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OFFICIAL REPORT
(HANSARD)

Wednesday, September 28, 2005

—
Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, September 28, 2005

The House met at 2 p.m.

Prayers

•(1400)

[*English*]

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Glengarry—Prescott—Russell.

[*Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*English*]

JACQUELINE PERRY

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, I rise today to pay tribute to a truly exceptional young woman. Tragically, Dr. Jacqueline Perry was killed on September 6 by a bear in Missinaibi Lake Provincial Park. Her husband, Mark Jordan, fought heroically for her, but ultimately was unable to save her from the wounds.

Dr. Perry was born and raised in Brantford, Ontario, and later attended McMaster University in Hamilton, where she received a bachelor of science degree. After three years at McMaster, Dr. Perry pursued medical studies at the University of Toronto and went on to operate a very successful medical practice in Cambridge, Ontario, while also working part time in the emergency room at Brantford General Hospital.

Dr. Perry garnered much respect, both from her colleagues in the hospital and from the patients she treated. She will be remembered as a dedicated and brilliant doctor, a thoughtful and caring community volunteer, and a warm and loving daughter, sister and wife. My deepest condolences go to her family, including her parents, Ralph and Brenda Perry, and her husband Mark Jordan.

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AUTISM

Mr. Greg Thompson (New Brunswick Southwest, CPC): Mr. Speaker, today along with other members of the House and parents of autistic children, I attended a rally on Parliament Hill urging the federal government to provide financial support to cover the cost of treatment for every child diagnosed with autism.

Autism rates are on the rise in Canada. This neurological disorder affects 1 in every 195 of our children.

Therapy which has been credited in helping children overcome the effects of autism can cost a family up to \$60,000 a year. These families and children need our support and I urge the federal government to take the steps necessary to address this important issue.

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•(1405)

[*Translation*]

YOUNG LIBERALS' CONVENTION

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, I would like to draw the attention of the House to the highly successful young Liberals' convention held in Trois-Rivières, which brought together more than 300 participants from all the regions of Quebec.

Believe me, it feels great to see 300 young federal Liberals from Quebec coming together to discuss politics and share their hopes, challenges and vision for the future.

While not always in agreement with its youth wing, a political party has a duty to listen and pay attention to what it has to say, because parties that close the door to young members cut themselves off from their own future. That is something the Liberal Party has understood for a long time, and that is why it values its young members as it does.

Young people have important things to say and share. They are in the best position to identify the problems and challenges facing them. They also have a different outlook on the challenges of our times.

Let us not forget that, when we in this House talk about building the Canada of tomorrow, we are talking about their future, and we ought to listen to them.

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ANNE-MARIE ALONZO

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, Anne-Marie Alonzo, a playwright, poet, novelist, and founder of Les Éditions Trois and the Festival de Trois, passed away in June.

A woman of commitment, she made a significant contribution to Quebec literature. Her wide-ranging poetry contrasted with the physical restrictions she lived with following a 1966 car accident which, in her own words, stopped her body from beating.

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She also played a leadership role in the Quebec women's movement. Her feminist involvement was reflected in her editorial choices as well as in *La vie en rose* and the *Gazette des femmes*.

Anne-Marie loved beauty and life. She has left life and beauty, but she has left words and ideas behind.

Anne-Marie, you transcended your limitations and gave profound meaning to a life too short. Thank you for having lived so intensely and for your wonderful legacy.

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[*English*]

POLIO

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, this month marks the 50th anniversary of the discovery of the polio vaccine. Polio was a disease that spread across North America during the 1930s, 1940s and 1950s. It resulted in death for some and left tens of thousands of other individuals permanently paralyzed or with disabilities.

At its peak, polio was one of the most feared and studied diseases of the first half of the 20th century. It was not until 1955 that Dr. Jonas Salk discovered a miracle vaccine that eradicated the disease in North America.

Unfortunately, polio still lurks in other parts of the world and that is why the Ontario March of Dimes, Polio Canada and the federal government have joined the World Health Organization to address ongoing vaccine development and post-polio syndrome, which affects 125,000 Canadians today.

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AGRICULTURE

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, the government seems to delight in tormenting agricultural producers. Farmers had a program called NISA that was working for most of them, so the Liberals gutted it. They replaced it with CAIS, a program that has been wrapped in controversy right from the beginning. It is just not working for most producers.

Let me give an example. The government had a September 30 deadline for 2004 CAIS applications. It actually wanted farmers to get off the combine at harvest time and go home to do book work.

Today, under pressure from Conservative members, producers and accountants, the government has finally extended the deadline until farmers get out of the fields and are able to do their book work.

That is not enough to fix the program. Producers are still waiting for 2003 payments and some have been told it will be months. Others cannot qualify for payments, and more and more questions are being asked about the structure of the entire program. As one farm economist told me, this program is “a subsidy for the chronically profitable”.

This government has no effective plan for agriculture. It really is time for a change.

● (1410)

OVARIAN CANCER

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, I rise today to bring to the attention of members a little known disease that carries a high fatality rate: ovarian cancer.

Every three and a half hours a woman in Canada is diagnosed with ovarian cancer and in fact most of them die. The reason is that ovarian cancer is not diagnosed early enough and the reason is that the symptoms are so vague women ignore them.

It is important for women to be able to know their family history, as ovarian cancer is genetic, and to be able to report vague symptoms when they occur over a long period of time.

Ovarian Cancer Canada provides a support network for women with this disease and their families. I applaud it for bringing attention to this problem that is little known but one that women must be made aware of.

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[*Translation*]

41ST QUEBEC SUMMER GAMES

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, it is my great pleasure to inform the House that the finals of the 41st Quebec summer games, held in Amos, in the heart of my riding, from August 5 to 13, were a resounding success.

The Amos region, which boasts a population of approximately 25,000, hosted nearly 4,000 athletes, 800 attendants, 400 officials, 250 heads of delegations, approximately 250 missionaries and over 12,000 visitors. This celebration of sports participation for our young athletes was made possible thanks to 3,900 volunteers who devoted their skills, know-how and time to ensuring the success of each competition and cultural event.

On behalf of my Bloc Québécois colleagues, I want to congratulate the athletes and send a special thank you to the organizing committee, which mobilized everyone in our community and proved that success is possible in the regions.

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NATIONAL HIGHWAY SYSTEM

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, during the recent meeting of Canadian ministers responsible for transportation, we learned that the ministers had agreed to expand our national highway system.

Three highways in New Brunswick, including routes 11 and 17, which run through my riding of Madawaska—Restigouche, were added to the national highway system.

I want to highlight the importance of this decision, since it will greatly facilitate the upgrading of these two highway routes, which are essential to the economy of Madawaska—Restigouche and all of New Brunswick.

I am hopeful that New Brunswick will recognize the vital importance of these highways to the province, so that upgrading of routes 11 and 17 can begin as soon as possible, to ensure the safety of those travelling on them.

I am very happy to have made every effort, along with some of my colleagues, to ensure the inclusion of these highways in the national highway system.

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[English]

INCOME TRUSTS

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, there is an uneasy nervousness, especially among seniors, regarding the current shadow hanging over income trusts. It is solely based on the government's recent decision. Or should I say "indecision"?

Seniors draw regularly from their investments to supplement their retirement and when the value of their investments drops so does their retirement income. In a recent email, a St. Catharines senior writes:

I am retired and depend on distributions from income trusts to supplement my pension. The remarks by the Finance Minister have confused the situation...At the present time, finances of individuals in my position are in limbo.

The finance minister's reckless move to avoid making a decision on new income trusts has had a detrimental impact on the nest eggs of seniors and ordinary Canadians saving for retirement. Let us call it what it really is: another Liberal tax grab.

With energy costs continuing to soar and winter fast approaching, this government has done nothing but offer the double whammy to our seniors: higher energy costs and higher taxes. It is time we stopped penalizing our seniors and started to give them the respect they so richly deserve.

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CHARITY BARBECUE

Mr. Andy Savoy (Tobique—Mactaquac, Lib.): Mr. Speaker, I rise today to thank the hundreds of volunteers and my colleagues in the House who helped raise more than \$125,000 at the Hands Across the Border charity barbecue held here today on Parliament Hill.

In less than 10 days, volunteers and corporate sponsors made burgers appear and helped bring more than 4,000 people together to show our support for our American neighbours.

The Prime Minister and all party leaders made this event a great success by flipping burgers alongside the volunteers.

Canadians have now raised over \$15 million for hurricane relief. Today all parliamentarians helped carry on Canada's tradition of caring and sharing.

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● (1415)

GOVERNOR GENERAL OF CANADA

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, today I rise to offer the congratulations of New Democrats from

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coast to coast to coast on the installation of our 27th Governor General the Right Hon. Michaëlle Jean.

We welcome a courageous and powerful voice for women's rights on to our national stage. It is my hope and that of my colleagues that Madam Jean's deep conviction in the important and unique role women have in Canadian society can reach beyond the walls of Government House and into every facet of Canadians' daily lives.

We were moved yesterday by the unique ceremony which marked the beginning of our new Governor General's term. The standard protocol and stuffiness was replaced by glorious music representing the rich diversity of our land. We can only hope the sounds of music fill these usually staid, sedate halls more often.

In her moving speech yesterday, Madam Jean said, "I am determined that the position I occupy as of today will be more than ever a place where citizens' words will be heard, where the values of respect, tolerance, and sharing that are so essential to me and to all Canadians will prevail".

We echo Madam Jean's call, and we stand behind her ready to promote the values of tolerance, respect and sharing.

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HOME HEATING COSTS

Mr. Myron Thompson (Wild Rose, CPC): Mr. Speaker, does anyone remember back to the eve of the federal election of 2000 in which the Liberal government promised Canadians some form of rebate to offset soaring home heating costs? Rumour has it this vote-buying boondoggle is about to be repeated.

Do I have to remind Canadians that the last time the Liberals tried this, among the first to receive their cheques were 13,000 residents of prisons and cemeteries. I understand why the Liberals would send cheques to the inmates since they give them the right to vote, but I am not quite sure why they mailed them to the dead. Perhaps they had a plan for them as well.

Even worse, the Auditor General reported that up to 80% of the \$1.4 billion of taxpayers' money disbursed went to people who do not pay heating bills. Don Drummond, the chief economist with TD Bank, dismissed the program as "a joke. It's political, I guess; economically it doesn't make any sense". I think Mr. Drummond is right on the mark. It is no coincidence that these rebate cheques will arrive at winter's end and just before the planned spring election.

I beg Canadians not to be fooled again and not to let the Liberals bribe them with their own money.

Oral Questions

[Translation]

DES OUTILS POUR LA VIE PROJECT

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, I am sure you are aware that the cause of women and children is very close to my heart. I was recently extremely touched to have been made “godmother” of a project in Stanstead called “Des outils pour la vie”.

This project provides support for ten young single mothers in my region. It provides these young mothers, some of whom have several children, with support to enable them to finish secondary school, join the work force and contribute to their community.

Thanks to their determination and the help of the community, these young mothers and their children are enriching their personal and working lives.

The Bloc Québécois salutes these young mothers and congratulates them on their courage and determination in taking control of their lives. Good for you!

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[English]

GASOLINE TAXES

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, Liberals say they feel Canadians' pain at the pumps, yet plot to stick it to Canadians by pumping up the government's gas tax revenues instead. Conservatives are fighting to cut gas taxes to help seniors lower their coming heating costs now.

The environment minister tells them to “get on their bikes and ride”. Conservatives are fighting for gas tax relief for farmers who will not get their costs back. Environment Canada reports that Liberals really want them to pay \$1.40 a litre.

Conservatives are fighting for small businesses that have to eat high gas taxes on the bottom line. The industry minister barks, “get used to it”.

Conservatives are fighting for Canadian families hurt by high gas taxes. The former natural resources minister lectures them, “squeeze into a wee bitty car”.

Conservatives are fighting to cut gas taxes for all Canadians. The Liberal member for Ajax—Pickering says Canadians should “look on the bright side”. The only thing colder for Liberals than the coming winter is the shoulder Canadians will give them at the polls.

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[Translation]

COQUITLAM'S FLAUNT YOUR FRENCHNESS CAMPAIGN

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, I would like to extend my congratulations to the City of Coquitlam, which has won two Marketing Canada awards from the Economic Developers Association of Canada. Its “Fièremment francophone” or “Flaunt your Frenchness” campaign earned one award for tourism marketing and the other for promotional campaigns.

Last spring, with a view to celebrating the rich francophone heritage and culture of Coquitlam, its mayor encouraged his fellow

citizens to show their francophone pride within the framework of a new tourism campaign created by Barb Stegemann, the city's director of tourism.

The purpose of the campaign was to focus on the dynamic nature of British Columbia's francophone community and its rich culture.

“Fièremment francophone” encourages people to flaunt their Frenchness, whether it be their language, their French ancestors, French fashions or a love for French cuisine.

Given our government's attachment to guaranteeing linguistic duality in Canada, I am very proud to have this opportunity to congratulate the City of Coquitlam in the House today.

ORAL QUESTIONS

● (1420)

[English]

DAVID DINGWALL

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, I understand that David Dingwall, another Liberal appointee and head of the Mint, resigned today over the misuse of taxpayer dollars. However, this action takes place only after evidence of this waste and abuse was exposed by the opposition through access to information and reported by the media.

Can the Prime Minister tell us why this Liberal culture of waste and scandal is only stopped once it is actually exposed publicly?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, Mr. Dingwall has dedicated most of his life to public service. He has been a member of Parliament. He has been a cabinet minister in the Government of Canada and he has been the head of the Mint. May I just simply say that under his tutelage at the Mint, the Mint has now been returned to profit.

The fact is that I have accepted his resignation, but let me just say that he gave the reasons for his resignation. Among them was that he does not want any distraction at the Mint while he replies to that kind of an allegation.

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JUSTICE

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, on another matter, I was glad to hear that the Prime Minister did call the representatives of the families of the murdered RCMP officers yesterday to apologize.

I do want to return though to the substance of the question. The police families generally have been demanding mandatory minimum prison sentences. The Minister of Justice said after the tragedy in Mayerthorpe, “We have said before and I will repeat again that... mandatory minimums serve neither as a deterrent nor an effect.”

Oral Questions

Will the Prime Minister take some action and impose mandatory prison sentences for serious, violent and repeat crimes?

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we appreciate that there is no greater responsibility for a government than to protect the safety of its citizens, no greater responsibility than to protect the rights of communities and the rights of people in those communities.

Therefore, we have said and continue to enact, and it needs to be appreciated with regard to gun related crime that we take it with the seriousness that it deserves. There are at this point mandatory minimum penalties of up to four years to a maximum of life imprisonment for 10 serious offences committed with a firearm.

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, the minister says that mandatory minimum sentences do not work. I can give a reason why we need mandatory minimum sentences.

[*Translation*]

Paul Coffin, one of the Liberals involved in the sponsorship scandal, was in Montreal yesterday to give a lecture on ethics.

That is his sentence for defrauding the taxpayers of \$1.5 million.

Does the Prime Minister find that acceptable?

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the matter the Leader of the Opposition is referring to is currently before the courts. I cannot comment. I will repeat today that the case falls within the jurisdiction of the provincial Crown.

[*English*]

Mr. Peter MacKay (Central Nova, CPC): Mr. Speaker, the families of the four murdered RCMP officers have called for mandatory prison sentences for marijuana grow ops. There were some members over there who actually believed that at one time. The families also want Bill C-17, the marijuana decriminalization bill, scrapped.

Family spokesman Reverend Schiemann said that the Roszkos of this world are laughing at us. He is worried that the Mayerthorpe tragedy could happen again.

The families say it is time to draw the line, but the government, instead of tightening the drug laws is actually slackening them. Decriminalization is a step in the wrong direction.

When will the Prime Minister commit to shelving Bill C-17 permanently and getting on with tightening our laws in the country?

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would like to remind the hon. member of two things.

Number one, that bill is a result of a unanimous recommendation by a parliamentary committee which included members of the opposition of that committee.

The second thing is that the bill calls for four new offences to combat grow ops with enhanced penalties. We would ask for the opposition's cooperation to enact that rather than to obstruct it.

● (1425)

Mr. Peter MacKay (Central Nova, CPC): Mr. Speaker, we thank the professor of justice for that little lecture, but he is wrong. The Liberal government's legacy will be leniency on drugs in Canada, soft on drugs and soft on crime generally.

Crystal meth labs are proliferating around the country. This highly available and addictive drug is having a devastating impact on the lives of Canadians. Just this week, a \$2.5 million crystal meth lab was shut down, and B.C. municipal leaders are calling for more drug laws as well.

The Prime Minister knows Bill C-17 can actually increase drug use. When will the Prime Minister show some leadership for a change and introduce mandatory minimum sentences for—

The Speaker: The hon. Minister of Justice.

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, maybe the hon. member was not paying attention this summer. We moved to reschedule crystal meth. This now increases the penalty from 10 years to life imprisonment with regard to the production and distribution of crystal meth.

The opposition ought to look at what the law is rather than speak in ignorance of the law.

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[*Translation*]

GASOLINE PRICES

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, after unremitting pressure from the Bloc Québécois, the federal government is finally showing more openness to creating a petroleum monitoring agency and giving the Competition Bureau more power.

With the cost of heating and groceries constantly going up because of the price of oil, will the Prime Minister promise, as the Bloc Québécois has proposed, to implement a refundable tax credit to help low-income families cope with this crisis right away?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, the leader of the Bloc Québécois should know that the Parliamentary Secretary to the Minister of Foreign Affairs submitted to this House a clear study on this matter ages ago. The government is basing its decisions on that study.

We are now in the process of monitoring the prices. Yesterday you heard from the Minister of Finance and the Minister of Industry, who are currently working on other options. I want to commend the minister's parliamentary secretary, because he was the one who took the initiative, not the Bloc Québécois.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I will let that comment pass.

Taxi drivers are also being hit by the spike in gas prices. In order to mitigate this situation, the Bloc Québécois has proposed a tax credit, much like the one already introduced by the Government of Quebec.

Oral Questions

Will the Prime Minister promise to do his part and move forward with this measure that would greatly help taxi drivers? Perhaps there is a parliamentary secretary who has already thought of that as well. Then he should say so and we will support him.

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, of course in the case of all small businesses there is a full rebate of the GST that operates through the normal GST system.

I am interested that the leader of the Bloc Québécois says that he has been on this and various other issues for the past three years. I would point out that the report filed in this House by the member for Pickering—Scarborough East is dated June 1998, so he has been on this issue for a lot longer.

[Translation]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I hope the government will not wait another two years before implementing the solutions proposed by the Bloc Québécois. People need these initiatives now. One of these measures would create a tax credit for independent truckers equal to 6% of their operating costs.

Will the government finally acknowledge that this is a serious problem and act on our proposal?

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the government is looking at all the ways in which to deal with the situation fairly and in the public interest, including transparency and competitiveness in the marketplace. This includes actions related to energy conservation and energy efficiency, and also measures that will try, as well as we can, to assist with the burden on the lowest income people in the country.

