and not their political views or the values they espouse.

In English, this concept goes by the term arm's length, which would translate as something like out of the reach of the government. The reason artists are often judged by their peers or by juries of experts known more for their artistic sense and for what they know, rather than whom they know, is to ensure that the risk of political interference is minimal.

It is up to parliament to set the overall objectives of cultural policy. The government implements those objectives by funding cultural organizations. It ought not to go any further than this. The government must not interfere in the choice of artists or creators whom these organizations decide to fund.

One may disagree with certain choices of works or artists which are funded, I admit. Our criticisms, however, ought to focus on whether or not the cultural organizations are fulfilling their mission, and not on the personality or opinions of those receiving funding.

When there is an attempt, as with this bill, to subject culture to an ideology, experts sometimes talk of sovietizing culture. This refers to the absolute control exercised by the government of the former Soviet Union over means of communication such as radio,

television, film, newspapers, books and plays. This approach is of no interest to either Canada or Quebec.

As members of Parliament, we should work to create laws that encourage creativity rather than control it or use it for political propaganda. Last year, the Minister of Foreign Affairs tried to get artists who were working abroad to promote national unity. When they refused, he realized his mistake and cancelled his directive.

This is what the member for Kootenay—Columbia should do as well. He should withdraw his bill and find positive ways to encourage artists rather than try to use them as pawns on his political chessboard.

[English]

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I remind the House that we are discussing Bill C-204. Its title is very precise. It is the Cultural Grants Acknowledgement Act.

The bill, as we will have gathered from its supporters, deals with grants, contributions or loans for cultural projects funded from within the portfolio of the Minister of Canadian Heritage. It has a very narrow focus. It deals with funding, but in particular it proposes that the acknowledgement of such support become a legal mandatory requirement.

Recipients would have to acknowledge support and specify the amount of the grant at the time the funded project is announced or advertised or opened to the public. This obligation would apply to individuals as well as to corporations and organizations.

The bill provides the Minister of Canadian Heritage with powers to regulate the time and manner in which an acknowledgement must be made. Such regulations would define the compliance certificate, which is the term used in the bill, the recipient would have to produce. Non-compliance would result in a recipient having to repay the financing granted by the minister or the agency.

• (1905)

I believe the bill in one sense is based on a sound principle. Governments are accountable to the public for financial support that they provide for projects and organizations of all kinds. Accountability starts with the faithful reporting of what is done with taxpayers' money.

I also believe it is very legitimate for governments to expect an acknowledgement when a grant contributes to the realization of a project. Government money is taxpayers' money. It is only fair that corporate or individual citizens acknowledge receipt of such support.

Private donors and sponsors routinely obtain such acknowledgement. There is no reason why governments should not. This principle should be extended to the provision of financial assistance by all government departments and agencies to any project.

However the bill singles out one type of support referred to as cultural grants. These grants are singled out from within a particular ministry, the Canadian Heritage portfolio.

If such a principle is a matter to be based on law then surely we must also consider public support granted to cultural projects by other government departments, but is this a matter requiring legislation specifically applicable only to cultural projects? If we agree that such a principle is valid and requires the force of legislation to be implemented then we must consider that the government also grant support to small businesses, health groups, human rights groups, foreign aid projects and so on. We should also consider them and not just culture.

Why should we restrict legislation to cultural projects alone? Is there something in culture to be feared to such a degree that by no other means can we ensure that an individual or an organization will acknowledge support?

With reference to cultural projects funded within the heritage portfolio, it is normal practice for recipients to acknowledge support. It is well understood and documented how this should be accomplished. Applicants are instructed on minimum requirements concerning acknowledgements. They are advised of this through program criteria when they apply and through the application guidelines and standard clauses regarding acknowledgement in the case of negotiated signed agreements.

In addition to these formal requirements I would have thought that most grant recipients would acknowledge support as a common courtesy.

The policy regarding acknowledgement in the Department of Canadian Heritage is open and transparent. It is integrated throughout the process and accommodated with the express will and consent of the recipient as a condition of receiving the grant. Support can be acknowledged in advertising and at openings, in catalogues for exhibitions, and in other print or video resource material produced as a result of the grants. We heard some examples of that from the Bloc member this evening.

Recognition of public support is also acknowledged by means of annual reports including audited financial statements. In the case of incorporated organizations most proposals, if not all, include a plan for marketing and/or distribution which recognizes public support.

Amounts of grants are a matter of public record as soon as they are awarded often by means of a press release.

As a matter of principle, legislation should be used when other means are insufficient or inadequate. By and large current measures can be characterized as self-regulatory. They work reasonably well. Should there be room for improvement—and there

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always is—I believe that in this case anyway improvement can be accomplished without the intervention of legislation.

At the present time acknowledgement is not obtained through a coercive process. Acknowledgement policy as practised by Heritage Canada and agencies such as the Canada Council retains the integrity of the objective for providing support in the first place.

I for one am glad that the Government of Canada supports the Canada Council and I believe that most Canadians are of the same mind.

• (1910)

The bill would place the government in the awkward position of saying that the focus of public support for culture is not culture itself but government visibility. This would unnecessarily thwart the development of the government's relations with the cultural community and its many public and media supporters.

Compliance is presently assured by more informal means. Groups and individuals know their future funding could be placed in jeopardy should they refuse to play by the rules and respect what are very reasonable requirements for acknowledgement.

Split payments in the case of grants and the specific negotiated schedules of payment for contributions and loans additionally serve as an informal mechanism to draw attention to the importance of acknowledgement.

I believe Bill C-204 is unnecessary and will not be supporting it.

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I would like to speak to Bill C-204, an act to require that in the advertising and at the opening of a cultural product supported by public money a public acknowledgement of the grant be made.

I am happy to bring the good news to the hon. member for Kootenay—Columbia that what he is proposing to pass into law is already occurring. It is something which cultural industries are already doing voluntarily.

If he has ever had opportunity to attend a Canadian play he will find that in the program routine acknowledgements of all funding sources, public and private, are made. If he has been at the screening of a Canadian film lately he will be amazed at the length of the section in the credits dedicated exclusively to the funders. It seems to stretch out forever, longer than the credits acknowledging the film's crew. In fact I sometimes squirm about in my seat in the local movie theatre waiting for the acknowledgements to end so that I can get home, pay the babysitter and go to bed.

The long suffering taxpayers who attend our cultural events do know what the funding sources are in Canadian plays, films, books, magazines and concerts. It is no secret that almost every arts organization receives some level of funding and makes it public. They do not always attach the dollar amount publicly at the event.

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That is not why people go to an artistic event. They go to be elevated, delighted, challenged and revitalized. They go to learn something new about themselves and the world.

However, if after seeing a particular artistic event they feel the need to find out how much it costs, the dollar amount is available for anyone who wants to know through an annual Canada Council for the Arts listing.

Canadian cultural industries are grateful and eager to thank the funders of their work. Canadians working in the arts are proud of their work and proud to present it to their neighbours and fellow citizens and, yes, their fellow taxpayers. They too are an integral part of the economic landscape of the country, doing their part to reflect on and contribute to the whole of what we are as a people.

As for the desire for acknowledgement I am sure the Liberals who are still remaining across the floor tonight at this late hour are probably delighted to hear that we want to see their efforts at public funding for the arts made more public. I believe that the level of public funding to culture has reached a dangerously low level and I see no joy in this. I would like to see the level of support for our artists increased. Public funding to the arts still exists and I know of no one who is trying to keep it a secret.

If the member is really intent on educating the public about where its hard earned tax dollars go, and this is not simply another bill to harass Canadian artists, I suggest that he go even further in his public education efforts.

The next time he pulls into an Esso station he might expect to find a sign saying "This gas has been made possible by \$585 million in tax breaks to western oil producers". Or, when he buys his next Michelin tire he might see a sign saying "Brought to you by a \$27 million gift from the long suffering taxpayers of Nova Scotia by the Liberals in an election year". The next time the member for Kootenay—Columbia takes a flight back to his riding he could have a sign on the back of his jacket saying how much that flight is costing the taxpayers of Canada.

We can put a price tag on everything if we want to. There is a myth afoot that there is no accountability in the arts.

• (1915)

In fact, there are far more checks and balances in place around funding to the arts than there are around funding to corporations. Perhaps the member's next private member's bill might tackle that particular sector if he is concerned with the long-suffering taxpayer.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I really wish there were questions and comments because I would like to throw some questions at the hon. member who just spoke.