[Translation]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the increase is also affecting people who live in remote areas far from major urban centres and who must travel long distances in order to access services and go to work.

Does the government intend to implement another of the Bloc Québécois' solutions and ensure more people qualify for the current tax deduction of \$3.75 per day for individuals in very remote regions? Will the government do the right thing for people in the regions who are suffering from the effects of the increase in gasoline prices?

• (1430)

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the Government of Canada will take into account the very best interests of all Canadians, wherever they may be in this wonderful country.

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[Translation]

DAVID DINGWALL

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, last year, David Dingwall, a former colleague of the Prime Minister

in the Chrétien cabinet, spent over \$1 million of taxpayers' money. He has resigned, and good riddance. However, the problem goes much further than Mr. Dingwall.

What happened? After the spendthrift ways of André Ouellet at Canada Post, why did the Prime Minister do nothing to stop wasteful spending by his old cronies?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, I have already answered that question, but I will answer it again.

As I just said, Mr. Dingwall has dedicated his life to the public service. He has been a member of Parliament and a minister and, until today, President of the Royal Canadian Mint. He has just resigned, at a time when the Mint is making a profit. He has just resigned, in part so that he can respond to these allegations.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, Mr. Dingwall has redefined the whole concept of loose change, that is for sure.

Let us look at the facts. The Prime Minister has not tightened the rules, even after David Dingwall lobbied the government when he was an unregistered lobbyist. Every penny wasted by David Dingwall happened on the Prime Minister's watch. Even after André Ouellet resigned from Canada Post, no rules were changed whatsoever. I guess the deal is: do not get caught.

Ten million dollars went to the Prime Minister's friends over at Earncliffe, and then he appointed more friends to the Senate. Is this muck really Jean Chrétien's fault?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I simply point out to the hon. member that he might want to go back to last spring and read the report that we tabled in the House and the new instructions to the crown corporations on how they handle their governance in these matters. Each one of them has appointed an audit committee, has strengthened their internal audit functions and the overall policy has been described as leading corporate governance in the country.

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, in 2004, Liberal patronage appointee David Dingwall spent over three-quarters of a million dollars on numerous lavish dinners, excessive international travel, a free car and a swanky limousine, and let us not forget the exclusive golf club to which taxpayers paid for him to belong.

The Prime Minister cannot defend this unbelievable further episode in the Liberal pork opera that his administration has become. By becoming an apologist for Mr. Dingwall and condoning this misconduct, when will he admit that he is encouraging more of the same?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I encourage the member to be a little cautious in the words that he uses. Every expense that Mr. Dingwall incurred was reported to his board and was consistent with the guidelines. The corporation that he heads does not receive taxpayer funding. In fact, the corporation that he heads and that he turned around so it reported a profit pays a dividend to the Government of Canada.

Oral Questions

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, I thought former porkmaster general André Ouellet, who spent \$2 million of taxpayer money without receipt, was the prince of pork, but the new undisputed king of swining and dining is absolutely David Dingwall.

The Prime Minister seems totally incapable of reining in the profligate spending of he and his colleagues and this is just the latest in a serious of blatant abuses perpetrated by the government against Canadian taxpayers. Dingwall's spending spree took place under the Prime Minister's watch. When did he know or is he going to use the wilful blindness defence again?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, the way that member accounts for things, I could take his office and travel expenses and I could say he is a \$600,000 member.

The reality is every expense that was incurred was incurred within the policy of the Mint, was vetted by its senior financial officer and was approved by its board. If he thinks there is something improper there, he should write to the Mint, take it outside of the House and have this discussion with Mr. Dingwall who is now free to do so.

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●(1435)

TECHNOLOGY PARTNERSHIPS CANADA

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, here is something more about former minister David Dingwall. It had been reported that he had received \$350,000 to help Bioniche obtain a grant through Technology Partnerships Canada. This is expressly forbidden by the government's own rules.

Yesterday we learned, however, that Bioniche has in fact paid back \$460,000 to the government for violating its agreement. That is more than \$100,000 difference.

Will the industry minister come clean on this issue and tell us how much money was paid to that former Liberal cabinet minister?

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, the Government of Canada has a contractual relationship with the companies that are in receipt of contributions under Technology Partnerships Canada. We have audited those programs and we have found breaches in those contracts. We are remedying those breaches and recoveries are being made to taxpayers.

Of the \$2.8 billion in TPC funds that have been put out, we have got back \$14 billion when we consider the amount that private sector companies have spent on innovation in Canada.

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, \$2.8 billion, 5% repayment, that is the truth about what the government has recovered. The fact about any proprietary information is that this is taxpayer money and taxpayers deserve an answer to these questions.

There is a discrepancy here between \$350,000 and \$460,000. Why does the government continue to hide how much money former Liberal cabinet minister David Dingwall received?

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, as I said before, the government's relationship, under the technology partnerships program, is defined in contracts with business. We are

dealing with those contracts, we are remedying the situation and the Canadian economy is benefiting. It is nearly 90% small business that benefits from these programs.

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[Translation]

GASOLINE PRICES

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, because of the rise in fuel prices, farmers have to pay more to heat their homes and greenhouses, dry their grain and run their machinery.

UPA president Laurent Pellerin is urging the federal government to help out farmers who were already having a hard time before fuel prices started to spiral upward.

Does the Minister of Agriculture and Agri-Food intend to pressure the Prime Minister to introduce some concrete measures to help the farmers cope with the rise in fuel costs?

[English]

Hon. Andy Mitchell (Minister of Agriculture and Agri-Food and Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.): Mr. Speaker, that is exactly why we had business risk management programs in place so we could deal with things like increased input costs. In fact, the CAIS program is there to do that. To date that program has paid out to producers over \$2.2 billion.

I point out that in the first six months of this year, our governments have paid to producers some \$3.3 billion.

[Translation]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I was referring to concrete measures to deal with rising fuel costs, and the answer I have just heard has no connection to that.

With gas at \$1.05 a litre, it is estimated that additional costs to Quebec producers this year will be \$52 million. Imagine what the situation will be when it is up to \$1.40.

Will the minister come to the defence of farmers once and for all, and demand that his government compensate them for their additional expenses as a result of higher fuel prices?

Oral Questions

[English]

Hon. Andy Mitchell (Minister of Agriculture and Agri-Food and Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.): Mr. Speaker, the hon. member may have some difficulty understanding what an input cost is, but the reality is the CAIS program does deal with increased input costs, including those for energy.

[Translation]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the measures proposed by the Bloc Québécois can be implemented without being impossibly costly for the government. All that is needed is some courage and concern for the public interest.

Does the government not think that a surtax of \$500 million on the astronomical profits of the oil and gas companies would be far more intelligent than repeating the \$250 million in tax cuts they were given in 2003?

• (1440)

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the hon. gentleman's logic is a bit obscure. I am not sure that increasing taxes in this situation would lead to solutions to the problem.

To extend his logic, if there should be a sudden spike in the price of natural gas, would the hon. gentleman advocate some great new federal tax on Gaz Métropolitain or is it just Alberta and Saskatchewan companies that should be taxed?

[Translation]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Since the Minister of Finance's decisions keep on getting reversed, I would ask the real finance minister, in other words the Prime Minister, why he would miss the opportunity to put a surtax on oil and gas company profits in order to return that money to where it ought to have stayed all along, i.e. the taxpayers' pockets?

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the gas companies are already among the largest taxpayers in the country. I would point out that on the latest figures that I recall when I was Minister of Natural Resources that the energy companies of this country to the federal government, to the provinces and to the municipalities were contributing over \$15 billion in annual revenues to support public services like health care and education, and that was when the price was \$35. Now they are contributing considerably more.

* * *

CRIMINAL CODE

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, yesterday the Minister of Justice stated that the Criminal Code is full of examples of mandatory prison sentences, including murder and firearms. He also said that American defence lawyers say that mandatory prison sentences do not work. Big surprise there. The fox wanting to help the chickens out here.

Is the minister proposing to eliminate mandatory prison sentences for murder and firearms offences because he philosophically is opposed to those mandatory prison sentences?

Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): No, Mr. Speaker.

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, the minister says that he is philosophically opposed to mandatory prison sentences and yet we have mandatory prison sentences. Those are in danger. Property crime rates in Vancouver and Winnipeg have now overtaken the worst American cities. In addition, thousands of serious violent offenders, including methamphetamine dealers, are getting house arrest, and the minister argues that mandatory prison sentences for murder and firearms offences do not work.

Is the minister proposing to eliminate them?

Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am not certain what the hon. member does not understand about the word no.

* * *

GASOLINE PRICES

Ms. Helena Guergis (Simcoe—Grey, CPC): Mr. Speaker, another day goes by, another day of inaction from the government and high gas prices.

According to an internal 1999 Environment Canada study, the government felt that Canadians should be paying \$1.40 per litre for gasoline. Has the Prime Minister stopped trying to implement this secret report or will he continue to gouge Canadians at the pumps?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, if the hon. member would consult with some of her own colleagues, including perhaps the member for Medicine Hat, he could explain to her that the cause of the recent spike in gasoline prices is international market circumstances. The tax has not changed. The federal taxes are the same now as they were in 1995.

Ms. Helena Guergis (Simcoe—Grey, CPC): Mr. Speaker, it is only now that we are learning about the Liberal hidden agenda on high gas prices. The *Calgary Herald* revealed this in an interview with the environment minister. He said that high gas prices were actually good for Canada.

Will the Prime Minister admit that his environment minister is wrong, listen to Canadians and help them with the out of control cost of gas?

Hon. Stéphane Dion (Minister of the Environment, Lib.): Mr. Speaker, that is misquoting me. She would be unable to say that I have said that. It is not a quote.

What is true though is that we have structural growth of the energy costs. We need to be more energy efficient. The climate change plan that we have is a plan for efficient energy. The Conservative Party is against it. Canadians should not support a party that wants to go in the wrong direction.

Oral Questions

[Translation]

OFFICIAL LANGUAGES ACT

Ms. Françoise Boivin (Gatineau, Lib.): Mr. Speaker, protecting the linguistic rights of minorities is important to our government. That being said, what does the minister think of the Bloc members' comments on Bill S-3?

• (1445)

Hon. Mauril Bélanger (Minister for Internal Trade, Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Associate Minister of National Defence, Lib.): Mr. Speaker, the Bloc Québécois is true to itself. When problems arise in applying the Official Languages Act—and they do arise and we do address them—they blow them out of proportion.

Nevertheless, when the Commissioner of Official Languages says that progress has been made over the past 35 years in every area affecting the country's linguistic communities, we do not hear a peep from the Bloc.

[English]

As far as the Quebec anglophone community is concerned let me say this. As far as this government is concerned the linguistic minority of Quebec will always be covered by the Official Languages Act.

* * *

GOVERNMENT OF CANADA

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, my question is for the government House leader.

We showed up in this session ready to get to work and ready to get something done for Canadians. What did we get? We got a do nothing legislative agenda that is filled with housekeeping bills, committee reports and even leftovers from the Chrétien years.

I have a very straightforward question. Does the government have a priority for the fall, and if so, where is it and what is it?

Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there is no doubt that our agenda in this particular sitting will work toward emphasizing and building the priorities of a 21st century economy, protecting and strengthening our social foundations and continuing to ensure that Canada enjoys a role of pride and influence in this world. We will have an update from the Minister of Finance who will reinforce our well-earned reputation for sound fiscal management, moving forward on measures to enhance growth and prosperity and foster Canada's economic competitiveness. I could go on and on but I know my time is over.

* * *

ELECTORAL REFORM

Hon. Ed Broadbent (Ottawa Centre, NDP): Mr. Speaker, my question is for the deputy House leader.

We have just heard another example of empty rhetoric. Last June the deputy House leader promised there would be action taken so we

could begin the serious process of electoral reform by next Monday at the latest. Nothing happened over the summer.

Is this not another extraordinary example of the cynicism and empty rhetoric of the government that the people of Canada want removed from politics?

Hon. Mauril Bélanger (Minister for Internal Trade, Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Associate Minister of National Defence, Lib.): Mr. Speaker, I can understand the eagerness of some members of the House to proceed with electoral reform.

Let me say that when the question came up in June about this matter, I had given assurances to the member that the government would take the report very seriously. The government will table its response to that report on or before October 20, as per House rules, and I believe members will see that the government indeed is treating it very seriously.

* * *

GOVERNMENT CONTRACTS

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, it becomes clearer every day that if one wants a government contract it all boils down to who you know in the PMO.

It is not just Liberal friendly ad firms that get rich at taxpayers expense. It is also Prime Minister friendly firms as well. A Liberal insider confirmed months ago that there were contracts issued to the PMO friendly firms with no competition. We now know that those contracts were worth over \$71 million.

Why did the Prime Minister's friends at Earncliffe and EKOS receive these contracts with little or no competition when they were actually just working on his behalf?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I believe what the hon. member is referring to is the area of public opinion research. It is important to recognize that the Auditor General has recognized that with the public opinion research the government has conducted itself appropriately. In fact, the government has strengthened management of both advertising and public opinion research. These changes create more competition and improve the value for the Canadian taxpayer that we receive from these suppliers for the department. We are strengthening our governance and ensuring the best possible value for all Canadian taxpayers.

Mr. Gary Lunn (Saanich—Gulf Islands, CPC): Mr. Speaker, could the Minister of Public Works confirm that the RCMP attended the offices of Public Works sometime within recent weeks to take possession of numerous documents related to the sponsorship scandal which had not previously been disclosed to either the public accounts committee inquiry or the Gomery commission? Could the minister confirm that this is true?

• (1450)

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, no, the minister cannot confirm that because this in fact has not occurred to the knowledge of the minister.

*Oral Questions***INCOME TRUSTS**

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, here is what a senior Liberal said in the media today about income trust unit holders. He said that Liberals do not believe there is a danger of a major backlash from angry investors because this group does not vote as a bloc. "They have no constituency. They don't count politically...". Don't you just love that Liberal arrogance, Mr. Speaker?

Why does the finance minister not just admit that the real reason he wants to gut the retirement nest eggs of seniors and investors is because they think they can get away with it?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, I would hope the hon. gentleman would make it clear, even in some of the hyperbole in the media, that the quotation he is referring to did not come from me. In fact, I take the concerns and interests of all investors in this country seriously. I am anxious to make sure that the laws of this country, including the tax laws, treat them all in a fair and appropriate manner while at the same time contributing to growth and productivity.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, yesterday the finance minister had the nerve to claim that 75% of Canadians like it when the Liberals savage their retirement nest eggs. Here is what one person had to say in his e-mail to me the other day, "I am shocked and feel cheapened by the casual dismissal that Liberals made of myself and hundreds of others yesterday...".

When will the government quit making political calculations and give their unequivocal commitment to maintaining income trusts?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, apart from the extremes and the exaggerations that we sometimes hear in the House, if one listens carefully to Canadians, concerns have been expressed. Concerns have been expressed not just by me but by people in the business community and provincial governments about revenues, about fairness and about growth and productivity.

The opposition can heckle and babble but the Government of Canada is anxious to get the policy right, which is why we are consulting with Canadians.

* * *

[*Translation*]

ROYAL CANADIAN MINT

Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ): Mr. Speaker, once again we are watching a sorry tale unfold involving Liberal cronies appointed by Liberals to head crown corporations behaving like they own the government.

In light of Mr. Dingwall's resignation, what is the government waiting for to hold to account every Liberal crony at the head of a crown corporation earning \$300,000 a year and unashamedly abusing public funds?

[*English*]

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I would simply ask the member to speak to his colleagues who worked with the committee on the report on crown

corporations. In fact, as I have said before, every single expense Mr. Dingwall undertook has been reported, verified by the senior financial officer and reported to the board.

[*Translation*]

Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ): Mr. Speaker, David Dingwall is a former Liberal cabinet minister who was appointed by Jean Chrétien. His former boss, Chairman of the Board Emmanuel Triassi, was appointed by another Liberal, Alfonso Gagliano. Once again we have Liberals abusing public funds and Liberals in charge of supervising other Liberals.

What is the government waiting for to put a stop to this by tightening the rules and demanding that these Liberal cronies behave as responsible managers of public funds?

[*English*]

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, the member's question allows me to highlight the fact that we should be very proud of the people who are running the Canadian Mint. They have turned it around and it now generates a profit. They have raised its income to \$184 million in offshore revenue. They are increasing the hiring based on the work that they are generating from offshore. We should be enormously proud of the people who run the Mint.

* * *

FOREIGN AFFAIRS

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, just when Canadians were digesting the immigration minister's buffet of expenses, the foreign minister has some explaining to do about his chauffeur's European vacation. As if \$8,200 is not bad enough to see the Eiffel Tower, his chauffeur then spent an additional \$1,800 to go sunbathing in South America.

When most Canadians can barely afford to go on vacation, how can the minister justify this blatant abuse of taxpayer dollars?

● (1455)

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, I will tell the House that during my official visits I have always brought two staff members with me. This is quite reasonable compared to any other foreign minister who travels.

I can assure all members that there is plenty of work with the long hours we keep. We make sure we keep in contact with Ottawa all the time and do the work that is necessary.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): One has to apply that suntan lotion sparingly, Mr. Speaker.

[*Translation*]

The Challenger logs show that, when he travels abroad, the Minister of Foreign Affairs is usually accompanied by an RCMP security detail. On two occasions, however, he took his chauffeur along as a "personal security advisor".

Oral Questions

Why did the minister rely on the RCMP for certain trips, but take his chauffeur/security expert on these two trips?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, I can explain it very easily. Anytime I travel on official business, I take two members of my staff with me. This is our practice. There are never more than two staff members. There is plenty of work for two staff members during official visits, to make sure we keep in contact with Ottawa all the time.

I can assure the hon. members that the staff members I take along fulfill their duties very well and very professionally.

* * *

CANADIAN BROADCASTING CORPORATION

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, my question is for the Minister of Labour and Housing.

CBC employees have been locked out since August 15. Since that date, the only thing francophones outside Quebec are hearing about on CBC is traffic jams on highway 40 in Montreal. We are tired of hearing about highway 40.

When will the government be able to tell us that we can hear about Canada again on CBC airwaves and that we francophones outside Quebec can get our local news? We are paying \$1 billion a year and getting nothing in return.

[*English*]

Hon. Joe Fontana (Minister of Labour and Housing, Lib.): Mr. Speaker, there is no doubt that Canadians want their CBC back. For over 55 hours both parties have been locked up working toward an agreement. We are hopeful that they are progressing. Progress is slow. Both parties are determined to arrive at a resolution.

Let me say that the CBC belongs to the people. It does not belong to the unions and it does not belong to the management. The CBC belongs to the people. I tell them to stop posturing and get on with the negotiated settlement.

* * *

THE ENVIRONMENT

Mr. Greg Thompson (New Brunswick Southwest, CPC): Mr. Speaker, there are a number of proposals for the construction of an LNG terminal on the U.S. side of Passamaquoddy Bay. All of these proposals would require LNG tankers to pass through internal Canadian waters. Head Harbour Passage is the most dangerous waterway to navigate on the entire east coast.

Allowing passage of these tankers would expose our citizens, our environment and our economy to a high level of risk. Is the government prepared to say no to the transport of these LNG tankers through internal Canadian waters?

Hon. Jean Lapierre (Minister of Transport, Lib.): Mr. Speaker, before saying anything to such a proposal, we would have to have a request. There has been no request coming from the U.S. at this time.

Mr. Greg Thompson (New Brunswick Southwest, CPC): Mr. Speaker, the government is changing its argument and its position. For a year now the government has been saying it will only make a decision when there is a formal application to proceed with a

terminal. That application is now there. The government has not made up its mind and continues to dither.

Maybe the man here who knows something about shipping should stand up and state his position. Is he prepared to allow those tankers through internal Canadian waters, yes or no?

Hon. Jean Lapierre (Minister of Transport, Lib.): Mr. Speaker, it would be totally irresponsible on my part to make a decision before having a formal request made to the government. The member of Parliament is trying to make political hay with his question. There is no way we are going to get into this. We are going to look at the file when we have a formal application.

* * *

[*Translation*]

**PUBLIC WORKS AND GOVERNMENT SERVICES
CANADA**

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, BQ): Mr. Speaker, the Minister of Public Works and Government Services has just invited the bidders who were disadvantaged by the invitation to tender process to add the names of their firms to the list of Public Works' suppliers.

Are we to understand—I want to be clear—from the minister's statements that, following an investigation, he intends to treat the disadvantaged bidders in the same manner as the successful bidders, meaning that the disadvantaged bidders will be recognized as suppliers for the EnerGuide program?

• (1500)

[*English*]

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, we have finished the review of this procurement. Based on our re-evaluation of the original 22 unsuccessful bids, we have concluded that six can now be added to the list because they qualify for the procurement package. In fact, we have addressed this problem.

[*Translation*]

We have resolved the situation and we comply with the Official Languages Act at all times.

* * *

[*English*]

GRANTS AND CONTRIBUTIONS

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, the HRSD standing committee recently reviewed the impact of new directives put in place in the awarding of grants and contributions in the Department of Human Resources and Skills Development. The committee heard dramatic testimony expressed by the voluntary sector that was heavily affected by these changes.

Would the Minister of Human Resources and Skills Development please tell the House what her department has done to address the concerns expressed by this most critical non-governmental sector?

Oral Questions

Hon. Belinda Stronach (Minister of Human Resources and Skills Development and Minister responsible for Democratic Renewal, Lib.): Mr. Speaker, we take the work that the voluntary sector does very seriously and we have put certain steps into place. We have put a task force in place that involves the deputy minister, the parliamentary secretary, the hon. member for Peterborough, and the voluntary sector to take a look at how we can streamline the process and make it fairer to the voluntary sector.

In addition to that we have put together an office for client satisfaction, and a fairness adviser to facilitate and strengthen the process, so that we have a stronger relationship with that voluntary sector.

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, the billion dollar boondoggle of HRSDC led to a bureaucratic nightmare for the voluntary sector with the new call for proposal process.

The government's response to our committee investigation acknowledges the flawed process. Vulnerable clients were harmed along with the agencies who served them, but the government is finalizing a hundred more contracts that will make matters worse. It will not offer transitional funding to the agencies it has already harmed. Even Exxon had to clean up its oil spill.

When will the minister suspend these CFPs and fix this mess?

Hon. Belinda Stronach (Minister of Human Resources and Skills Development and Minister responsible for Democratic Renewal, Lib.): Mr. Speaker, a call for proposal was put in place for contracts over \$500,000 because we are spending and investing taxpayers' money and we want to ensure that it is done wisely.

As I mentioned, we put a task force in place over and above the committee's recommendations to take a look at how we can streamline the administrative process and make it fairer to the voluntary sector.

* * *

SPONSORSHIP PROGRAM

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, I would like to give another opportunity to the hon. Minister of Public Works to either confirm or deny that there was a visit at the offices of his ministry some two weeks ago by officers of the Royal Canadian Mounted Police to seize documents related to the Liberal sponsorship scandal and that these documents had not been furnished to the Gomery inquiry nor to the public accounts inquiry of the House.

Will he confirm or deny that?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am informed that last week the RCMP contacted Public Works and in fact Public Works provided an invoice to the RCMP, an invoice that was provided twice to the Gomery inquiry previously.

This is part of over 10 million pages of documents that have been provided to the Gomery inquiry. Therefore, the hon. member, in his claim that this information was not provided to the Gomery inquiry, is in fact wrong. I would urge the hon. member to not play fast and loose with the truth here on the floor of the House of Commons.

[Translation]

BROADCASTING

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, after having accepted the CRTC's decision to grant two satellite radio licences, even if this decision makes Quebec and Canadian culture almost non-existent, the government is preparing to amend its policy in order to authorize the use of American satellites for broadcasting.

Why did the Minister of Canadian Heritage not impose a moratorium in this regard until the means could be found to drastically improve the francophone and Canadian content of these new media?

Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.): Mr. Speaker, I thank my colleague for his question.

Radio satellite technology is currently available. It is possible to obtain an emitter by giving one's name to a P.O. Box here, two blocks away, in Ottawa. So the grey market for this new technology is flourishing.

The decision was made with a view to allowing this new technology, which already exists. However, we must also understand that the two satellite companies asked the CRTC, on September 7, to amend the conditions of their licence in terms of Canadian content. Furthermore, they have asked the CRTC to be more rigorous in terms of francophone content, some—

• (1505)

[English]

The Speaker: Order, please. We have exhausted the list and so that ends question period.

There will now be tributes. I call upon the hon. Minister of Health.

* * *

[English]

CHUCK CADMAN

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, a few days ago I had the honour to present to Dona Cadman the maple leaf flag that was flying over the Peace Tower on the day of the funeral of her husband, my friend, Chuck Cadman.

While I was the only MP with her at the presentation, I know that the spirit of all members was with me because I know of the deep affection and respect that was, and still is, felt on all sides of the House for this very special man.

I knew Chuck very well. During my time as Attorney General of British Columbia, I met with him often to discuss ideas and initiatives to make our streets safer. He always sought justice with fairness. We became very good friends.

I was moved both by the personal loss that spurred his activism and his unswerving commitment to turn the loss of his son into positive action that would spare other parents the grief he and Dona had suffered.

Oral Questions

But perhaps my fondest memory of Chuck will always be from the tumultuous last spring. We all remember how crazy it was here in Ottawa and in this House back then. Tensions and emotions ran high. Harsh words were often exchanged in this chamber and across the city.

Chuck, of course, played a key role in that unfolding drama, but what will always stay with me is not the role that he played, but the exemplary way in which he played it. Amid all the shouting and political strategizing in the glare of the media spotlight, Chuck was an island of dignified calm. He never lost sight of his principles or surrendered his independence of judgment. He never lost his sense of humour or his decency. He never lost his cool.

He stayed true to himself. He behaved with absolute dignity and integrity. Regardless of the high stakes involved, Chuck remained Chuck. He will always be in my memory, as he was in life, a loving father, a devoted husband, and a dedicated servant of his constituents and his country.

I say to Dona and Jodi that above all, we will remember Chuck as a friend, a friend we will miss a lot.

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, it is an honour for me today to rise to say a few words about our friend, Chuck Cadman.

Chuck was an ordinary guy who was born in Kitchener, Ontario, but grew up in North Bay. His dad was a stationary engineer. His mom emigrated from Holland in 1946 to marry his dad, whom she had met during the war.

After high school, Chuck spent a year or so making his living as a guitar player before heading west and ending up in Vancouver. There, in 1968, he met his wife, Dona. They were married in Clinton, Ontario, in August 1969 and returned to live in Vancouver in 1971. Daughter Jodi was born in 1973 and son Jesse in March 1976.

There is nothing special here: an ordinary guy from Ontario travels west to Vancouver, meets a girl, falls in love, marries and raises a couple of kids. I can relate to all of that, right down to being born in Ontario, having a wife in Vancouver and a father who was a stationary engineer, but on October 18, 1992, Chuck's, Dona's and Jodi's world fell apart. Sixteen year old Jesse was stabbed to death in a random attack.

The ultimate tragedy, the violent death of a child, has destroyed families, but not the Cadmans'. Through their sorrow, they reached out to help others devastated by similar hurts. They created the group called CRY, Crime, Responsibility and Youth, and worked tirelessly and selflessly to help those in need.

I did not know Dona and Chuck and Jodi at the time of Jesse's death, but I saw the news item on TV, heard the outrage on radio talk shows and read about it in the paper. Some months later, I invited Chuck to speak to a breakfast meeting put on by my constituency association, the first public meeting he spoke at after Jesse's death.

The impact of his words was profound. Here was a guy who spoke from the heart about the worst pain a parent can endure and he did it without bitterness and without the meanness of revenge. He spoke

with the softness and firmness of a real Canadian hero who wanted to make this country a better place for everyone.

Chuck did not do it alone. He did it with the strength, determination and love that flowed from his dear wife, Dona, and his lovely daughter, Jodi.

At an election rally in 1997, Chuck told the crowd he was ready to go to Ottawa and fight for them but the jeans and ponytail would stay. Ottawa was not going to change Chuck Cadman.

Well, Chuck came to Ottawa, he fought for what was right, and the jeans and the ponytail stayed. Chuck did not change, but we who knew him have. We are all the better for knowing a great man, a great husband, a great father and a great Canadian.

• (1510)

[*Translation*]

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Mr. Speaker, in the course of our duties, we often have opportunities to meet outstanding personalities, such as party leaders, heads of state, heads of government and ministers. But some of the outstanding people we meet do not often make the headlines. For me, one of those people is Chuck Cadman.

I had the opportunity and honour to work with Chuck Cadman for many years on the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness. Although we often had different opinions, we always had great respect for each other because Chuck was very human, a man who knew how to listen, a humble man, a man who was anything but an ideologue.

I will also remember with a smile—and I think that the Minister of Indian Affairs and Northern Development will too—spending part of a night with Chuck Cadman in Saskatchewan when our bus had gone off the road during a snow storm. We had an opportunity then to discuss various matters. We also had a chance to get to know each other—a chance that we do not always have, unfortunately, in carrying out our jobs because we are pushed and pulled by various commitments.

As we know, Chuck Cadman entered public life as a result of a tragedy he had experienced, the loss of his son in 1992. No parent should ever have to bury his or her child. He channelled his pain and anger into a public career, which, in my view, was outstanding. He made himself the defender of victims' rights. He made himself the advocate of radical change in the justice system. I think that he left his mark on a number of his colleagues in the House.

On behalf of the Bloc Québécois, I would like to offer our condolences to his wife, his family, his community and his riding. We will all miss him.

• (1515)

[*English*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, it is with the deepest respect that I rise today to join all the members of this House in honouring the memory of our colleague from Surrey North. I thank the members who have spoken before me, particularly for their personal reflections and the light they have shed on this wonderful life.

Privilege

For many Canadians, Chuck Cadman is best known as the MP who, with the eyes of the whole nation upon him, voted to keep us all here doing the jobs Canadians sent us to do. I had the pleasure of shaking hands with him on the night of that vote, and in that moment, with that glimmer in his eye and a mischievous grin on his face, it was confirmed for me that Chuck Cadman was not just an independent member of Parliament but truly an independent spirit.

He knew what he stood for and he stood up for what he believed in, not just on that night but in everything he did.

[*Translation*]

Even when he was first elected, Chuck remained impartial. He was here to fight for change, for results. He was prepared to work with all the parties to ensure that other families would not have to endure the pain and suffering that his family went through when his son Jesse died.

[*English*]

He was a legendary advocate for victims' rights. He counselled, with support and understanding, the families of victims. He brought their grief, their loss and their demands for change to this place. His life was a testament to how tragedy can spur work for positive change.

I was in Surrey on the day Chuck Cadman lost his battle with cancer. On the faces in the coffee shops and in the voices of those with whom I was able to speak on the streets, there was a deep sense of loss for the MP they simply knew as "Chuck".

[*Translation*]

All of us in this House have been drawn to politics for various reasons. The reasons that prompted Chuck Cadman to come here were tragically beyond his control.

[*English*]

But come here he did. In the time he was here, in the time we had to know him, he reminded all of us of a sense of purpose, to give voice to the voiceless, to protect those who cannot protect themselves, and to do this with a sense of humility that befits the great responsibility of having the two letters MP follow one's name.

On behalf of New Democrats, I thank his wife Dona and his daughter Jodi for sharing him with us.

The Speaker: I invite all hon. members to stand to observe a moment of silence in honour of our dear colleague, Chuck Cadman.

[*A moment of silence observed*]

• (1520)

The Speaker: The Chair has notice of a question of privilege from the hon. member for Delta—Richmond East and I propose to hear his question of privilege now.

* * *

PRIVILEGE

ORDER PAPER QUESTION NO. 151

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I rise today on a question of privilege in regard to a very grave matter relating to information that I requested through a

written question in Parliament, placed on the Order Paper as Question No. 151.

On May 17, I used the Order Paper to ask what actions CMHC and the National Research Council had taken with regard to devastating building failures in British Columbia once they had learned of the problem. Part (a) simply asked: "Did Canada Mortgage and Housing Corporation management consider this wet wall syndrome in 1981, and if so, what action was taken?"

All 20 or so parts of the question go in a similar vein. This is hardly scary stuff.

This detailed question is about a B.C. problem of massive proportions involving tens of thousands of homeowners, one that the premier of British Columbia, now the member for Vancouver South, in 2001 described as a west coast disaster when he asked the Prime Minister for immediate assistance for affected homeowners.

On Monday the ministers for CMHC and the National Research Council replied that they were unable to respond to my question as the matters raised are before the courts of British Columbia.

I am aware that Speakers normally do not get involved in the quality of answers to written questions, however, on December 16, 1980, at page 5797 of *Hansard*, the Speaker ruled:

While it is correct to say that the government is not required by our rules to answer written or oral questions, it would be bold to suggest that no circumstances could ever exist for a prima facie question of privilege to be made where there was a deliberate attempt to deny answers to an hon. member.

This ruling would be in keeping with Erskine May's definition of contempt, described as:

—any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as contempt even though there is no precedent for the offence.

The privilege of Parliament is founded on the necessity for the due execution of its powers. Necessity is the basis for any claim that an event was part of a proceeding in Parliament. As you are aware, Mr. Speaker, procedural authorities support the claim that a proceeding in Parliament covers both the asking of a question and the written notice of a question through the Order Paper.

I have thousands of constituents who have invested their life savings in homes that now require major repairs.

My question to the government was based on documents that CMHC provided under the Access to Information Act. The documents were prepared in the early eighties when CMHC became aware of the looming disaster but were not prepared as part of any possible court action today.

My question to the CMHC and NRC ministers was based upon the government's own documents. These documents may explain why the government now wants to avoid answering and why it pretends it is unable to answer. The CMHC documents state:

A link, real or imagined, may be made between government programs to encourage energy conservation and moisture related problems.... This linking may focus critical attention on the Corporation and could lead to a perception of responsibility.

There is potential for a drain on the Mortgage Insurance Fund as homeowners find the cost of repairs to deteriorating houses approaching the value of their equity.

Being aware of the problem, CMHC could be delinquent in not bringing appropriate aspects of it to the attention of others. The Department of Energy, Mines & Resources are promoting...programs [that] could lead to the promotion of structural deterioration. Enforcement of the provisions of the National Energy Program...could promote a further spread of the problem...

My question to you today, Mr. Speaker, relates to my work as a member of Parliament for Delta—Richmond East. The government is withholding information necessary to my parliamentary duties. The government is attempting to hide the failures of CMHC and NRC by claiming the issue is before the courts. The government is misleading the House when it claims that telling the truth about the actions of CMHC in 1981 would undermine its case in court.

That the Minister of Industry, the minister responsible for the NRC, claims that he is unable to answer the question is outrageous nonsense and is clearly an attempt to stonewall.

• (1525)

Members of Parliament deserve better. The House deserves the truth. It has been misled.

As members of Parliament, it is our duty to scrutinize the government and to hold it to account. It is our duty to ask questions. A written question on the Order Paper is one of those tools we as members use to seek information from the government. A written question on the Order Paper is part of our rules and is considered a proceeding of Parliament commanding respect from ministers and necessitating protection by the House.

Mr. Speaker, I ask that you allow me to move the appropriate motion to secure that protection and bring swift resolution to this matter.

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, you know and I hope all members know that the government takes written questions very seriously. We endeavour to provide fulsome and complete answers quickly.

Mr. Speaker, in terms of strict parliamentary responsibility, you are also aware of the government's obligation to respond to written or oral questions. You will want to think about that when you decide how to deal with this matter. If you are inclined to rule in a certain way, perhaps you could give us a day or two to get back to the House with a more formal response to the question of privilege raised by the hon. member.

I understand this matter refers to court proceedings, matters which may be before the courts at this time. For that reason, everyone will appreciate the government's hesitancy to respond to matters that are in fact at this time before the courts.

The Speaker: Without in any way adjudicating on the matter at this point in time, I would urge the parliamentary secretary to review the comments of the hon. member for Delta—Richmond East, as I will. If there is some substantive material that he wants to bring to the attention of the Speaker before a decision is rendered, naturally I would be quite interested in hearing it.

The member for Delta—Richmond East has raised a serious question which I will take under advisement. I will await news from the parliamentary secretary as to whether he is going to have further

Routine Proceedings

submissions before I render a decision on the point, which I hope will happen reasonably soon.

* * *

[*Translation*]

POINT OF ORDER

CELL PHONES

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): I rise on a point of order, Mr. Speaker. I wanted to interrupt while my hon. colleague from Delta—Richmond East was putting his question of privilege, and I apologize for that. But at the same time, the Minister for Citizenship and Immigration, who is seated in the front row, was carrying on a long conversation on his cell phone. I find that unfortunate. A page supervisor walked up to him to notify him, as it looked like he was going to be on the phone for a while.

Mr. Speaker, would you please advise the House as to whether the use of cell phones is still not permitted in this chamber?

• (1530)

[*English*]

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, collectively we know the rule is that no cell phones are to be used in the House and we take this rule very seriously, although I would say that I think from time to time members from every party have used cell phones and pushed the flexibility of that point. I certainly take this criticism very seriously and I will endeavour to make sure the members of the government adhere to the rule of no cell phones in the House.

The Speaker: I thank the chief government whip for her comments.

[*Translation*]

I appreciate the point of order raised by the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord. I trust that all members will observe the rules of the House in this respect.

[*English*]

The use of cell phones is not supposed to happen on the floor and that does include behind the curtains. I have had occasion to chastise hon. members for making this error even behind the curtains. They are supposed to go to the lobby to use these things. I would urge all hon. members to cooperate. It helps to maintain order in the chamber if we observe the rules, including that one, although not all the rules are observed all of the time.