During his introduction of this bill, the member for Kootenay—Columbia used some examples that are very offensive, particularly to women. The use of taxpayers' money in the production of some of these so-called art things are pornographic and demeaning, particularly to women.

Surely he cannot be in favour of using taxpayers' money for that. I am not and I do not think any decent Canadian is in favour of that, yet it is done all the time with impunity. We give money to agencies without the need for accountability. We simply say "here is the money, spend it any way you wish". They find some of the most obscene ways to spend it.

I wish I would have known I was going to get up to speak because I would have brought along with me a little more detail on a little thing I heard one night on CBC radio. It was a usual Sunday evening and I was about to hit the pillow for the night. As always, I reached over to set my clock radio. I thought I would listen to CBC-FM a bit to hear some nice music because sometimes it does have nice music.

Well, it was after midnight on a Saturday night and the time of night when the culture of CBC does a metamorphoses. Maybe there is a connection to it being after midnight, I do not know, but I was totally appalled at what I was hearing on a publicly funded radio station, the Canadian Broadcasting Corporation. It was incredibly obscene.

I guess maybe it is a good thing I could not research it because then I would have brought the words along. I was so offended by it that I ran downstairs to put on the tape recorder because I wanted to have a record of it. Unfortunately I could not find a tape soon enough and missed most of it.

I wanted to make a scene about that but I never did. Instead I ran for Parliament and came here with one real good purpose which is to stop the funding for this kind of obscenity. It has no market in Canadian society. We need to stop it. It is no wonder we have all the violence against women and children when we have a publicly funded radio promoting it.

I think the member's bill is a very important step to making Canadians realize that when this type of stuff is being put out it is being financed with their tax dollars, tax dollars that will not go to the education of their children or to keeping a hospital bed open for a mother who is suffering and who needs it. Instead it is being used for this kind of garbage.

The first step in stopping this flow of taxpayers' money has to be for the Canadian people to a large extent to know how it is being spent. Once they know how it is spent, they will get angry enough to tell their politicians in Ottawa to stop that flow of their money and use it for purposes that are much better and more justifiable.

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I just could not resist adding that little bit to the debate on this bill. I commend my hon. colleague for presenting it.

Mr. Peter Mancini (Sydney—Victoria, NDP): Mr. Speaker, I, like my colleague who spoke before me, had not planned to speak on this private member's bill. I think my colleague who has just spoken was a little bit perturbed by the comments of the hon. member for Dartmouth. Well, maybe not perturbed but perhaps concerned and it generated in him the desire to address some of the comments that were made by her and indeed some of the comments in the bill itself. Having heard the debate as he did, I too am moved to speak. The comments of my hon. colleague just prior to my rising made me more determined to speak. They give the indication more than anything else about what the intention of this bill really is.

• (1920)

The bill is a little about accountability and a little about taxpayers' dollars but it is mostly about art that offends certain individuals. It is an attempt to use dollars—

An hon. member: If you would have heard what I heard on CBC—

Mr. Peter Mancini: I have heard many things on CBC that have offended me. I have heard many things in the private broadcasting sector that offend me more. I note that in this bill there is no requirement for the private sector to indicate the influence it may have on cultural events that take place. There is no accountability there.

I get the sense we want to go back to the way it was in the time of Caterina de' Medici when certain privileged groups were patrons of the arts. In that case individuals with gifts and abilities were supported by private patrons instead of the public. Then an individual may have used his creativity to write love songs for his patron's mistress. I don't know.

We have come a long way. We have come to a point where we recognize that culture and art are a part of the fabric of this nation. We have come to a point where we recognize the right of artistic expression whether we agree with that expression or not.

My colleague from Dartmouth explained it like this. We go to a public event to be educated, sometimes to be offended. We do not go to be offended but sometimes we are. We go to be stirred. We go to be enlightened. We go to create the kind of debate we are having here today.

If there were no public funding for the films mentioned, for some of the plays that have been written in this country, for some of the music that some colleagues or I might find offensive, then we would not have this debate. We would hear endless reams of Lawrence Welk playing on some radio station that could be the

most general and least offensive type of music that anyone could listen to.

The reality is artists need to be supported in their creative efforts. They do not need to worry that because someone does not like their work, their funding is going to be cut, and that is what this is really about. It is about saying that we find this film about incest offensive, we find this music offensive and for that reason we are going to use the fact that some public money was used in this to end it. That means we will go back to private funding.