ROUTINE PROCEEDINGS

[*English*]

AERONAUTICS ACT

Hon. Irwin Cotler (for the Minister of Transport) moved for leave to introduce Bill C-62, An Act to amend the Aeronautics Act and to make consequential amendments to other Acts.

Routine Proceedings

He said: Mr. Speaker, I just want to say that this bill and another bill I will be introducing today are intended to reflect and represent the late hon. member Chuck Cadman's commitment to street safety and to the rights of victims. They are a tribute to his legacy.

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

* * *

[Translation]

CANADA ELECTIONS ACT

Hon. Mauril Bélanger (Minister of Internal Trade and Deputy Leader of the Government in the House of Commons, Lib.) moved for leave to introduce Bill C-63, an act to amend an act to amend the Canada Elections Act and the Income Tax Act.

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

* * *

•(1535)

[English]

CRIMINAL CODE

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.) moved for leave to introduce Bill C-64, An Act to amend the Criminal Code (vehicle identification number).

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

* * *

[Translation]

CRIMINAL CODE

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.) moved for leave to introduce Bill C-65, an act to amend the Criminal Code (street racing) and to make a consequential amendment to another act.

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

* * *

CRIMINAL CODE

Ms. Françoise Boivin (Gatineau, Lib.) moved that Bill S-19, an act to amend the Criminal Code (criminal interest rate), be read the first time.

(Motion deemed adopted and bill read the first time)

* * *

[English]

PETITIONS**KIDNEY DISEASE**

Hon. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am pleased to present a petition from people in the Peterborough area who are concerned for all those affected by kidney disease. They point out that kidney disease is a huge and growing problem in Canada. They know that real progress is being made in various ways in preventing and coping with that disease. They point, in particular, to the development of a bioartificial kidney, an experimental device that is partly mechanical and partly biological.

They call upon Parliament to make research funding available to the Canadian Institutes of Health Research for the exclusive purpose

of conducting bioartificial kidney research as an extension of research being successfully conducted at several centres in the United States.

MARTIAL ARTS

Mr. Lee Richardson (Calgary Centre, CPC): Mr. Speaker, I rise on behalf of a number of petitioners from Alberta, particularly from my riding of Calgary Centre.

The petitioners are calling upon Parliament to amend section 83 of the Criminal Code of Canada to provide for an exemption for martial arts, including, but not limited to, kick boxing and muay thai held with the permission of or under the authority of an athletic board or commission established by or under the authority of the legislature of the province for the control of the sport within the province.

AUTISM

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I am pleased to present two petitions with several dozen names from petitioners in the Campbell River region of British Columbia in the northern part of Vancouver Island. The petitioners are concerned about the increasing incidence of autism in the country and the fact that in Canada we have no national autism strategy.

The petitioners call upon Parliament to amend the Canada Health Act and corresponding regulations to include IBI/ABA therapy for children with autism as a medically necessary treatment and require that all provinces provide or fund this essential treatment for autism and that Parliament contribute to the creation of academic chairs at a university in each province to teach IBI/ABA treatment so every Canadian with autism will have the best treatment available to them.

Hon. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, I am pleased also to present a petition signed by a number of residents of Ontario. Similar to the last petition presented, it deals with the subject of autism and that autism is increasing in numbers in our child population.

Similarly, the petitioners call upon Parliament to amend the Canada Health Act and regulations to include IBI intensive behavioural intervention therapy as part of the necessary medical treatment.

CITIZENSHIP AND IMMIGRATION

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, for the third day in a row it is a pleasure for me to present a petition on the same subject. This is from residents of Burlington, Hamilton, St. Catharines, Kitchener and Waterloo, Ontario, in addition to Calgary, Alberta.

These citizens wish to draw the attention of the House to the fact that on average about 2,000 children are adopted from other countries and brought to Canada by Canadian families each year. Whereas biological children of Canadians citizens born abroad receive automatic Canadian citizenship, those adopted from foreign countries do not.

Therefore, the petitioners call upon Parliament to immediately enact legislation to grant automatic citizenship to those minors adopted from other countries by Canadian citizens with the citizenship being immediately granted upon the finalization of the adoption.

AUTISM

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Mr. Speaker, it is an honour for me to stand here today and present a petition on behalf of the constituents in my riding who are concerned about children suffering from the autism spectrum disorder.

The petitioners plead that the government amend the Canada Health Act and corresponding regulations to include IBI/ABA therapy. They also ask that the government create an academic chair at universities in each of the provinces to further understand and promote this kind of treatment.

• (1540)

MARRIAGE

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, pursuant to Standing Order 36 I submit a petition signed by a number of Canadians primarily from my riding of Mississauga South. I note that it was certified on September 20, which means it was dealt with after we discharged Bill C-38.

These Canadians continue to be concerned about the issue of the definition of marriage. They simply want to remind the House that in their view the best foundation for families and the raising of children is the traditional form of marriage and that marriage is still the exclusive jurisdiction of Parliament.

I guess the way that it is now put is that it be recognized in federal law that marriage be still considered to be the union of one man and one woman, which it is. However, I think they still wanted to voice their concern on this matter. That is the essence of their petition.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[English]

MOTIONS FOR PAPERS

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all Notices of Motions for the Production of Papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

S. O. 52

REQUEST FOR EMERGENCY DEBATE

CANADA BROADCASTING CORPORATION

The Speaker: The Chair has notice of a request for an emergency debate from the hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I rise to give notice under Standing Order 52(2) that I would request and seek leave for an emergency debate stated for Wednesday, September 28 to address the current situation with the CBC. This is a debate that is not focused at all on the issues of the management and negotiations that are ongoing. I do not believe that is an issue for us to be discussing.

However, what I feel is very important is the issue of the appropriateness of the CBC management unilaterally deciding to pull programming that was paid for by the taxpayer. My understanding is that \$18 million a week in taxpayer money is being fed to CBC management and we are receiving no product in return.

This is a very important issue to be discussed right now for two reasons.

First, it is indicative of a lack of broadcast policy that we have in the country. There are serious questions being raised about the direction of the CBC and the direction of public broadcasting in Canada. I feel we have to be seen as taking action and taking a strong position.

The second issue, which is very important for me coming from a region isolated in the north and with a large francophone population, is that large sections of our country have been effectively cut out of the nation's business. They have no access to other sources of information. I feel this is completely unacceptable. This is a public corporation mandated by the people of Canada. Given its parliamentary appropriation it is obliged to respond to our concerns.

I would seek leave to have this debate tonight. I believe it is timely.

SPEAKER'S RULING

The Speaker: The Chair does not normally hear submissions from others on these matters. The member who raised the issue is usually the only one the Chair hears from in these circumstances, otherwise we get into a mini debate.

I appreciate the concern expressed by the hon. member for Timmins—James Bay, but in the view of the Chair this issue does not at the moment meet the exigencies of the standing order.

Accordingly I will once again say no to the hon. member. It does not mean he cannot raise it at another time. For the moment I do not believe it meets the exigencies of the standing order as an emergency. I rule that the debate will not take place at this time. It may happen later.

• (1545)

Mr. Charlie Angus: Mr. Speaker, I rise on a point of order. I fully respect your judgment considering the interpretation of Standing Order 52.

Government Orders

However, I would seek now, and I feel it is important, if we had unanimous consent to have this debate tonight. I would ask the other parties if they would give unanimous for the debate to take place tonight where we could discuss this issue.

Hon. Dominic LeBlanc: Mr. Speaker, I rise on a point of order. Perhaps before you ask the House if there is unanimous consent, I could tell you that the government shares the concern of the hon. member in terms of wanting to see a resolution to this matter.

The government also is committed to not interfering with the collective bargaining process. I would urge all members when they are considering the member's request for unanimous consent to ask themselves if it is appropriate for the House to do something which could in any way interfere with the ongoing collective bargaining process.

The Speaker: I am not sure that really was a point of order.

Is there unanimous consent to proceed with the debate on this subject?

Some hon. members: Agreed.

Some hon. members: No.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

FINANCE COMMITTEE

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, discussions have taken place between all parties concerning the recorded division scheduled for later this day on the 15th report of the Standing Committee on Finance and I believe you would find consent that the 15th report of the Standing Committee on Finance, concerning an extension of time for the consideration of Bill C-273, be deemed concurred in.

(Motion agreed to)

HEALTH

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, discussions have taken place between all parties concerning the debate scheduled for later this day on the 14th report of the Standing Committee on Health. I believe you would find consent for the following motion. I move:

That the debate on the 14th report of the Standing Committee on Health scheduled for later this day be deemed to have taken place, the question deemed put, a recorded division requested and deferred to the end of government orders on Wednesday, October 5.

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

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[Translation]

CRIMINAL CODE

The House resumed from September 27 consideration of the motion.

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Mr. Speaker, I would like to thank my colleague across the floor for applauding my speech in advance. He does not know exactly what will be in it, but he is already applauding. Now that is a good sign.

It is obviously a very great honour and a very great pleasure for me to lead off the debate, on behalf of my colleagues in the Bloc Québécois, on referring Bill C-53 to committee before second reading. This bill will make it possible to reverse the onus of proof in proceeds of crime applications.

People will understand that I feel very proud to address the House at this time because the debate that we are launching is based on a struggle that the Bloc Québécois has waged for many years.

In order to fight crime better in general, and especially organized crime, the Bloc has long sought changes in the Criminal Code to provide a reverse onus of proof in proceeds of crime applications. This would force offenders, once convicted of a serious offence, to demonstrate on a balance of probabilities that their property was not acquired through criminal activity.

Organized crime is one of the most serious social issues that we face—all the more so in view of the fact that Quebec has been the scene for ten years of a bloody war among the various criminal motorcycle gangs. This is a war, we should remember, that has cost more than 160 lives, including entirely innocent victims who had the misfortune to find themselves in the way of these bikers.

In the name of public safety, but also and especially to support the police forces in their attempts to counter organized crime, we have campaigned fiercely for substantial changes to the current legal system in order to put more tools at the disposal of crown attorneys and police forces.

By amending the Criminal Code in accordance with the letter and spirit of Bill C-53, we will be taking a huge step forward, and I know already that our efforts will be welcomed by both the police forces and all crown attorneys.

The Bloc Québécois has been pressing the federal government for years to introduce effective legislation for fighting criminal gangs. During the 2000 election campaign, the Bloc carried on this battle, demanding that Ottawa amend the Criminal Code to give police and crown attorneys more effective weapons for fighting and eliminating organized crime.

I would like to take this opportunity to salute the hon. member for Hochelaga, who has been working on this issue for years, that is, since the death of young Daniel Desrochers, 10 years ago. My colleague is a leader in the fight against organized crime.

Government Orders

On October 27, 2004, with the support of the Conservative member for Provencher and the NDP member for Windsor—Tecumseh, I tabled Bill C-242. This bill served as a working paper for the legislation introduced by the Minister of Justice. I want to salute the courage of the minister, and particularly the determination that he has shown in finally convincing cabinet of the merits of the Bloc Québécois' proposal and of the need to follow up on it. It is unfortunate that, for too long, the Liberal government dragged its feet in the fight against organized crime.

It took the Bloc's determination and the government's minority status in the House to force a debate and the tabling of this legislation. Indeed, it was in March 2005 that opposition parties got together to have a motion, of which I was the sponsor, adopted by the House, challenging the government to propose, by May 31, 2005, legislative provisions that would reflect my Bill C-242. Bill C-53 was introduced in the House on May 30, at the very last minute.

Once it is passed, this legislation will greatly streamline the rules of evidence regarding the seizure of goods belonging to a person found guilty of certain offences. More specifically, the bill will amend the Criminal Code so that the goods—identified by the Crown—of a person found guilty of an offence involving a criminal organization, or found guilty of trafficking, importing, exporting or producing drugs, can be confiscated by the court, unless the offender can show, on a balance of probabilities, that his assets are in no way related to his criminal activities, and that they are not proceeds of crime.

In order for the reverse onus to apply, the Crown would first be required to prove, on a balance of probabilities, either that the offender engaged in a criminal organization offence or two serious offences for the purpose of receiving material benefit, or that the legitimate income of the offender cannot reasonably account for all of the offender's property. I would point out in passing that a serious offence means a criminal act punishable by a maximum prison sentence of five years or more.

● (1550)

At present, in order to obtain an order of forfeiture, the Crown must prove, on a balance of probabilities, that the property is the proceeds of crime and that the property is connected to the crime for which the person was convicted. The Crown therefore must do two things: first, convict the accused and second, prove the illegal and illegitimate origin of the property in order to seize it.

The Charter rightly imposes respect of the right of accused persons to be presumed innocent. It is therefore fundamental that the Crown begin by establishing proof beyond any reasonable doubt of the guilt of the accused, before the reversal of the burden of proof intervenes in the equation. The Crown must prove, beyond any reasonable doubt, that the accused is guilty of a criminal offence and designate the property it wishes to seize because it is the proceeds of a crime. The accused must again prove, this time—I repeat—by the balance of probabilities, the legitimate origin of the property the Crown wants to confiscate from him.

The Bloc has been saying for years that this reversal of the burden of proof is necessary to battle organized crime and money laundering effectively. Organized crime represents an ongoing threat to society

and so it is essential to have effective measures in place to facilitate the battle against this scourge.

Given the many negative effects of organized crime, in both in its social and economic aspects, there is ample justification for strengthening the legislation to fight crime.

Economically, organized crime generates huge revenues, which are often reinvested in the legitimate world, but without making a positive contribution to it. The resulting tax evasion deprives governments of considerable revenues, and gangsters refine their techniques every day to avoid having their assets reviewed by the courts.

Very simply, it is becoming particularly frustrating for ordinary taxpayers to see notorious criminals display ostentatiously and condescendingly the proceeds of their illegal activities. How many times have we heard comments from citizens disgusted with the administration of justice when they see individuals with a plainly criminal past being convicted of a crime and then resuming their jet-set lifestyles as if nothing had happened, because they know full well that these people have not earned an honest dollar in their lives?

As lawmakers, we have to act to restore the public's confidence in its justice system. It has become imperative that criminal organizations be sent a clear signal that the days are over when they could shamelessly make a fast buck without facing punishment. From now on, criminals will have to face the consequences of their actions and, in that sense, they will no longer be able to benefit from their criminal and illegal activities.

Let us not be fooled. There is nothing wrong with calling for the seizure of goods constituting the proceeds of crime. It is common sense. Period.

By amending the Criminal Code to reverse the burden of proof as regards the acquisition of luxury items by an individual found guilty of gangsterism, we are giving police and the Crown another means to eradicate this problem. An individual found guilty and sentenced accordingly will still, at the end of the sentence, have to demonstrate that their assets were acquired using legitimate means.

It will become particularly difficult for a criminal to show that his luxury home, his chalet in the north, his condo in Florida, his shiny motorcycle, his sports cars, and his entire lifestyle correspond to declared income more often than not so low it hovers around the poverty line.

Such a legal initiative could also complicate the widespread practice by criminals of using front men. We know that individuals register their assets in the name of their spouse, parents or friends in order to avoid having major financial assets in their own name that could be confiscated by the government. The bill must take into account this particular reality whereby these front men are very often forced to obey the criminals.

Government Orders

I believe this is one of the concerns raised by our NDP colleagues. I can assure them that I will do everything in my power to reassure them in this regard. The analysis that led to the introduction of Bill C-53 was largely inspired by a number of international legal precedents. The OECD's financial action task force on money laundering, the FATF, had proposed, in one of its 40 recommendations to fight money laundering, adopting measures allowing for the confiscation of assets.

I apologize for speaking so quickly, but I had a lot to say on this subject. I want to close by saying that I am extremely pleased that we are finally addressing this issue. I invite and urge my colleagues on all sides to rapidly conclude this stage and send Bill C-53 to committee, where, I am convinced, it will be adopted without further delay. Then, it will come back to the House and ultimately be passed in order to provide police forces and crown prosecutors with the tools they need and have been demanding for many years.

• (1555)

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Madam Speaker, I congratulate my colleague on the fine battle he has waged.

I would like to give him some examples from the Outaouais, because that is more specific. We have had cases here in the Outaouais that received a lot of media coverage. Journalists even gave the criminals nicknames: one was called "Peter Cash" and another "Richie Rich". This was obviously not because these people were not living the high life. In fact, they had residences at the water's edge, luxury cars and SUVs, airplanes, helicopters and gleaming motorcycles. That was all seized of course and the news was picked up by newspapers and television. In the end, all the property of these people who had been found guilty was given back to them. That is what the law currently provides.

My friend tells me that this would no longer happen if the legislative change we are proposing were brought forward, and that is what I want to hear him say.

• (1600)

Mr. Richard Marceau: Madam Speaker, I thank my friend from Argenteuil—Papineau—Mirabel for his question.

This is, in fact, the kind of situation that we want to avoid. We want to ensure that people who have benefited for years from the proceeds and fruits of criminal activity, such as organized crime, are prevented from continuing to benefit from their property after they are found guilty and done time in prison. What we want is to prevent them upon release from returning to an outrageous lifestyle in the eyes of the average citizen, who works hard every day to put bread and butter on the family table.

People convicted of serious crimes, like those described in Bill C-53, should not be able to benefit from the proceeds of criminal activity, which, whatever kind of crime it is, victimizes people in our society.

That is precisely why the Bloc Québécois has insisted for years on having such a bill passed. That is why Bill C-242 was introduced by your humble servant a few months ago. That is also why a motion was introduced by the Bloc Québécois on an opposition day asking

for a bill like the one we are discussing today. That is also the reason why we support Bill C-53. We hope that it will be passed as soon as possible.

Mr. Marcel Gagnon (Saint-Maurice—Champlain, BQ): Madam Speaker, I too find this debate on an issue that we have been hearing about for a long time most interesting. Indeed, everyone finds it illogical that criminals should benefit from the proceeds of crime, even if they are found guilty, or if they admit guilt and receive a sentence.

Based on what we are hearing, this will no longer be the case. Indeed, measures will be taken to determine if a person's assets are proceeds of crime or personal property.

I wonder if the hon. member for Charlesbourg—Haute-Saint-Charles could tell us what will happen with the proceeds of crime. What does the bill provide, since such proceeds will no longer be given back to criminals? How will these moneys be used?

Mr. Richard Marceau: Madam Speaker, I thank the hon. member for Saint-Maurice—Champlain for his question. I also want to thank him for his work as a member of Parliament. He is one of the most diligent members in the House of Commons, and he makes a rather exceptional contribution to the questions and comments period. He always presents an opinion that benefits not only the various speakers in the House, but all MPs, because he has broad political experience. He sat as an MNA in Quebec City. So, I thank him for his public service, for the work that he does and for the time that he dedicates to his fellow citizens, particularly considering that, at his venerable age, he could easily be doing something else. But he has decided to continue to serve his fellow citizens in the public domain, and to serve a cause that is so dear to him, namely the independence of a country about which he feels very strongly, Quebec.

I will conclude by simply telling my colleague that, under the bill, the state can confiscate the assets belonging to criminals. I will provide a more detailed reply in a few moments.