We listen to the sitcoms that come across the border every day because nobody asks the sponsors how much money they have spent, and I think that is the intent of this bill. I speak in favour of the freedom of the artist to express himself or herself.

The Acting Speaker (Mr. McClelland): The time for private members' business this evening is just about over. It is customary to allow the mover of the bill to wrap up for a couple of minutes. If the mover does so, that will suspend debate on the bill.

If you will forgive the Chair an editorial comment, I think most Canadians watching would agree that tonight's debate in private members' business was very good insofar as it was extemporaneous and heartfelt. From the perspective of the Chair it was a very good debate.

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, indeed the speaker prior to myself put his finger on it. If we do not like the sitcoms we are looking at that have been prepared at the expense of the studio and paid for by the sponsors, we turn them off at no cost to ourselves because the sponsors are the people who are paying the bill.

• (1925)

In an instance when Canadians are paying the bill, how is this House held accountable? The speaker spoke of the right of artistic expression. That is a wonderful term.

The reality is that I receive on a weekly basis at least a dozen letters from concerned Canadians saying that they are being taxed to death. They take a look at the material that is being produced and find it vile and offensive. Who is accountable?

When we have this speaker from the NDP and the Minister of Canadian Heritage comparing today's vile pornographers to the Group of Seven, I find that a leap that is a chasm far too wide.

What this bill is about and indeed what we should be talking about in this House of Commons, the action we should be taking in this House of Commons is to hold this House of Commons accountable for the taxpayers' dollars, whether it is going out to the Canada Council or it is going out to health care.

Whatever it is going out to, I am here because the people sent me here to be accountable. Indeed I have gone to the artists, as I

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mentioned in the finance committee, I have gone to the minister in the heritage committee and now I come to this House.

Apart from Reform members of Parliament, there is no one in this House of Commons who is prepared to stand to be accountable for the Canadian taxpayers' dollars and the way in which they are being spent. That is a shame.

The Acting Speaker (Mr. McClelland): The time provided for the consideration of private members' business has now expired and the order is dropped from the order paper.

ADJOURNMENT PROCEEDINGS

[*Translation*]

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

PAY EQUITY

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, on October 3, on pay equity, I asked the President of the Treasury Board if he intended to return to the bargaining table with the Public Service Alliance of Canada. The question arose from a response the minister had made several days previously, one of the clearest ones he has made on the subject of the decision by the tribunal of the human rights commission in the matter before us.

The minister responded, and I quote "We stand ready to apply the various judgments once they are made final".

The minister has just now told us that he will abide by the tribunal's decision. I must confess I had doubts about the seriousness of the minister's word. In fact, following this surprising response, I wondered whether, with this statement, the President of the Treasury Board was announcing his withdrawal from the bargaining table. And I hastened to ask him if this were the case. His response, let me tell you, left me somewhat stunned.

While we all know that it was the employer who broke off negotiations, the minister told me that he was quietly waiting for the union to come back to the bargaining table, and went on about his \$1.3 billion offer. The employees are not stupid. They know very well that the minister is trying to get them to settle for less.

I know that my hon. colleague will soon rise in the House to tell us proudly that bargaining resumed on October 30. I wonder whether my colleague will be honest enough, however, to admit that he is not even in a position to offer a settlement larger than \$1.3 billion, when he knows full well that the Public Service Alliance is demanding close to \$2 billion. I look forward to hearing him boast about his wonderfully charitable offer.

Let it be known that, with Christmas around the corner, what the government owes its employees is not charity, but simple and fair justice. And this justice presumes the payment of the money to which they are entitled. Instead of asking me to use my influence with the unions to get them to accept this second-rate offer, I suggest that the minister should instead use his influence with the Minister of Finance to obtain the necessary room to manoeuvre and finally respect public servants.

In the second half of my question of October 3, I also asked the minister if he intended to use all the legal stalling tactics at his disposal to delay a settlement in this matter. I imagine he will tell us that he certainly does not, that he would never wish to delay a settlement.

If my hon. colleague replies in this vein, I will believe him. Better yet, I will say that he wants such a rapid settlement that he is using all the stalling tactics at his disposal.

• (1930)

If I may, I would like to give you some examples of what seem to some to be bargaining tactics, and to others, simple bad faith. Given that the tribunal's decision will not be handed down until the spring of 1998 and that this issue has been dragging on for 10 years, it is clear that everything is in place to rush employees into accepting a second-rate offer. Let us also remember that there is still the threat of special legislation.

We honestly believed in the government's good faith when we learned of the return to the bargaining table, but the tactics being used to influence employees are shocking.

When I read an information bulletin issued to employees, which points out how the settlement process will drag on if the employer's offer is rejected, I cannot help thinking that this is a tactic intended to influence their decision.

In conclusion, I understand that bargaining must include a minimum of strategy, but the government must also understand that its employees are not its enemies. They too are taking part in the public effort. The government must work with, not against, its employees. I have only this to add: do the fair thing.

[*English*]

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, on October 3 the President of the Treasury Board answered a question from the member for Longueuil. She asked the Treasury Board a question about pay equity.

The government will continue to fulfill its obligations to pay equity. As part of its commitment, it enacted legislation for Canada in 1978. It has paid over \$1 billion in pay equity payments. During the most recent negotiations it has offered \$1.3 billion to PSAC.

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On August 11, 1997 the government tabled an offer of \$1.3 billion to resolve the pay equity dispute. On October 30, PSAC tabled a counterproposal to the current Treasury Board offer of \$1.3 billion. In addition to salary adjustments that represent more than \$2 billion, the PSAC counterproposals include interest back to 1983, compensation for hurt feelings and other related costs.

The government believes that a negotiated settlement would be in the best interests of all parties and would end the uncertainty to employees. The tribunal decision will provide the parameters for calculating the pay equity gap but will most likely leave some issues unresolved and this will require further discussions with PSAC.

This means further delays. Furthermore, any of the parties could file a judicial review. Negotiations will allow the employer and PSAC to resolve this matter and show that the trust and commitment can generate solutions to these difficult issues. A joint resolution will get the cheques in the hands of the employees sooner.

The government is firmly committed to the principles of pay equity and it wants a fair, speedy and equitable solution to the dispute with PSAC.

FOREIGN AFFAIRS

Ms. Louise Hardy (Yukon, NDP): Mr. Speaker, earlier I asked the Minister of Foreign Affairs if, in the spirit of the Beijing conference on women, he would assure that funding for the women's group going to APEC this week in Vancouver would be there, as I had had calls from my constituents who are members of women's groups and who were not getting any funding to go.

The minister said that funding had been there and it was up to the groups to decide what to do with it.

As it turns out, APEC has been funded by the government for \$46 million, a total of \$57 million, \$46 million by Canadian citizens to APEC, \$9 million as business write-offs, and the association of citizens groups that had put together the people's summit has received \$200,000. Barely three weeks before the summit was to begin it had only received \$100,000 and that has forced the indigenous peoples to pull out of the people's summit which is running parallel to the APEC conference.

These citizens groups represent human rights groups, women's organizations, environment workers, migrant workers and anti-poverty groups.

APEC represents 18 countries. It is an association of economies and its goal is to pursue unfettered trade, unfettered meaning it does not have to deal with human rights or workers rights or the fact there may be child labour or forced labour. The people's summit was an attempt to bring a balance to this process. These countries are home to 2.2 billion people, which is 40% of our globe's humanity.

• (1935)

In 1993 the world conference on human rights in Vienna restated that all human rights are universal, indivisible, interdependent and inter-related. APEC's agenda is to separate trade as having nothing to do with human rights or workers rights, the very people who produce the money for transnational corporations and large economies. They do have rights.

That is not the way APEC sees it. APEC curtails democracy through informal understandings. Democratic countries align themselves with the most repressive and corrupt regimes in the world while at the same time shutting out the voices of the civil society.

There is also the argument that better trade will increase human rights. However, when trade agreements changed in China in 1988 and 1989 we saw the Tiananmen massacre. In Indonesia there continue to be vile human rights abuses, yet in the name of trade we will meet with these people and everything will be fine as long as it is in the name of the dollar.

The countries of APEC and the corporations of APEC, some elected, some unelected, refuse to discuss their impact on human rights, on working conditions, the freedom to associate, the freedom to negotiate, child labour, forced labour, environmental standards, immigration, migrant labour and their affect on indigenous peoples. Again I will state that the indigenous group had to pull out because there was no funding for it.