• (1605)

[English]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I am pleased to speak to Bill C-53. This legislation has come up in the justice committee in a variety of ways over the last several years and certainly in the last year that I have been my party's representative on the committee. In the course of reviewing this proposed legislation and some of the provincial legislation where there is a corresponding jurisdiction, it is obvious we have to be careful about how we use the legislation once it is in force.

Government Orders

From that perspective, my party supports the principle of the bill, as do all parties in the House. The basic principle is that proceeds of crime should be forfeited and that the Crown should not have to prove what are proceeds of crime using the criminal standard, but rather using the civil standard. Rather than having to prove beyond a reasonable doubt that the gains were from criminal activity, the prosecutor would only have to establish a reasonable belief that there was a gain. The onus would shift to the convicted person to establish that the assets, the cash or whatever the assets are, were not received as proceeds of a crime.

There is a jurisdictional issue here. Manitoba and Ontario both have legislation that deals with the proceeds of crime. We have to be very careful that we do not further complicate the receipt of these assets by the Crown by overlapping jurisdictions. For that reason, when the bill goes to committee, as it obviously will from the support it has received, that will be one of the issues that will have to be addressed. Hopefully, we will hear from provincial attorneys general or their representatives with regard to their position on the bill.

There is one that gives me greater concern and I have expressed this to my confreres on the committee. I have heard from the Canadian Bar Association and other legal groups. They are concerned about the reverse onus applying to assets that are mixed with those of other individuals.

The commercial wing of the Canadian Bar Association used the example of a person who was in a business relationship and unbeknownst to that person, one of the partners or associates had been engaged in organized crime activity and some of the money invested in the firm had come from those activities, but the person was an innocent third party. That person would be faced with the Crown moving against an asset in which the person had an interest. It is important that we build in protections for that business partner. I believe it is possible to do that without undermining the effectiveness of the legislation, but the legislation as drafted does not address this point, at least not to my satisfaction.

The second area where we run into this is with respect to family assets. The immediate stereotype involves someone in a full time relationship with another person. We assume that individual would know if the other person was engaged in organized crime or drug activity, the two criminal areas that the clauses of the bill control, but that in fact is not the case. It is not unusual for family members—and it does not necessarily mean a spouse or a partner; it may be a more extended family member—with joint assets with the person who has been convicted of an offence to have no knowledge that the asset was obtained by way of proceeds from crime. We need to be sure that we protect those innocent third parties.

• (1610)

There is one final point that I want to make, and this came up in a completely different context. The commissioner of the RCMP was before the committee, and I have to say that my memory is fading on this point as I cannot remember if he was before the justice committee or the subcommittee on public security. He raised concerns about police forces becoming dependent on the proceeds of crime. Where these funds go is also very much an issue.

Commissioner Zaccardelli was very clear that he felt it was inappropriate for any police force in this country, and I think he would probably say anywhere in the world, to become dependent as the recipients of the proceeds of crime once they are forfeited to the Crown. That is another issue that very much has to be addressed, with regard to the role that the crown attorneys and the police forces would play at the local level. That needs to be addressed.

Along the same lines, we do need to hear from the provincial attorneys general, at least some of them who have corresponding legislation.

I believe those are all my comments. We will be very much supportive of this bill going to the committee. I hope the committee will be able to deal with it in an expeditious manner and have it back before the House in short order with the proper protections built in.

Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development and Minister responsible for Democratic Renewal, Lib.): Madam Speaker, I am pleased to join the debate on Bill C-53 regarding proceeds of crime.

Bill C-53 would be a very worthwhile addition to the proceeds of crime provisions already in the Criminal Code. In particular, it would add the important reverse onus measure, which my colleague has just been discussing, that can apply in appropriate circumstances to applications to forfeit property. It also makes a number of practical improvements to the existing proceeds of crime application procedure, a procedure that will continue to exist in addition to the new reverse onus measures.

I will begin by speaking in more detail about the way in which the new reverse onus provisions of Bill C-53 would operate. The reverse onus forfeiture power would be available after conviction for a criminal organization offence as defined under the Criminal Code that is punishable by five or more years of imprisonment. It would also be available upon conviction on indictment for certain drug offences under the Controlled Drugs and Substances Act.

Under the proposed scheme, the court would have to be satisfied on a balance of probabilities that either the offender has engaged in a pattern of criminal activity for the purpose of providing the offender with material benefit, or that income of the offender unrelated to crime cannot reasonably account for the value of all the property of the offender. Upon these conditions being satisfied, any property of the offender identified by the Attorney General will be forfeited unless the offender demonstrates, again on a balance of probabilities, that the property is not proceeds of crime. The court, however, would be permitted to set a limit on the total amount of property forfeited as may be required by the interests of justice.

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I want to comment on the particular offences that would be subject to this reverse onus set of provisions. These offences do not comprise all of the designated offences that are subject to the current proceeds of crime scheme under the Criminal Code. It is important to emphasize this. It is also important to emphasize that the current forfeiture scheme under the code will continue to exist and be available for this wider range of offences. Indeed, at the discretion of the Crown the current forfeiture scheme will also be available even for the particular offences identified in the reverse onus forfeiture scheme.

What Bill C-53 adds, however, is an additional special forfeiture power for which the Crown, at its discretion, may apply in respect of the narrower class of offences that I just mentioned. Ultimately, the new forfeiture power is targeted at organized crime and its main activities. That is why the legislation specifically identifies criminal organization offences as the basis for the reverse onus forfeiture.

These criminal organization offences are crimes that logically can support a presumption that substantial property of the offender is the proceeds of crime. A core aspect of the definition of criminal organization is that it is a group formed for the purpose of committing offences to obtain "material benefit". There is, therefore, a logical basis founded on the definition of criminal organization itself for the underlying presumption inherent in the reversal of the onus. There is also the justification of taking special measures to address the substantial societal harm caused by organized crime.

The one other category of offences to which the reverse onus provisions will apply are the serious drug offences of trafficking, importing and exporting, and production of illegal drugs where these offences are prosecuted on indictment. There are probably no offences more closely associated with organized crime than these serious drug offences, so it was thought entirely in keeping with the purpose of this legislation to include them. There is also the justification of taking special measures against such drug offences that represent matters of recognized societal harm in their own right. These are the offences that the government puts forward in Bill C-53 as appropriately being subject to the reverse onus forfeiture which my colleague was discussing earlier.

● (1615)

I recognize, of course, that organized crime is involved in a wide variety of offences beyond those specifically identified in Bill C-53. It is worthwhile to point out, however, that while the definition of a criminal organization offence in the Criminal Code of course includes the special criminal organization offences set out in there, such as participation in the activities of a criminal organization, it also includes other indictable offences provided these offences were committed for the benefit of, at the direction of, or in association with a criminal organization. Therefore, the potential scope of application of the proposed new reverse measure is quite broad, although still tied to organized crime.

I now wish to address the additional conditions attached to the application of the reverse onus. Once again, these are that the court would have to be satisfied on a balance of probabilities that either the offender engaged in a pattern of criminal activity for the purpose of providing the offender with material benefit, or that income of the

offender unrelated to crime cannot reasonably account for the value of all the property possessed by the offender.

These conditions have to be added to help support the presumption that extensive property of the offender is the proceeds of crime and that reverse onus forfeiture is appropriate. It should be remembered that these two conditions are alternative conditions and it is sufficient to prove one or the other. Each is to be assessed on a balance of probabilities.

Demonstration of a pattern of criminality leading to material benefit and the alternative condition that income of the offender unrelated to crime cannot reasonably account for the offender's property each have a clear link to the reversal of the onus with respect to the offender's property. The legislation has been carefully designed to include conditions which ensure that the reverse onus will apply only in appropriate circumstances.

Additional provisions that I wish to discuss are specific safeguards in the legislation to protect legitimate interests in property, including third party interests.

The current proceeds of crime legislation in the Criminal Code includes procedures to ensure that such interests can be considered by the courts. For example, prior to an order of forfeiture being made, a court is directed to require that notice be given to any person who appears to have an interest in the property subject to forfeiture. The court may then hear a claim from such a person. The court may order that the property will be returned to that person if satisfied that the person is lawfully entitled and is innocent of any complicity or collusion. Specific provisions of Bill C-53 ensure that this protection is also available in respect of the new forfeiture powers under the bill.

In addition, the current forfeiture scheme under the Criminal Code allows that any person who claims a legitimate interest in property that has already been forfeited may apply for an order declaring that his or her interest is not affected by the forfeiture. The court may then make the order under this section if it is satisfied that the applicant is innocent of any complicity or collusion in a designated offence that resulted in the forfeiture. Under Bill C-53, these orders are all specifically extended to apply in respect of the new forfeiture power.

In summary, Bill C-53 has as its main purpose the addition of an important new forfeiture power to the Criminal Code. This new power would provide, in appropriate circumstances and subject to certain logical conditions, for the forfeiture of property of an offender unless the offender can prove, on a balance of probabilities, that the property is not the proceeds of crime. Safeguards are also put in place to ensure the protection of legitimate interests in property. The bill seeks to build on current proceeds of crime schemes in the Criminal Code to more effectively address organized crime and its prime motivation of illicit economic gain.

● (1620)

I urge all members to extend their support to Bill C-53.

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Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, I am thankful to the parliamentary secretary for his views on Bill C-53. Coming from the province of Manitoba, I wholly support this idea as we have similar legislation our province. It has been very useful. I could cite case studies of how it has been operating very well.

My question for my colleague is not about the reverse onus, about having people demonstrate that their assets are not the proceeds of crime. My question has more to do with the technical side of where that money goes if in fact assets are seized. If they are found to be the proceeds of crime and are seized by the government, in what way will the federal government be able to convert those material possessions into dollars? What is the methodology? How will the treasury benefit from the assets seized after they are found to be the proceeds of crime?

Hon. Peter Adams: Madam Speaker, before I became as we all are now, not being a lawyer engaged in this legislation, there were a number of technical things I was concerned about, such as what happens if a criminal writes a book and all of those sorts of things.

I have to say that at the moment I do not have the answer. Whether these moneys go into the general revenues directly and are simply merged in the total budget, or whether they go into the general revenues designated for a specific purpose, or whether they go directly to the police or somewhere else, I do not know.

I would undertake during the debate now to get that reply, in a few minutes, I hope, and I would read the response into the record.

Mr. Vic Toews (Provencher, CPC): Madam Speaker, in respect of that issue I believe that what happens is that the federal government enters into agreements with the provincial governments on a cost sharing. There is a lot of dispute as to what is the appropriate share that the province should get. I know that has been an ongoing dispute. Many times officers conducting municipal functions, for example, the RCMP, the federal police force, seize the money but are conducting municipal operations and do not get the fair share that many are saying they should be entitled to.

The member for Winnipeg Centre has pointed out a concern that needs to be addressed. I do not think we need to address it in the legislation, but certainly the agreements need to be worked out so that those who bear the cost of policing are getting their fair share of these seizure and it is not going directly to the police forces. I agree with the comments that it should not go to the police forces directly but rather to the provincial government involved or the federal government.

I also share the concern about third party interests. It is my understanding the bill does adequately protect third party interests, that notices are given to third parties who may have an interest in the property being considered for seizure, and that there is an opportunity for those third parties to make a response. I do not know if the hon. parliamentary secretary has further comment on that.

•(1625)

Hon. Peter Adams: Madam Speaker, first I want to thank my colleague. I think we now have the answer. As we know, my colleague had a senior position in the provincial system and as a

lawyer I think understands this. The answer that I received is exactly that one: that the moneys go, undesignated, into the general revenues, but that agreements are made specifically in each province as to the use of them. I agree with my colleague. I think that is the appropriate way in which those moneys should be allocated.

With regard to the third party, I think there is provision in the bill, both before the event and after the event; I do not know the legal terms of these things. If, for example, I was involved in some company or some business and someone else was forfeiting their share of that business, I can apply beforehand. In the settlement which is made by the court, as I understand it, as long as I can demonstrate that I was not involved in a criminal activity, my share would be protected. My understanding also is that after the event, if this happens and I have not had time or I did not hear about it in time, I can apply retroactively to protect my investments in the area where the forfeiture is taking place.

I hope this is the sort of response my colleague wished for.

The Acting Speaker (Hon. Jean Augustine): 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 Renfrew—Nipissing—Pembroke, National Defence; the hon. member for New Brunswick Southwest, Veterans Affairs.

Mr. Vic Toews (Provencher, CPC): Madam Speaker, it is my honour to rise today in the House to address Bill C-53 as the justice critic for the Conservative Party, the official opposition.

The key purpose of the bill is to provide a reverse onus of proof in proceeds of crime related to organized criminal activity. The provisions in the bill have long been a part of the Conservative Party platform and I hope to see the legislation passed as quickly as possible. Indeed, it is noteworthy that the bill generally speaking enjoys all-party support, something that is all too rare in the House of Commons.

I hope that some of the explanation that the parliamentary secretary gave just a moment ago in the House will assure some members of the New Democratic Party that the interest of innocent third parties are preserved. The bill does not need too much rethinking or amendments. I am concerned that the bill, which appears to be on the face of it a relatively good bill, not be held up any further.

The reverse onus provision for proceeds of crime was recommended by the subcommittee on organized crime but was not included in the government's last bill addressing organized crime, Bill C-24, which was tabled and passed in 2001.

I want to note that there are serious shortcomings in our organized crime legislation. This is an important step to address some of those shortcomings, but there are many other issues that need to be addressed.

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I know that it is quite onerous now when we are prosecuting organized criminal organizations that in each specific case there has to be a reproving of the fact that the organization is a criminal organization. Quite frankly we should adopt some of the legislation from other jurisdictions and I specifically refer to the RICO laws in the United States that have been very effective in attacking organized crime. We could learn a lot from that legislation. It respects I believe due process. It respects the constitutional safeguards not only in the American constitution but in the Canadian constitution as well. We should not hesitate to adopt similar procedures where it is in the best interest of Canadian public security.

I make the comment that we do not consider this the fight against organized crime to be at an end simply because we are agreeing to what is an important amendment because in the overall picture it is still a relatively small step.

I feel compelled to point out that the Liberals did not act on the reverse onus measure until they faced significant provincial pressure from the provincial ministers of justice as well as the opposition justice critic since the beginning of this minority Parliament.

I know that certain provinces, including my home province of Manitoba, have passed similar legislation. I do not think we should hesitate in moving forward with federal legislation. The provinces did so out of desperation. They were not receiving any help from the federal government and quite frankly had to move ahead. I support what the provinces generally speaking have been doing. However, it is a much more cumbersome process that the provinces had to adopt.

I strongly believe that the level of government that is primarily responsible for the enforcement of the criminal law should also be responsible for passing appropriate legislation dealing with the proceeds of crime. We should not leave it to the provincial governments to do it under their constitutional jurisdiction under property and civil rights. It is cumbersome and not as effective. This is the right approach and we should not hesitate. I do not think there would be any province standing in the way of Parliament in terms of taking those steps.

Organized crime is a problem that reaches across nations, oceans and boundaries affecting communities everywhere. The violence, the welfare and the financial implications of organized crime are far reaching. Globalization and technological revolution has made it possible for organizations to exert enormous influence on an international scale.

Generally speaking, we are asking our police forces to face a 21st century problem with all of the technological advantages that organized crime has with essentially 19th century tools. Many of our evidentiary laws are old laws.

• (1630)

They are simply not updated often enough in order to keep abreast of the changes in technology, so we need to, on an ongoing basis, ensure that our police forces have not only the appropriate frontline police resources but indeed the legal resources in the form of effective laws. This is one such step in bringing our criminal law essentially out of the 19th century and into the 21st century. In that sense it is a quantum leap for Canada. Unfortunately, we have not learned from the examples which other countries have gained and

therefore we are still far behind other countries in terms of addressing issues of organized crime.

The extent of collaboration within and among criminal groups has broadened greatly. The available technology has improved their ability to conduct organized crime by leaps and bounds, and therefore Canada has become a very attractive place for these types of criminals. According to Criminal Intelligence Service Canada, virtually every major criminal group in the world is active in Canada.

In 1998 the Department of the Solicitor General of Canada, now the public safety department, commissioned an independent study to assess the cost of certain activities related to organized crime. It was found that the economic costs of organized crime, I am not talking about the economic profits to organized crime, but the costs, amount to at least \$5 billion a year. Frontline police officers who are struggling to maintain their fight on existing technology simply do not have the resources to compete with the new and emerging technologies to which these criminal organizations have access.

The reverse onus provision for proceeds of crime is vital for an effective war on organized criminal activity. At present, in order to obtain an order of forfeiture, the Crown must prove on a balance of probabilities that property is the proceeds of crime and that the property is connected to the crime for which the person was convicted. The Crown must prove that the accused or convicted person owns the property and that the property is the proceeds of crime.

Again, given the resources available to many criminal organizations, accountants, lawyers and the like, they have learned to distance themselves from their assets. Often criminal organizations do not use the regular types of security that other businessmen would have to use. They enforce their security in ways that legitimate business people do not and should not.

If there is no connection between the offence and the property established, the court nevertheless may order forfeiture of the property if it is satisfied beyond a reasonable doubt that the property is the proceeds of crime. That is the existing law now.

The amendments introduced in Bill C-53 provide that once an offender has been convicted of the appropriate crime, that is a criminal organization offence or certain offences under the Controlled Drug and Substances Act, the court shall order the forfeiture of property of the offender identified by the Crown unless the offender proves on a balance of probabilities that the property is not the proceeds of the crime. Once the conviction is made now, any property belonging to the accused is forfeited unless the accused establishes that the property is not the proceeds of the crime.

There have been some concerns about the constitutionality of the legislation. I think, however, it is very clear that there are no constitutional problems. The reverse onus provision does not impinge on individual liberty rights secured by the Constitution, but rather relate to property rights once he or she has already been convicted of a criminal offence.

We are not talking about double jeopardy. We are not talking about reverse onus in the establishment of an essential element to a criminal offence. This is an appropriate constitutional response of the federal government under its criminal law powers or a provincial government under its rights to regulate property and civil rights.

• (1635)

I am quite pleased to support the bill. I would urge my colleagues, not only here in the House but in committee, to move this bill through as quickly as possible.

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, I am very interested in Bill C-53. In fact, it does my heart good that we are debating this bill today because I am putting myself in the mindset of police officers in recent history. One can imagine the frustration they feel when they drive by the home of somebody they know full well to be involved in some unsavoury element of organized crime and see the big boat in the driveway, the Ski-Doo and the 4 x 4, and the affluence of a person with no visible means of support who has not filed income tax for five years.

There are people like that who people involved in the criminal justice know full well are guys who are up to no good. It seems like the criminals get to thumb their nose at the police officers who are held to a much higher test in terms of the onus being on them to prove, and this is an almost impossible test, that this person had managed to acquire these luxury items by legal means.

I can just imagine the frustration that police officers must be feeling. I am glad to hear virtual unanimity across the party lines that something should be done to put the tools in the hands of the good guys, and put the burden of proof and the onus on the bad guys to clear up where they got the means to buy something like a 40-foot luxury cabin cruiser. I do not accept any arguments or any criticisms that this could in any way violate someone's constitutional rights. I would ask them to simply reveal where they got the money to buy the boat, or whatever the luxury item might be.

I ask this question of my colleague because I know he has first-hand experience in these things, having been the attorney general for the province of Manitoba for a number of years. What would he recommend we put in place as a process to ensure that the provinces and the law enforcement agencies get their fair share of the proceeds that may come from liquidating these assets and that the money does not in fact end up going into the black hole that we know is the consolidated revenue fund of the Government of Canada?

Can he recommend, even if it is not as an aspect of the legislation, some process by which we will get to use some of these proceeds for future law enforcement and that it does not go to a God knows what priority of the government of the day?

• (1640)

Mr. Vic Toews: Madam Speaker, it comes down to bargaining power. My colleague is a union organizer and negotiator. Often in

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the situation when we are bargaining with a strong company, the union does not have the power that it would like to have to advance the legitimate interests of working men and women.

In the same situation, often the provinces are just not in a position to push that envelope. I have seen glaring situations where RCMP police officers, under contract to the province as their provincial police, have been involved in municipal highway traffic situations. They stop a motor vehicle under a provincial law and find a million dollars in the trunk of the car. That money is seized and given to the federal government. The federal government gets 90% of it, if not more.

It comes down to the agreement that is made. If there were some way that we in the House could actually supervise some of these agreements in a more direct fashion and not simply leave each attorney general fighting the might of the federal government, it might help. The federal government is mighty in these kinds of funding arrangements, especially at a time when the costs of policing are astronomical.

I cannot offer any specific comments right now, other than perhaps bringing the matter back to the justice committee to talk about that issue once the amendments have gone through. We might have to install some kind of a review process and hear from attorneys general as to how effective it is.

One very brief thing is that there is a bit of a loophole that criminals could avoid forfeiting their property. In the legislation, as I understand it, a court may also decline to make an order of forfeiture against the property if the court considers it in the interests of justice. Is it in the interests of justice if a lawyer, for example, is not getting paid, his criminal client has all this illegal money and the judge says that it may be in the interest of justice that the lawyer scoop all the money as opposed to the Crown?

We have to be a little clearer in terms of the discretion we are giving to the courts in this context. The money may never flow to the provinces or to the federal government if there is that kind of loophole. That is one thing we need to examine in the committee.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Madam Speaker, it is a pleasure for me to take part in the debate on Bill C-53 to amending the Criminal Code, especially the provisions on property acquired through crime. In some ways, this is surely the most important of the criminal law bills.

We have seen a certain amount of legislative activism, of course, over the last few years in regard to the criminal law. It has not always been to the liking of defence attorneys. This is a debate in which we are always trying to find the middle ground between the powers that the Department of Public Safety and Emergency Preparedness must have and the rights of people representing the accused who are always deemed innocent.

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It is true that we are tipping the legal balance a little further today because it is not very common in the criminal law to reverse the onus of proof. Before looking at things in depth, we should realize that this reversal of the onus of proof pertains only to some very specific crimes. First, these offences are related to organized crime. They are related, therefore, to criminal organizations like those described in Criminal Code sections 467 and following. They are usually related to crimes involving drug trafficking.

Still, this bill is historic. I can recall that in the early 1990s biker wars were raging in certain big cities, including Montreal.

It should also be remembered that in Quebec there was an assassination attempt in the mid-1990s on the journalist Michel Auger. We are reminded that 160 people have died, victims in some cases and organized crime members in others, in the conflict among rival groups.

In the early 1990s, I remember meeting the Minister of Justice at the time and his senior officials. It was Allan Rock, currently Canada's ambassador to the United Nations. He was a very nice person who wondered himself about the most effective way of fighting organized crime. That was relatively new, it must be said. I am not speaking of organized crime but of organized crime moving into public spaces, with car bombings and raids and murders in orderly places like cities. That was relatively new.

Of course the elders among us, or the ones with the most experience—let us not confuse the two—will remember the CIOC, the Commission of Inquiry on Organized Crime. This was headed by Justice Robert Cliche.

Its hearings were televised and I remember my parents and a lot of other people in Quebec watching them. What they got out of it was perhaps a more detailed understanding of the ramifications of organized crime in various sectors of the society of the day, including the construction industry.

In the early 1990s I met the Minister of Justice, or at least some of the senior departmental officials, as well as the mother of Daniel Desrochers. No doubt hon. members will recall that, on August 9, 1995, a car bomb on Adam St. in Hochelaga—Maisonneuve took the first innocent victim, this young boy who went to Hochelaga school in the Maisonneuve sector. This boy died because he was in the wrong place at the wrong time.

● (1645)

At that time, during the 1990s, senior Justice officials were convinced that organized crime could be eradicated just by using Criminal Code provisions against conspiracy. Police and investigators I met with explained to me that this was not possible because there has to be active participation for there to be a conspiracy.

I note the nod from my colleague from Abitibi—Témiscamingue, who remains a member of the legal profession. We remember the likes of Maurice “Mom” Boucher, for instance, who was the one giving the orders and is now behind bars for 25 years, with no possibility of parole. We know very well that the ones giving the orders are not the ones who commit the offence. It was clear that conspiracy provisions would not work for dismantling major organized crime rings.

I met with investigators, police officers, lawyers and criminologists who convinced me that new provisions had to be included in the Criminal Code. At the time, in the mid-1990s, that was not obvious. The example of my colleague from Marc-Aurèle-Fortin, who was the Minister of Public Safety at the time, comes to mind; he has been justice minister and he is a defence counsel as well. He had very legitimate concerns about this issue, given that the presumption of innocence is something sacred in criminal law. Without the presumption of innocence, there can obviously be abuse.

Now, we are going a little further, arguing that tools are being given to the Crown. There are counsels who might feel somewhat uncomfortable at times, but I believe that is only temporary.

On the face of the wording of the bill, it is clear that these tools provided to the Crown are designed to be used once a conviction has been pronounced. The order sought to reverse the burden of proof applies to possessions presumably obtained illegally. The conviction, however, has already been pronounced, based on all the rules of fairness and natural justice one can expect as part of a trial.

This is nevertheless a very major tool that is being provided. It is hard to understand how individuals who report very modest incomes for income tax purposes can own property worth several million. How can someone who declares an annual income of \$12,000 afford a boat, three houses, two triplex buildings and a millionaire's lifestyle?

Now, tools are being provided which respect this balance. I would not want this balance to be upset. I realize that the presumption of innocence, the burden of proof and adjudicative fairness are very important rules that ensure a degree of civility in our justice system.

What will this mean in actual fact? The Crown will have to prove, beyond all reasonable doubt, that the accused is guilty of a criminal offence. We are talking about offences related to organized crime and, in essence, drug trafficking. These offences are indictable offences carrying minimum five-year sentences. Once the individual is convicted of a criminal offence, an order of forfeiture should be made against certain property, although not necessarily all of an individual's property. In its order, the crown should specify the property it wishes to seize on the grounds that it is the proceeds of crime. Here is where the reversal of onus of proof occurs. The accused will have to show how and by what means he acquired that property.

● (1650)

Since my time has almost expired, I want to say rapidly in closing that all parliamentarians should unanimously vote in favour of this bill, which should then, in all due diligence, be referred to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

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•(1655)

[English]

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Madam Speaker, I rise to allow my hon. colleague from the Bloc a few more moments to complete his thoughts so my question is rather open-ended. Could he further expand upon his comments?

[Translation]

Mr. Réal Ménard: Madam Speaker, how much time do I have remaining?

[English]

The Acting Speaker (Hon. Jean Augustine): Five minutes for questions and comments.

[Translation]

Mr. Réal Ménard (Hochelaga, BQ): I am sorry, Madam Speaker, but since you were moving about, I thought that my time had expired. You have stressed me unduly.

So I will limit my response as well.

[English]

The Acting Speaker (Hon. Jean Augustine): The member's time of 10 minutes for debate is over. He has five minutes for questions and comments.

[Translation]

Mr. Gérard Asselin (Manicouagan, BQ): Madam Speaker, I call a point of order. Given the interesting nature and substance of the speech by my colleague from Hochelaga, with all due respect, I ask for the unanimous consent of the House to grant the member for Hochelaga an additional 15 minutes.

[English]

The Acting Speaker (Hon. Jean Augustine): The House has heard the request. Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Hon. Jean Augustine): The member for Hochelaga has five minutes.

[Translation]

Mr. Réal Ménard: Madam Speaker, I am touched. I want to thank my colleague and our colleagues on the government side.

More seriously, the bill the government is introducing is part of a continuum. In 1997, the House passed Bill C-95, which, for the first time, criminalized membership in criminal organizations.

Bill C-95 was based on three criteria. There had to be five members who had committed an offence punishable by more than five years during the preceding five years. The police felt this was not workable. It was extremely difficult to lay charges under the provisions of Bill C-95.

However, Bill C-95, introduced in 1997, did have some positive aspects. For example, it extended warrants for electronic surveillance, which used to be valid for only three months. It is not easy to get a warrant for electronic surveillance. You have to go to a justice of the peace and document why a warrant is needed. Bill C-95 made

it easier to get warrants for electronic surveillance and extended them to a maximum of one year.

In order to successfully lock up and charge ringleaders such as “Mom” Boucher, shadowing is needed. The use of informants is indispensable in criminal law. “Mom” Boucher would never have been convicted if it were not for informants and shadowing. Electronic surveillance warrants also play an extremely important role.

Over the past few years the witness protection program has also been improved. It is now possible to get a new identity, to be protected and to receive compensation. Not that we are talking a lot of money. We do not give \$3 million to every person who helps solve an investigation. Nevertheless, a lot has been accomplished: electronic surveillance warrants and new organized crime related offences.

Quebeckers are very familiar with journalist Michel Auger. He is a renowned, respected and extremely courageous crime reporter. He was attacked in the parking lot of the *Journal de Montréal* on Iberville Street and shot. After that attack, provisions were added to the legislation in regard to intimidating journalists, public servants, those who administer the law and, of course, elected officials.

All this lead us to provide additional tools to fight organized crime more effectively. I will only give the example of the Hells Angels. During their good years, they had 39 chapters; today, they have 34. There are about 500 of them and most are considered to be members of criminal organizations. It is extremely difficult to prosecute them.

Today, we are going further. We are reversing the burden of proof. We are allowing the Crown to initiate proceedings against individuals in the upper echelons of organized crime. It goes without saying that if a person is found guilty of a punishable offence that carries a sentence of more than five years, that person is not a rank and file member of a criminal organization.

So, this is a very positive legislative measure. It was requested by the Canadian Police Association and by a number of stakeholders in civil society. We must be grateful to all the parliamentarians who worked to have the Criminal Code amended and turned into a much more effective and functional tool than had been the case until now. Just think of the years 1995, 1996 and 1997, when a war was going on in our communities, including Hochelaga—Maisonneuve, Rosemont, Saint-Nicolas, on the outskirts of Quebec City, or on the South Shore. This was going on in our communities. It was very frightening for our fellow citizens who, of course, did make representations to us, their elected officials.

•(1700)

I thank my hon. colleagues for their friendship and, in some cases, their affection, and I am grateful to them for listening to me during five additional minutes.

Government Orders

[English]

Hon. Keith Martin (Parliamentary Secretary to the Minister of National Defence, Lib.): Madam Speaker, we all know that organized crime is a parasitic creature that exists in our society. In fact, organized crime and criminal gangs are responsible for more than half of the grow operations and drug busts that occur in our country. Half of the moneys that go to organized crime is driven by the grow ops, crystal meth labs and the drug trade in general. It is a problem not only in the province of Quebec but it is a national problem.

Organized crime gangs are involved in a wide variety of issues, as we know, from gun running, people smuggling and alcohol. We need to have and we now have tougher laws with this particular bill.

We also need to be able to organize and work with our counterparts internationally. One of the things that the Minister of Justice has done is implement a series of additions to the code, putting the precursor substances to the making of some of these products on a schedule that will help us track their import and export. In doing that, we would be able to find the countries and groups that are involved in the production of cocaine, heroin and other substances involved in the production and contributing to the organized crime gangs and the drug trade that they ply.

My question to the hon. member is really a challenge for him and for the House. There is something we can do that is fairly simple, in addition to where we are going now, and that is working with the states, particularly those in the OAS, the Organization of American States, to implement international import-export permits for the precursor chemicals that go into manufacturing cocaine in particular and also in the production of crystal meth.

Would the hon. member's party support Canada taking a lead in trying to convince other countries, particularly in the OAS, to adopt an import-export permit system for the precursor chemicals that are used in the production of these illegal drugs that cause so much heartache, pain, death and suffering to so many innocent people?

• (1705)

[Translation]

Mr. Réal Ménard (Hochelaga, BQ): Madam Speaker, I clearly understand the comments made by the hon. parliamentary secretary.

I know that Canada has ratified a number of conventions on drugs and narcotics. I was not given a mandate by my caucus today to discuss an issue as specific as the one referred to by the hon. member. However, I am inclined to think that the Bloc Québécois would approve such a measure, but the Minister of Justice and the Minister of Foreign Affairs would certainly have to take a close look at this.

It is risky to take a stand without having looked at the fine print of such legislation. However, I would say that I agree with the hon. member that drugs remain the foundation of organized crime, whether we are talking about hydroponic greenhouses for marijuana, cocaine, the new drug called "crystal", or ecstasy. These are extremely disturbing realities.

I had the opportunity to sit on the special parliamentary committee that reviewed the use of drugs for non medical purposes. We recommended the decriminalization of marijuana. The whole issue

of an import-export permit system was not examined by the committee. However, I think we can, subject to an in-depth review, support the solutions proposed by the Parliamentary Secretary to the Minister of National Defence.

[English]

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Madam Speaker, it gives me great pleasure to rise today and address Bill C-53, an act to amend the Criminal Code, proceeds of crime, and the Controlled Drugs and Substances Act.

Let me begin by congratulating the Minister of Justice on this small but important step forward in the effort to reform our failing criminal justice system. Placing the reverse onus on the criminal to prove that his seized assets were not obtained through criminal activity is long overdue. As members of the House are well aware, the provisions contained in the bill are a long-standing plank in our Conservative Party platform.

A cynic might suggest that the only reason the bill is moving forward under the Liberals is because of the very precarious situation in which the government finds itself. It needs to fulfill a legislative calendar with legislation that is unlikely to result in its defeat. However, I prefer to believe that the Minister of Justice is listening to the common sense policies that our policy is promoting and is simply doing what is right.

The bottom line is Parliament needs to send a message that crime does not pay.

Unfortunately, our criminal justice system is in such a shambles right now after 12 years of Liberal rule, that many people are getting exactly the opposite message. I cannot help but be reminded of the case of Paul Coffin who was recently convicted for defrauding this very government of \$1.5 million. While he repaid much of the money, he received no jail time and kept about \$500,000. The message in that case for many Canadians is that crime does pay.

Nevertheless, Bill C-53 would ensure that those who are engaged in serious criminal enterprise, especially the illegal drug trade, would never profit from their crimes. Currently, those involved in this illicit trade in my part of Canada clearly see their crime as a profitable enterprise even when caught and convicted.

Apart from the potential stigma of a criminal conviction, those who run the marijuana grow houses in B.C. really do make a good profit. Even upon conviction there is rarely any jail time and the fines are a fraction of the income received from this illegal activity. They see the fines as simply the cost of doing business. My hope is that Bill C-53 is a first small step in a movement to suppress the grow houses, the smuggling of marijuana and cocaine over our borders and related violence that accompanies the drug trade.

Government Orders

With that in mind, I would like to focus on a couple of aspects of the bill that the minister and the justice committee may want to examine in greater detail as Bill C-53 moves through Parliament.

First is the 10 year limitation on seeking forfeiture. Currently clause 6.1 of the bill says that the court may impose forfeiture only if it is convinced that:

within 10 years before the proceedings were commenced in respect of the offence for which the offender is being sentenced, the offender engaged in a pattern of criminal activity for the purpose of directly or indirectly receiving a material benefit, including a financial benefit;

I believe we may want to reconsider limiting forfeiture in this way. It is important to remember that the individuals involved with most crime families and criminal organizations have been involved in criminal activity their whole lives. Yet, according to the bill, if such a criminal were to be prosecuted for organized crimes that took place more than 10 years before being charged, they apparently would be legally entitled to keep the proceeds of their crimes. Admittedly, such circumstances would be uncommon, yet I do not believe we would want to allow a free pass to such criminals.

Consider the case of a mobster who has lived his whole life off the avails of crime, who is finally ratted out by an informant for murders he committed earlier in his criminal career, yet there is no evidence of criminal activity for the past decade. The police finally have the evidence they need to put the don behind bars. However, even with the conviction and jail sentence, the mobster and his family keep the ill-gotten millions he amassed over his criminal career.

The second area the minister and the committee might want to examine further is the sheltering of ill-gotten gains in someone else's name. This problem was brought to my attention recently through round table meetings I have been holding across Canada as part of our party's task force on safe streets and healthy communities.

The leader of the official opposition asked me and Jim Flaherty, a former attorney general of Ontario and Conservative candidate, to head up this task force as we seek solutions to the problem of violent, drug related crime in Canadian society, the same crimes that Bill C-53 helps to address in part.

• (1710)

Police officers have related to me their frustration at attempting seizure of criminally derived assets from a spouse or a family member who are given title to a car, house or other property. Yes, the bill allows for fines in lieu of seizure where assets are inextricably comingled or found to be beyond the direct reach of authorities. However, I suspect that this obvious loophole for sheltering criminal assets could be tightened significantly.

The third area the minister and the justice committee may want to consider is the sheltering of assets overseas by such criminals. Again, the bill allows for fines in lieu of seizure where assets appear to be beyond the direct reach of Canadian authorities, yet fines may never be paid while criminal assets continue to exist beyond the reach of Her Majesty's government. Indeed, even if this new legislation is effective domestically, then we can well anticipate that the smarter and wealthier criminals will seek to deposit and invest their funds offshore.

According to the International Monetary Fund, estimates of money laundering worldwide amount to anywhere from \$590 billion to \$1.5 trillion.

According to the most recent Criminal Intelligence Service of Canada report:

—recent law enforcement projects in B.C. have discovered organized crime groups capable of laundering proceeds of crime derived from the cross-border smuggling of cocaine and marijuana, totaling approximately C\$200 million.

That is just in B.C.

The Financial Action Task Force on Money Laundering, an international-based organization, has recently identified the following worldwide trends in money laundering typologies also evident in Canada: these include the use of wire transfers, and organized crime's utilization of gatekeepers, as they act as intermediaries with financial institutions in addition to providing an appearance of legitimacy. In addition, casinos, including on-line casinos, white-label Automated Teller Machines (ATMs), and money service businesses, such as currency exchanges are increasingly employed by organized crime groups to launder their money in Canada.