It is easy to shut out the voices of civil society because they are not funded equally by any standards; \$57 million to APEC, \$200,000 to the people's summit. They were not allowed to participate. There was no money for transportation. Even transferring the cost of one business reception would likely have covered every expense needed for the people's summit. It would have allowed them to fully participate.

The Acting Speaker (Mr. McClelland): I am sorry to interrupt the hon. member, but her time has expired.

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, it is my pleasure to respond to the hon. member for Yukon on behalf of the Minister of Foreign Affairs.

The Government of Canada has provided almost \$200,000 in funding for many non-governmental organizations under the umbrella of the people's summit.

This financial support is given through the departments of foreign affairs and international trade and CIDA, under whose aegis APEC is taking place.

In addition, Status of Women Canada has provided support for the domestic workers forum held on November 15 and 16, 1997, to allow participants to discuss the impact of economic restructuring

Adjournment Debate

on their lives and to facilitate their participation in the decision making process.

Status of Women Canada will continue to work with women's organizations to develop long term domestic follow-up action to the people's summit, to contribute to Canada's efforts to recognize gender as a cross-cutting issue in APEC.

We have already seen progress in three key areas of APEC's economic and technical co-operation agenda: small and medium enterprises, science and technology, and human resource development.

The Government of Canada is also working with APEC economies to incorporate more formally a women's agenda at future APEC meetings.

Our government's financial support is intended to strengthen the capacity of Canadian NGOs to contribute to the development of APEC policies and programs.

[*Translation*]

The Acting Speaker (Mr. McClelland): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock, pursuant to Standing Order 24(1).

(The House adjourned at 7.39 p.m.)

Settlement Agreement
Regarding
the Case of

Brian Mulroney v. The Attorney General of Canada et al.

Monday, January 6, 1997

Règlement hors cour
concernant l'affaire

Brian Mulroney c. le procureur général du Canada et al.

Le lundi 6 janvier 1997



Government
of Canada

Gouvernement
du Canada

Canada

SETTLEMENT AGREEMENT

1. The parties wish to announce that the Right Honourable Brian Mulroney, the Government of Canada and the RCMP agree to settle out of court the litigation presently pending among them.
2. The basis for the litigation was the Request for Assistance, initiated and drafted by the RCMP and signed and sent by the Department of Justice to the Swiss authorities in the Airbus investigation by the RCMP.
3. Some of the language contained in the Request for Assistance indicates, wrongly, that the RCMP had reached conclusions that Mr. Mulroney had engaged in criminal activity.
4. Based on the evidence received to date, the RCMP acknowledges that any conclusions of wrongdoing by the former Prime Minister were - and are - unjustified.
5. The Government of Canada and the RCMP regret any damage suffered by Mr. Mulroney and his family and fully apologize to them.
6. The parties have always acknowledged that the RCMP must continue investigating any allegations of illegality or wrongdoing brought to its attention.

B.T.

(10/8/81)

7. The Government of Canada and the RCMP emphasize that the Request for Assistance was a highly confidential state-to-state communication intended to be received by Swiss authorities who knew that it contained only allegations which were to be verified and that the persons named were presumed innocent of any wrongdoing.

8. The parties acknowledge that the procedure used in sending the Request for Assistance to Switzerland in this case was the same as that followed in numerous previous requests for mutual assistance under both the current and previous administrations where such requests have always remained confidential. Because of this the Government of Canada did not foresee that the Request for Assistance would become public. Since it did, the Government of Canada has reviewed its procedure to ensure that the risk of this happening again is minimized.

9. The parties accept that the RCMP, on its own, initiated the Airbus investigation; that the Minister of Justice was not involved in the decision to initiate the investigation; and that before November 4, 1995, the Minister of Justice was not aware of the Request for Assistance and the RCMP investigation.

10. The parties accept that the RCMP and the Department of Justice in sending the Request for Assistance to Switzerland acted within their legitimate responsibilities in this matter.

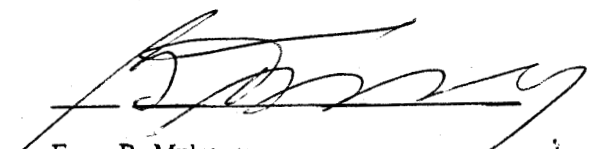
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MAD

11. The RCMP will pay to Mr. Mulroney all legal fees and disbursements and all fees and disbursements paid to experts whose reports were intended to be tendered to the Court, and which were reasonably incurred in the prosecution of this action. The final amount is to be determined by final binding arbitration, to the exclusion of any court, by former Chief Justice Alan B. Gold, or, if unavailable to act, by such other arbitrator chosen by the parties or in conformity with the Code of Civil Procedure of the Province of Quebec.