While organized crime groups based in Canada are laundering money here and abroad, Canada is also used by foreign-based groups for the purposes of laundering the proceeds of crime due to the stability of the economy and the soundness of its financial sector. There are individual facilitators and criminal organizations who specialize in providing money laundering services to a number of other organized crime groups. These individuals and criminal groups are not necessarily involved in other types of criminal activity but they do provide an essential component to the successful operation of criminal networks even though they may not be core members of the organization. Some marijuana brokers, for instance, have tasked individuals outside of their criminal organizations with converting the U.S. cash into Canadian currency through currency exchanges on their behalf.

While Parliament is considering the very subject of seizing criminal assets, it is a most appropriate time to be examining how we might strengthen our efforts to reduce the laundering of funds and to repatriate criminal assets from foreign jurisdictions.

Some questions that need answers include the following.

Is there more that can be done domestically to track the flow of funds overseas?

What is needed domestically to help these efforts?

Do we need to impose an anti-money laundering regime on money service businesses and currency exchanges?

Do we need more resources for police or for FINTRAC, the Financial Transactions and Reports Analysis Centre of Canada?

Should we be looking at new treaties with certain offshore banking havens?

Alternatively, are there any jurisdictions that have become extremely problematic for Canada in our fight against organized crime for which the application of limited sanctions may be appropriate?

If the Minister of Justice is serious about forfeiture, then these questions also must be addressed more fully. While legislation alone cannot answer all of these questions, they must be answered all the same.

Government Orders

As I conclude my comments on Bill C-53, I leave members with some thoughts based on what I have been hearing from Canadians as I have travelled across Canada these past weeks as co-chairman of our party's task force on safe streets and healthy communities. Several themes have been repeated at these meetings, including dismay at the toothlessness of the Youth Criminal Justice Act, light or non-existent jail time for serious violent crimes and lax immigration rules that allow criminals to exploit the system. In addition, illegal drugs were fingered as a common denominator in most crimes, while unstable family environments were identified as the starting point for many career criminals.

• (1715)

There is much work to be done to reform the criminal justice system as my task force has reconfirmed. Again, I congratulate the Minister of Justice for adopting this important Conservative policy. I encourage all members to support this bill at second reading.

Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development and Minister responsible for Democratic Renewal, Lib.): Madam Speaker, I enjoyed what my colleague had to say. I know he has been following the debate and he would have heard earlier one of his colleagues talk about the matter of where the money went. When property or whatever is forfeit and the money comes to the court, and I guess that is the way we put it because I am not a lawyer, it goes some way into the federal treasury? Then, commonly, in each province there are agreements as to how the money would be used.

Does the member had any personal thoughts as to what should be done with funds which are retrieved?

Mr. Russ Hiebert: Madam Speaker, as I have criss-crossed the country with this task force we have heard a number of times, police officers in particular, raising the question of what happens to all the money? When they raid a place and pour enormous resources and efforts into a criminal investigation, that comes out of their budget. Yet the thousands or millions of dollars in equipment or in clear cash is sent off to Ottawa. The police certainly wish that that money would come back to their particular office or location to reimburse them for those expenses.

My colleague is absolutely right, the federal government stashes that money. Then, based on some agreement, sends it back to the province which sometimes finds its way to the municipality, but often times does not.

The committee should actively investigate the possibility of rewarding the local police detachment with a greater portion of the proceeds of crime. The local police are the ones who have borne the cost during the investigation.

These are not cheap operations to function. There are huge expenses involved, yet the work has to get done. It does not seem to be appropriate, at least from my perspective, that the money gets taken away and brought to Ottawa and then some of it trickles down.

I would like to see more of it get back to the officers in question.

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Madam Speaker, in general we are supportive of this measure.

When my colleague was giving his overviews of the legislation he brought out something that was very interesting. He used a term

“ratted out”. One of the main ways in which peace officers are able to apprehend those who have committed crimes is because thieves rat out on other thieves. They only do it under certain conditions.

In consultation with senior officers in the United States, who work with our own agencies, they that the great deficiency in the Canadian system was that there was no leverage that arresting officers or apprehending officers could apply to criminals to get them to rat out because we did not have high mandatory sentences for crime. This is reflected by other policing forces around the world.

In the United States a criminal may face 25 years mandatory for the types of crimes about which we are talking. We are not even talking about murder. We are talking about certain other types of crime. In the interrogation process those officers are able to say to people that they will go away to prison for 25 years unless they give the officers information and “rat out”. That type of information has helped the United States break not just gangs, but significant circles of organized crimes.

As important as this is, is it not necessary that the government have a companion to the legislation which is significantly higher mandatory sentencing? Then we can get the ratting out to happen. Then we can get these people and not just take away their goods, which they can accumulate quite quickly again through illegal processes, but get them behind bars where they belong.

• (1720)

Mr. Russ Hiebert: Madam Speaker, my colleague has raised an excellent point.

To use an analogy, I am from Surrey, British Columbia. There are between 4,000 and 8,000 grow ops in the Lower Mainland. The police estimate there are between 4,000 and 4,500 grow ops in Surrey. In Whatcom County, just across the border, there were less than a dozen convictions last year. A lot of people believe the reason is that the mandatory minimum sentences in Washington state are enormous. The consequences are huge.

I think the point that my colleague and many colleagues on this side of the House are trying to make is that mandatory minimum sentences are a necessary step if this kind of legislation is going to be effective.

The Acting Speaker (Hon. Jean Augustine): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Hon. Jean Augustine): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Hon. Jean Augustine): Accordingly the bill stands referred to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

(Motion agreed to and bill referred to a committee)

* * *

• (1725)

WAGE EARNER PROTECTION PROGRAM ACT

Hon. Joe Fontana (for the Minister of Industry) moved that Bill C-55, An Act to establish the Wage Earner Protection Program Act, to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

He said: Madam Speaker, in the time that is left today, I am pleased to speak to a very important bill, Bill C-55, which is a balanced and comprehensive reform package for insolvency legislation tabled by my hon. colleague, the Minister of Industry. The proposed changes will modernize our insolvency legislation, ensuring that the system better responds to the needs of the marketplace.

Just as important, I want to talk about how the reforms will improve the protection of workers whose employers undergo restructuring or become bankrupt. I am very passionate about this topic. Under our current system, too many workers are vulnerable when their employers enter into a restructuring or file for bankruptcy. Canadian workers suffer lost wages, reduced pension benefits and uncertainty that their collective agreements may be unilaterally changed by a court.

The government has heard from Canadian workers about the need to ensure that they are more fairly treated when their employers suffer economic hardship. The reforms introduced by my colleague will do just that.

For example, we are proposing new measures, including the wage earner protection program, for the first time in our history which will provide workers with a guaranteed payment for unpaid wages up to \$3,000. An estimated 10,000 to 15,000 workers in every workplace across the country in both federal and provincial jurisdictions are left with unpaid wages or reduced pensions due to employer bankruptcies in Canada. These workers did not agree to become lenders to their employers when they were hired. They cannot afford to bear the risk of coming up empty-handed after they have done their hard work each and every day. They need to have their paycheques to buy groceries, to pay their mortgages and to pay their car payments.

Let me explain what the program will really mean for these workers. Under the current system three-quarters of unpaid workers in a bankruptcy receive nothing for their work, zero. The average payout overall is only 13¢ on the dollar. In Canada, existing federal and provincial labour laws protect the workers who perform work but are not paid by their employers. However, these labour laws cease to be in effect when a bankruptcy or receivership occurs, because currently, bankruptcy law supersedes labour laws in these cases.

The situation facing unpaid workers in Canada exposes a clear gap in our system. Clearly, changes are needed. That is why the government is acting on behalf of the workers of Canada. The wage earner protection program will apply when an employer goes bankrupt, or is put into receivership under the Bankruptcy and

Private Members' Business

Insolvency Act. These are the employees who are unpaid. The employees can apply to the program to have their wages paid, up to \$3,000, immediately upon that occurrence.

The wage earner protection program will operate efficiently. It will be delivered seamlessly, building on the existing relationships between trustees and receivers and the employment insurance system.

This type of program is not radical or new, but it is for our country. Many countries already have a similar program to protect their workers, such as the United Kingdom and Australia. The cost of the program is only going to be \$30 million a year. In the event of a dramatic increase in the number of bankruptcies, it could go as high as \$50 million. That is not a big investment from the Canadian government to protect the working men and women of this country.

The government expects to recover up to half of the program payouts as a creditor to the employer. Under the wage earner protection program, the government will assume the workers' claims against their bankrupt employer's estate. This means that the government will recover a portion of its costs by making claims against the employer's estate and therefore, the employee does not have to do it.

The reforms will also amend the Bankruptcy and Insolvency Act to establish a limited superpriority for unpaid wage claims up to \$2,000. Under the new limited superpriority an unpaid worker will be one of the first to be paid from the current assets of the bankrupt employer.

• (1730)

The limited superpriority for unpaid wages balances the risk of bankruptcy between the employees and other creditors of the bankrupt company. Right now the burden weighs too heavily on the employees. It will assist the government in recouping its costs for the wage earner protection program by making more assets of bankrupt companies available for the employees and wage claims. That is putting the employees first.

I will have more to say about this tomorrow morning.

The Acting Speaker (Hon. Jean Augustine): The minister has 14 minutes and 46 seconds left for the continuation of this debate.

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

The House resumed from June 22 consideration of the motion that Bill C-293, An Act to amend the Criminal Code (theft of a motor vehicle), be read the second time and referred to a committee.

The Acting Speaker (Hon. Jean Augustine): It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion at second reading of Bill C-293.

Call in the members.

Private Members' Business

● (1800)

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

*(Division No. 157)***YEAS**

Members

Abbott	Ablonczy
Allison	Ambrose
Anders	Anderson (Cypress Hills—Grasslands)
Batters	Benoit
Bezan	Blaikie
Breitkreuz	Brown (Leeds—Grenville)
Carrie	Casey
Casson	Chatters
Chong	Cummins
Day	Devolin
Doyle	Epp
Finley	Fletcher
Forseth	Gallant
Goldring	Goodyear
Grewal (Newton—North Delta)	Grewal (Fleetwood—Port Kells)
Guergis	Hanger
Harris	Hiebert
Hill	Hinton
Jaffer	Jean
Johnston	Julian
Kenney (Calgary Southeast)	Kramp (Prince Edward—Hastings)
Lauzon	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Mark	Martin (Winnipeg Centre)
Merrifield	Miller
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
O'Connor	Obhrai
Pallister	Penson
Poillievre	Prentice
Preston	Rajotte
Reid	Reynolds
Richardson	Ritz
Scheer	Schellenberger
Schmidt (Kelowna—Lake Country)	Skelton
Smith (Kildonan—St. Paul)	Solberg
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Tweed	Van Loan
Vellacott	Warawa
Wasylcia-Leis	Watson
White	Yelich — 88

NAYS

Members

Adams	Alcock
André	Angus
Asselin	Augustine
Bachand	Bagnell
Bains	Bakopanos
Barnes	Bélangier
Bellavance	Bennett
Bergeron	Bevilacqua
Bigras	Blondin-Andrew
Boire	Boivin
Bonin	Bonsant
Boshcoff	Bouchard
Boudria	Boulianne
Bourgeois	Bradshaw
Brisson	Broadbent
Brown (Oakville)	Brunelle
Bulte	Byrne
Cannis	Cardin
Carr	Carrier
Carroll	Catterall
Chamberlain	Chan
Christopherson	Cleary
Comartin	Comuzzi

Côté	Cotler
Crête	Crowder
Cullen (Skeena—Bulkley Valley)	Cuzner
D'Amours	Davies
Demers	Deschamps
Desrochers	DeVillers
Dhalla	Dion
Dosanjh	Drouin
Dryden	Duceppe
Easter	Emerson
Eyking	Faille
Folco	Fontana
Frulla	Fry
Gagnon (Québec)	Gagnon (Saint-Maurice—Champlain)
Gagnon (Jonquière—Alma)	Galloway
Gaudet	Gauthier
Godbout	Godin
Goodale	Graham
Guarnieri	Guay
Guimond	Holland
Hubbard	Ianno
Jennings	Kadis
Karetak-Lindell	Karygiannis
Kotto	Laframboise
Lalonde	Lapierre (Outremont)
Lapierre (Lévis—Bellechasse)	Lastewka
Lavallée	Layton
LeBlanc	Lemay
Lessard	Lévesque
Loubier	Macklin
Malhi	Maloney
Marceau	Marleau
Martin (Esquimalt—Juan de Fuca)	Martin (Sault Ste. Marie)
Masse	McCallum
McGuinty	McGuire
McKay (Scarborough—Guildwood)	McLellan
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Minna
Mitchell	Myers
Neville	Owen
Pacetti	Paquette
Paradis	Parrish
Perron	Peterson
Pettigrew	Picard (Drummond)
Pickard (Chatham-Kent—Essex)	Plamondon
Poirier-Rivard	Powers
Proulx	Ratansi
Redman	Regan
Robillard	Rodriguez
Rota	Roy
Russell	Saada
Sauvageau	Savage
Savoy	Scarpaleggia
Scott	Sgro
Siksay	Silva
Simard (Saint Boniface)	Smith (Pontiac)
St-Hilaire	St. Amand
St. Denis	Steckle
Stronach	Szabo
Telegdi	Temelkovski
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	
Torsney	Ur
Valeri	Valley
Vincent	Volpe
Zed- — 175	

PAIRED

Members

Beaumier	Blais
Clavet	Cullen (Etobicoke North) — 4

The Deputy Speaker: I declare the motion lost.

Private Members' Business

* * *

● (1805)

[Translation]

TREATIES ACT

The House resumed from June 23 consideration of the motion that Bill C-260, an act respecting the negotiation, approval, tabling and publication of treaties, be now read a second time and referred to a committee.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-260 under private members' business.

● (1815)

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

*(Division No. 158)***YEAS**

Members

André	Asselin
Bachand	Bellavance
Bergeron	Bigras
Boire	Bonsant
Bouchard	Boulianne
Bourgeois	Brunelle
Cardin	Carrier
Cleary	Côté
Crête	Demers
Deschamps	Desrochers
Duceppe	Faille
Gagnon (Québec)	Gagnon (Saint-Maurice—Champlain)
Gagnon (Jonquière—Alma)	Gaudet
Gauthier	Guay
Guimond	Kilgour
Kotto	Laframboise
Lalonde	Lapierre (Lévis—Bellechasse)
Lavallée	Lemay
Lessard	Lévesque
Loubier	Marceau
Ménard (Hochelega)	Ménard (Marc-Aurèle-Fortin)
Paquette	Parrish
Perron	Picard (Drummond)
Plamondon	Poirier-Rivard
Roy	Sauvageau
Simard (Beauport—Limoulu)	St-Hilaire
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Vincent — 54	

NAYS

Members

Abbott	Ablonczy
Adams	Alcock
Allison	Ambrose
Anders	Anderson (Cypress Hills—Grasslands)
Angus	Augustine
Bagnell	Bains
Bakopanos	Barnes
Batters	Bélangier
Bennett	Benoit
Bevilacqua	Bezan
Blaikie	Blondin-Andrew
Boivin	Bonin
Boshcoff	Boudria
Bradshaw	Breitkreuz
Brisson	Broadbent
Brown (Oakville)	Brown (Leeds—Grenville)
Bulte	Byrne
Cannis	Carr

Carrie	Carroll
Casey	Casson
Catterall	Chamberlain
Chan	Chatters
Chong	Christopherson
Comartin	Comuzzi
Cotler	Crowder
Cullen (Skeena—Bulkley Valley)	Cummins
Cuzner	D'Amours
Davies	Day
DeVillers	Devolin
Dhalla	Dion
Dosanjh	Doyle
Drouin	Dryden
Easter	Emerson
Epp	Eyking
Finley	Fletcher
Folco	Fontana
Forsyth	Frulla
Fry	Gallant
Galloway	Godbout
Godin	Goldring
Goodale	Goodyear
Graham	Grewal (Newton—North Delta)
Grewal (Fleetwood—Port Kells)	Guarnieri
Guergis	Hanger
Harris	Hiebert
Hill	Hinton
Holland	Hubbard
Ianno	Jaffer
Jean	Jennings
Johnston	Julian
Kadis	Karetak-Lindell
Karygiannis	Kenney (Calgary Southeast)
Khan	Komarnicki
Kramp (Prince Edward—Hastings)	Lapierre (Outremont)
Lastewka	Lauzon
Layton	LeBlanc
Lukiwski	Lunn
Lunney	MacKay (Central Nova)
MacKenzie	Macklin
Malhi	Maloney
Mark	Marleau
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
McCallum	McGuinty
McGuire	McKay (Scarborough—Guildwood)
McLellan	McTeague
Merrifield	Miller
Mills	Minna
Mitchell	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Myers
Neville	Nicholson
O'Connor	Obhrai
Oda	Owen
Pacetti	Pallister
Paradis	Penson
Peterson	Pettigrew
Pickard (Chatham-Kent—Essex)	Poilievre
Powers	Prentice
Preston	Proulx
Rajotte	Ratansi
Redman	Regan
Reid	Reynolds
Richardson	Ritz
Robillard	Rodriguez
Rota	Russell
Saada	Savage
Savoy	Scarpaleggia
Scheer	Schellenberger
Schmidt (Kelowna—Lake Country)	Scott
Sgro	Siksay
Silva	Simard (Saint Boniface)
Skelton	Smith (Pontiac)
Smith (Kildonan—St. Paul)	Solberg
St. Amand	St. Denis
Steckle	Stronach
Szabo	Telegdi
Temelkovski	Thibault (West Nova)
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Torsney
Trost	Tweed
Ur	Valeri

Private Members' Business

Valley
Vellacott
Warawa
Watson
Wilfert
Yelich

Van Loan
Volpe
Wasylycia-Leis
White
Wrzesnewskyj
Zed— 216

Toews
Trost
Van Loan
Warawa
Watson
Wilfert

Tonks
Tweed
Vellacott
Wasylycia-Leis
White
Yelich— 100

PAIRED

Members

Beaumier
Clavet

Blais
Cullen (Etobicoke North)— 4

The Deputy Speaker: I declare the motion lost.

* * *

[English]

AGE OF CONSENT

The House resumed from June 27 consideration of the motion.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on Motion No. 221.