12. Mr. Mulroney waives his claim to damages because any award would be payable out of public funds.

13. Contemporaneous with the signing of this Settlement Agreement Mr. Mulroney will sign a release in the form attached as Schedule "A" and the Declaration of Settlement Out of Court attached as Schedule "B".

January 5, 1997


For: B. Mulroney


For: Feigenwald, Murray & The RCMP


For: AG & Prost

15.2

(TRADUCTION)**RÈGLEMENT HORS COUR**

1. Les parties annoncent que le très honorable Brian Mulroney, le gouvernement du Canada et la GRC conviennent de régler hors cour la poursuite à laquelle ils sont parties.
2. Cette poursuite visait la demande d'aide que la GRC avait amorcée et rédigée et que le ministère de la Justice avait signée et envoyée aux autorités suisses dans le cadre de l'enquête menée par la GRC sur l'affaire Airbus.
3. Certains termes employés dans la demande d'aide donnent faussement à entendre que la GRC avait conclu que M. Mulroney avait pris part à des activités criminelles.
4. D'après les éléments de preuve recueillis jusqu'ici, la GRC reconnaît que toute conclusion d'acte illégal de la part de l'ancien premier ministre était - et demeure - sans fondement.
5. Le gouvernement du Canada et la GRC regrettent le préjudice que M. Mulroney et sa famille ont subi et leur présentent leurs excuses les plus complètes.

6. Les parties ont toujours reconnu que la GRC doit poursuivre son enquête sur les allégations d'actes illégaux qui ont été portées à son attention.

7. Le gouvernement du Canada et la GRC font valoir que la demande d'aide était une communication strictement confidentielle entre deux États, adressée aux autorités suisses qui savaient qu'elle contenait uniquement des allégations à vérifier et que les personnes nommées dans ce document étaient présumées innocentes de tout acte illégal.

8. Les parties reconnaissent que les procédures utilisées pour transmettre la demande d'aide à la Suisse dans cette affaire sont les mêmes que celles suivies pour de nombreuses autres demandes d'entraide semblables, présentées tant sous l'actuel gouvernement que sous ses prédécesseurs. Ces demandes sont toujours demeurées confidentielles; aussi le gouvernement du Canada ne prévoyait-il pas que sa demande serait rendue publique. Comme celle-ci l'a été, le gouvernement du Canada a revu ses procédures pour minimiser les risques que semblable situation se répète.

9. Les parties conviennent que la GRC a, de son propre chef, décidé d'instituer une enquête sur l'affaire Airbus, que le ministre de la Justice ne s'est pas immiscé dans cette décision et que, par ailleurs, avant le 4 novembre 1995, le ministre de la Justice n'était au courant ni de la demande d'aide ni de l'enquête menée par la GRC.

10. Les parties conviennent qu'en adressant une demande d'aide à la Suisse, la GRC et le ministère de la Justice ont agi en conformité avec leurs responsabilités légitimes dans cette affaire.

11. La GRC remboursera à M. Mulroney les frais raisonnablement encourus au titre des honoraires légaux et déboursés et au titre de tous les frais et déboursés qui ont été payés aux experts retenus dans cette cause, dont les rapports devaient être présentés à la cour. Le montant final de ce remboursement sera déterminé au moyen d'un arbitrage exécutoire et sans appel, excluant l'intervention de tout tribunal, par l'ancien juge en chef Alan B. Gold ou, s'il ne peut assurer ce service, par tout autre arbitre que choisiront les parties, ou encore conformément au Code de procédure civile de la province de Québec.

12. M. Mulroney renonce à sa réclamation en dommages-intérêts étant donné que tout montant adjugé proviendrait du Trésor public.

- 4 -

13. En signant ce règlement hors cour, M. Mulroney signera également la quittance figurant à l'annexe «A» et la Déclaration de règlement hors cour présentée à l'annexe «B».

Le janvier 1997

Pour B. Mulroney

Pour Fiegenwald, Murray et la GRC

Pour le Procureur général et Kim Prost

CANADA

PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL

COUR SUPÉRIEURE

N° 500-05-012098-958

**LE TRÈS HONORABLE BRIAN
MULRONEY**

Demandeur

c.

**LE PROCUREUR GÉNÉRAL DU
CANADA**

-et-

MADAME KIMBERLY PROST

-et-

MONSIEUR J. P. R. MURRAY

-et-

MONSIEUR FRASER FIEGENWALD

Défendeurs

QUITTANCE ET TRANSACTION

Je, soussigné, LE TRÈS HONORABLE BRIAN MULRONEY, en considération de l'entente de règlement signée ce 5^e jour de janvier 1997, et en considération des paiements y mentionnés, donne quittance finale et complète aux défendeurs pour toute réclamation que j'ai ou pourrais avoir à leur encontre, reliée directement ou indirectement aux faits soulevés aux présentes procédures.

Je reconnais que l'entente constitue une transaction au sens des articles 2631 et suivants du *Code civil* du Québec.

SIGNÉ à Montréal, ce 5^e jour de janvier 1997


LE TRÈS HONORABLE BRIAN MULRONEY

SCHEDULE "A"

CANADA

SUPERIOR COURT

PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

LE TRÈS HONORABLE BRIAN MULRONEY,

NO. 500-05 012 098-958

Plaintiff,

vs

LE PROCUREUR GÉNÉRAL DU CANADA,

Ms. KIMBERLY PROST,

J.P.R. MURRAY,

FRASER FIEGENWALD,

Defendants

RELEASE AND DISCHARGE

I, the undersigned, **THE RIGHT HONOURABLE BRIAN MULRONEY**, in consideration of the Settlement Agreement entered into this day of January 1997, and in consideration of costs to be paid in accordance with the Settlement Agreement, hereby release and discharge the Defendants from all claims, which I have or may have arising out of or related directly or indirectly to the matters set forth in the various proceedings in the present case.

I recognize that this Settlement constitutes a transaction within the meaning of Articles 2631 and following of the Quebec Civil Code.

SIGNED at Montreal, this day of January 1997.

The Right Honourable Brian Mulroney,
Plaintiff

WBR

BT

ANNEXE «B»

CANADA

COUR SUPÉRIEURE

PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL

N°: 500-05 012 098-958

LE TRÈS HONORABLE BRIAN MULRONEY

Demandeur

c.

LE PROCUREUR GÉNÉRAL DU CANADA,

Ms. KIMBERLY PROST

J.P.R. MURRAY,

FRASER FIEGENWALD,

Défendeurs

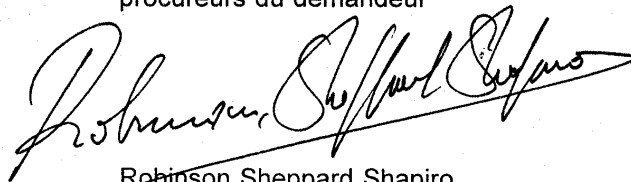
DÉCLARATION DE RÈGLEMENT HORS COUR

Les parties, par leurs procureurs soussignés, déclarent la présente cause réglée hors cour.

SIGNÉ à Montréal, ce 5^e jour de janvier 1997.



McCarthy Tétraut
procureurs du demandeur



Robinson Sheppard Shapiro
procureurs du Procureur Général du Canada
et Kimberly Prost



Heenan Blaikie
procureurs de J.P.R. Murray
et Fraser Fiegenwald

SCHEDULE "B"

CANADA

SUPERIOR COURT

PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

NO. 500-05 012 098-958

LE TRÈS HONORABLE BRIAN MULRONEY,

Plaintiff,

vs

LE PROCUREUR GÉNÉRAL DU CANADA,


Ms. KIMBERLY PROST,

J.P.R. MURRAY,

FRASER FIEGENWALD,

DECLARATION OF SETTLEMENT OUT OF COURT

The parties, by their undersigned attorneys, declare the present case settled out of Court.

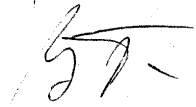
SIGNED at Montreal, this  day of January 1997.



McCarthy Tétrault
Attorneys for Plaintiff

Robinson Sheppard Shapiro
Attorneys for Le Procureur Général du Canada
and Kimberly Prost

Heenan Blaikie
Attorneys for J.P.R. Murray
and Fraser Fiegenwald

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