• (1825)

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

(Division No. 159)

YEAS

Members

Abbott
Allison
Anders
Angus
Batters
Bevilacqua
Blaikie
Brown (Leeds—Grenville)
Casey
Chatters
Christopherson
Cummins
Devolin
Epp
Fletcher
Gallant
Goodyear
Grewal (Fleetwood—Port Kells)
Hanger
Hiebert
Hinton
Jean
Julian
Kilgour
Kramp (Prince Edward—Hastings)
Lukiwski
Lunney
MacKenzie
Mark
Martin (Sault Ste. Marie)
Merrifield
Mills
Moore (Fundy Royal)
O'Connor
Oda
Penson
Prentice
Rajotte
Reynolds
Ritz
Schmidt (Kelowna—Lake Country)
Smith (Kildonan—St. Paul)
Steckle
Thompson (Wild Rose)

Ablonczy
Ambrose
Anderson (Cypress Hills—Grasslands)
Bagnell
Benoit
Bezan
Breitkreuz
Carrie
Casson
Chong
Cullen (Skeena—Bulkley Valley)
Day
Doyle
Finley
Forseth
Goldring
Grewal (Newton—North Delta)
Guergis
Harris
Hill
Jaffer
Johnston
Kenney (Calgary Southeast)
Komarnicki
Lauzon
Lunn
MacKay (Central Nova)
Malhi
Martin (Winnipeg Centre)
McTeague
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Nicholson
Obhrai
Pallister
Poilievre
Preston
Reid
Richardson
Scheer
Skelton
Solberg
Thompson (New Brunswick Southwest)
Tilson

Adams
André
Augustine
Bains
Barnes
Bellavance
Bergeron
Bigras
Boire
Bonin
Boshcoff
Boudria
Bourgeois
Brison
Brown (Oakville)
Bulte
Cannis
Carr
Carroll
Chamberlain
Cleary
Côté
Crête
Cuzner
Davies
Deschamps
DeVillers
Dion
Drouin
Duceppe
Emerson
Faille
Fontana
Fry
Gagnon (Saint-Maurice—Champlain)
Galloway
Gauthier
Godin
Graham
Guay
Holland
Ianno
Kadis
Khan
Laframboise
Lapierre (Outremont)
Lastewka
Layton
Lemay
Lévesque
Macklin
Marceau
Martin (Esquimalt—Juan de Fuca)
McCallum
McGuire
McLellan
Ménard (Marc-Aurèle-Fortin)
Mitchell
Neville
Pacetti
Paradis
Perron
Pettigrew
Pickard (Chatham-Kent—Essex)
Poirier-Rivard
Proulx
Redman
Robillard
Rota
Russell
Sauvageau
Savoy
Schellenberger

NAYS

Members

Alcock
Asselin
Bachand
Bakopanos
Bélangier
Bennett
Bevilacqua
Blondin-Andrew
Boivin
Bonsant
Bouchard
Boulianne
Bradshaw
Broadbent
Brunelle
Byrne
Cardin
Carrier
Catterall
Chan
Comartin
Cotler
Crowder
D'Amours
Demers
Desrochers
Dhalla
Dosanjh
Dryden
Easter
Eyking
Folco
Frulla
Gagnon (Québec)
Gagnon (Jonquière—Alma)
Gaudet
Godbout
Goodale
Guarnieri
Guimond
Hubbard
Jennings
Karetak-Lindell
Kotto
Lalonde
Lapierre (Lévis—Bellechasse)
Lavallée
LeBlanc
Lessard
Loubier
Maloney
Marleau
Masse
McGuinty
McKay (Scarborough—Guildwood)
Ménard (Hochelaga)
Minna
Myers
Owen
Paquette
Parrish
Peterson
Picard (Drummond)
Plamondon
Powers
Ratansi
Regan
Rodriguez
Roy
Saada
Savage
Scarpaleggia
Scott

Sgro
Silva
Simard (Saint Boniface)
St-Hilaire
St. Denis
Szabo
Temelkovski
Basques)
Thibault (West Nova)
Ur
Valley
Volpe
Zed— 169

Siksay
Simard (Beauport—Limoilou)
Smith (Pontiac)
St. Amand
Stronach
Telegdi
Thibault (Rimouski-Neigette—Témiscouata—Les
Torsney
Valeri
Vincent
Wrzesnewskyj

Poilievre
Preston
Reid
Richardson
Scheer
Skelton
Solberg
Thompson (New Brunswick Southwest)
Tilson
Tonks
Tweed
Vellacott
Wasylycia-Leis
White
Yelich— 99

Prentice
Rajotte
Reynolds
Ritz
Schmidt (Kelowna—Lake Country)
Smith (Kildonan—St. Paul)
Steckle
Thompson (Wild Rose)
Toews
Trost
Van Loan
Warawa
Watson
Wilfert

PAIRED

Members

Beaumier
Clavet

Blais
Cullen (Etobicoke North)— 4

The Deputy Speaker: I declare the motion lost.

* * *

CRIMINAL CODE

The House resumed from June 28 consideration of the motion that Bill C-313, An Act to amend the Criminal Code (prohibited sexual acts), be read the second time and referred to a committee.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-313.

• (1835)

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

(Division No. 160)

YEAS

Members

Abbott
Allison
Anders
Angus
Batters
Bezan
Breitkreuz
Carrie
Chatters
Christopherson
Cummins
Devolin
Epp
Fletcher
Gallant
Goodyear
Grewal (Fleetwood—Port Kells)
Hanger
Hiebert
Hinton
Jean
Julian
Kilgour
Kramp (Prince Edward—Hastings)
Layton
Lunn
MacKay (Central Nova)
Malhi
Martin (Winnipeg Centre)
McTeague
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
Obhrai
Pallister

Ablonczy
Ambrose
Anderson (Cypress Hills—Grasslands)
Bagnell
Benoit
Blaikie
Brown (Leeds—Grenville)
Casson
Chong
Cullen (Skeena—Bulkley Valley)
Day
Doyle
Finley
Forseth
Goldring
Grewal (Newton—North Delta)
Guergis
Harris
Hill
Jaffer
Johnston
Kenney (Calgary Southeast)
Komarnicki
Lauzon
Lukiwski
Lunney
MacKenzie
Mark
Martin (Sault Ste. Marie)
Merrifield
Mills
O'Connor
Oda
Penson

Adams
André
Augustine
Bains
Barnes
Bellavance
Bergeron
Bigras
Boire
Bonin
Boshcoff
Boudria
Bourgeois
Brisson
Brown (Oakville)
Bulte
Cannis
Carr
Carroll
Chamberlain
Cleary
Côté
Crête
Cuzner
Davies
Deschamps
DeVillers
Dion
Drouin
Duceppe
Emerson
Faille
Fontana
Fry
Gagnon (Saint-Maurice—Champlain)
Galloway
Gauthier
Godin
Graham
Guay
Holland
Ianno
Kadis
Khan
Laframboise
Lapierre (Outremont)
Lastewka
LeBlanc
Lessard
Loubier
Maloney
Marleau
Masse
McGuinty
McKay (Scarborough—Guildwood)
Ménard (Hochelaga)
Minna
Myers
Owen
Paquette
Parrish
Peterson
Picard (Drummond)
Plamondon

NAYS

Members

Alcock
Asselin
Bachand
Bakopanos
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Boivin
Bonsant
Bouchard
Boulianne
Bradshaw
Broadbent
Brunelle
Byrne
Cardin
Carrier
Catterall
Chan
Comartin
Cotler
Crowder
D'Amours
Demers
Desrochers
Dhalla
Dosanjh
Dryden
Easter
Eyking
Folco
Frulla
Gagnon (Québec)
Gagnon (Jonquière—Alma)
Gaudet
Godbout
Goodale
Guamieri
Guimond
Hubbard
Jennings
Karetak-Lindell
Kotto
Lalonde
Lapierre (Lévis—Bellechasse)
Lavallée
Lemay
Lévesque
Macklin
Marceau
Martin (Esquimalt—Juan de Fuca)
McCallum
McGuire
McLellan
Ménard (Marc-Aurèle-Fortin)
Mitchell
Neville
Pacetti
Paradis
Perron
Pettigrew
Pickard (Chatham-Kent—Essex)
Poirier-Rivard

Private Members' Business

Private Members' Business

Powers	Proulx
Ratansi	Redman
Regan	Robillard
Rodriguez	Rota
Roy	Russell
Saada	Sauvageau
Savoy	Scarpaleggia
Schellenberger	Scott
Sgro	Siksay
Silva	Simard (Beauport—Limoulu)
Simard (Saint Boniface)	Smith (Pontiac)
St-Hilaire	St. Amand
St. Denis	Stronach
Szabo	Telegdi
Temelkovski	Thibault (Rimouski-Neigette—Témiscouata—Les
Basques)	
Thibault (West Nova)	Torsney
Ur	Valeri
Valley	Vincent
Volpe	Wrzesnewskyj
Zed— 167	

PAIRED

Members

Beaumier	Blais
Clavet	Cullen (Etobicoke North)— 4

The Deputy Speaker: I declare the motion lost.

Hon. Joseph Volpe: Mr. Speaker, I rise on a point of order. It would appear that a member was offended that just after question period I had a telephone in my hand and that I was on the phone. I took an emergency call. I regret doing that. It was not my intention to slight the House or any members therein. I will refrain from doing that in the future.

* * *

INCOME TAX ACT

The House resumed from May 31 consideration of the motion that Bill C-306, An Act to amend the Income Tax Act (public transportation costs), be read the second time and referred to a committee.

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I understand that I have about six minutes left, so if I may I will just go back over this a little. The bill proposes that there be transit pass credits issued for those who are using transit systems, providing they provide supporting vouchers. This does raise some complex and difficult issues.

The first has to do with whether in fact this is a cost effective way to increase ridership. The second issue is whether this is a fair proposal. The third is that such proposals should be, in general terms, relatively simple for tax authorities to administer.

If I may, I will take a little closer look at what I would say is a good-spirited and thoughtful proposal from the member opposite, but which, when we look at it a little bit more carefully, raises some difficulties that become problematic.

Accessibility is a factor when assessing the cost effectiveness of a proposal. On the evidence we have thus far, it appears that accessibility to public transit is in fact the determinant of whether one uses public transit. Obviously if we are close to subways or buses and they are convenient, we are going to use them. If we are not close, we probably will not. On the other hand, many individuals drive to work not because it is cheaper but for other reasons

altogether. They may need to travel at off peak hours or something of that nature.

These are the issues that come up and which mix into personal preference, so the studies seem to show that tax incentives and costs are relatively insensitive to the use of transit. In light of these factors, it is unlikely that a tax credit would lead to a large increase in the number of people using public transit.

As I said previously, there is really no one in the House who does not want to increase the use of public transit, but it is our view that this in fact may not be what will be accomplished by what is a relatively expensive measure.

Currently, for example, there is a study going on with the national capital region. This project provides a 15% discount to government employees for using public transit. What it shows, spread over the 9,000 employees who could have accessed such a discount, is that 915 employees participated in the program and only 54 were new transit users. This represents one new transit user for every 16 existing users. It is equivalent to a ridership increase of 6%. In other words, 94% of the benefit went to existing users.

The results of this program illustrate that the impact on the transit ridership of a federal tax credit for public transportation costs would be relatively very small, and it is clear that this would be a relatively costly exercise. It would result in significant revenue losses to the government, in the range of \$240 million to \$300 million per year.

The transit pass program has been extended to all federal departments in the national capital region and Transportation Canada will formally evaluate the program in the autumn of this year. Indeed, in the recent audit of the program, the Commissioner of the Environment and Sustainable Development noted the government needs to ensure that it is using the most cost effective tools to accomplish its objectives.

There is also a fairness issue that arises. The proposal would largely benefit people in urban centres where there are extensive public transportation systems. Therefore, people in non-urban centres, in small and rural communities, would not necessarily benefit from such a measure.

● (1840)

Generally speaking, the income tax system does not recognize personal expenses. If we were to go that route and use the general taxpayer, let us say, to subsidize personal expenses of other individuals, that would create a precedent. We do not know what that might actually lead to.

Our tax system provides a basic personal amount to all taxpayers. According to the budget tabled in the House for 2005, the government proposes to actually raise the personal exemption up to \$10,000 by the year 2009. That therefore leaves \$10,000 for individuals to spend as they see fit, including, if they wish, for the purchase of public transit passes.

Private Members' Business

Finally, the third issue is that we want a system that is relatively simple to enforce. The contemplation as put forward by the bill is that we would have to produce receipts in order to claim the credit. It is not clear that transit authorities are prepared or are in any position to issue receipts to users. Unless transit authorities are prepared to adjust their systems in order to do that, there will be a significant issue of proving the entitlement to the credit.

Therefore, we on the government side do not believe that this bill hits on those three criteria. It does not fill the criteria of effectiveness; it is very costly but not necessarily effective. It is not fair, and it has real issues around simplicity.

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, I rise to speak in favour of Bill C-306, an act to amend the Income Tax Act for public transportation costs.

For Canadians watching, this may well be a very interesting debate that is shaping up here. We have the Bloc Québécois, the Conservative Party and, I presume, the NDP in favour of a private member's bill that has budgetary implications, but I think it is past time that the House stop talking about people who are interested in having more access to public transit and actually move forward to helping that happen.

As the member for Longueuil—Pierre-Boucher said when presenting her private member's bill, Bill C-306, in the House on May 31, her intent is to provide taxpayers with a deduction for the cost of their bus or train passes in order to further encourage them to make greater use of the various modes of public transportation.

This is an idea whose time has come.

In the past, governments have offered Canadians tax deductions for retirement savings, charitable donations, and training and education. In each case the idea has been that by providing the tax deductions to Canadians, the government could encourage them to embrace certain initiatives, such as self-improvement or providing for their retirement.

Just as various governments have taxed alcohol and cigarettes in an effort to discourage their consumption, those same governments have provided tax deductions to encourage Canadians to adopt other, more desirable behaviours. It has long been government practice to use the Income Tax Act in this type of stick and carrot approach.

Bill C-306 is no different. It proposes to modify the Income Tax Act to encourage greater use of the various modes of public transportation. In this way, it is 100% compatible with Transport Canada's "National Vision for Urban Transit to 2020". Paragraph 14 of that document's urban transit policy goals recommends:

A level playing field from the standpoint of transit versus auto travel decisions based on consideration of real costs and affordability, including under-priced parking and rationalization of income tax regulations affecting allowable deductions and taxable benefits.

Thus, Bill C-306 springs directly from Transport Canada's own documents, yet the Liberal government opposes it. In his May 31 speech opposing Bill C-306, the Liberal for Saint-Léonard—Saint-Michel said that numerous studies suggest that tax assistance for transit passes is not the best method to promote an increased use of public transportation. Presumably he has not read Transport Canada's own recommendations.

He spoke in general terms of the promised federal money to municipalities for urban infrastructure and environmental purposes and about how some of these funds could be used to support urban transit. In addition, he spoke of specific federal commitments to urban transit projects in Toronto, Montreal and Vancouver, presumably aimed at attracting voters in those urban areas. He argued that these investments "will result in a significant improvement in public transit services across Canada".

Essentially, the Liberals believe that in a pre-election period they can promise \$1 billion to the urban transit authorities in our three biggest cities, encourage other cities to give transit authorities some of the money that would otherwise go into roads and sewers, and, in an instant, public transit will improve and people will abandon cars en masse and pay for public transit.

Unfortunately, it is not quite so simple. It is not enough for the federal government to promise funding for public transit. It has to go much further. MPs must become more familiar with municipal transit, not just in their ridings but right across the country.

A successful urban transit authority does not just offer transport to those who cannot afford cars. It has to encourage motorists to leave their cars at home. Just as the federal government should support urban transit, it should also take direct measures to encourage Canadian motorists to give buses a try.

Let us not overlook the fact that most people who today drive cars once were students and rode buses. Their memories of the transit systems of their student days may have nothing in common with today's transit systems, but unless they are given a real incentive to try urban transit, most will stay in their cars. That is the thinking behind Bill C-306. It proposes to give motorists a tangible incentive to try urban transit.

A background paper published by the Canadian Urban Transit Association states that when the U.S. government made employer-provided transit benefits tax exempt in 1984, transit ridership increased almost 25% among people who were offered the benefit. This confirms the thinking in Transport Canada's "National Vision for Urban Transit to 2020", but then, the Liberals still have not read it.

Private Members' Business

However, the Conservatives have read it and on August 4 our leader, the leader of the official opposition, announced that the Conservative Party wants to allow commuters to “deduct the cost of their monthly transit passes from their income taxes as part of a Made-in-Canada clean-air policy that will promote increased transit ridership and result in reduced traffic congestion, smog and greenhouse gasses”.

Michael Roschlau, president of the Canadian Urban Transit Association, praised our initiative and was pleasantly surprised, in part because, in his words, “the government in power for the past 10 years has been resisting it”.

● (1845)

Our proposal is to institute a 16% federal tax credit for transit users which would apply to the purchase of any monthly pass for themselves and their dependants. It is a simple initiative, is very similar in spirit to Bill C-306, and is welcomed by the Canadian Urban Transit Association, Transport 2000 and Canadian members of the Sierra Club.

Bill C-306 is also similar to Bill 137 currently before the Legislative Assembly of Ontario. That bill, proposed by Durham Conservative MPP John O'Toole, was proposed on October 28, 2004, and would offer Ontario taxpayers non-refundable income tax credits equal to 50% of their public transit expenses. My office has been in contact with Mr. O'Toole's staff to support his worthy initiative in Ontario.

The bureaucrats understand the importance of promoting public transit. For more than a year, employees of Public Works and Government Services Canada working in the national capital region have been able to purchase discounted annual transit passes from OC Transpo, and the Société de transport de l'Outaouais for those who work and live in Gatineau, through monthly deductions. However, there is no federal assistance, no federal government participation.

The call on the Liberal government to use tax policy to encourage Canadians to use public transit is an old one. On November 4, 1998, Nelson Riis, the former NDP finance critic and member for Kamloops, Thompson and Highland Valleys, introduced Motion No. 360 calling on the government to “consider making employer provided transit passes an income tax exempt benefit”. During his speech in favour of the motion, Mr. Riis said:

It is interesting that both the Saskatoon Chamber of Commerce and the Toronto Board of Trade are now calling on the government to allow this tax exemption to proceed. Businesses are voicing their concern over the impact and high cost of congestion. This is viewed as an important demonstration of the government's commitment to achieving emission reduction targets.

At the same time, the current Parliamentary Secretary to the Minister of the Environment, the member for Richmond Hill, spoke in favour of this motion, saying:

The House of Commons Standing Committee on the Environment and Sustainable Development has stated that it is incumbent on the government to ensure that environmental policy is not hampered by fiscal policy. It is unfortunate that at the moment Canada has not joined other industrialized countries such as the United States and several countries in western Europe in making employee provided transit passes a non-taxable benefit.

His statement is still true today, but he has chosen to flip-flip and now oppose what he once supported. What is interesting, however, is that Mr. Riis' motion passed the House of Commons on a vote with

the Liberals in support. It passed by a margin of 240 in favour to 25 opposed on April 13, 1999. As in so many other circumstances, the Liberals voted one way and did the opposite. Their massive support for making employer provided transit passes an income tax exempt benefit never resulted in any concrete action by the Liberals. Worse, we are now at a point where the Liberal chair of the finance committee, who just spoke, is dead set against the idea despite a Transport Canada report that supports it.

Nonetheless, there is no denying that this is an idea whose time has come. Gas prices are high, and the Minister of the Environment and his colleague the Minister of Natural Resources are both on record as saying that high oil prices are here to stay and that Canadians should drive less.

Civil servants and employees at large institutions are buying discounted monthly passes at their workplaces in various cities. The government of Ontario is considering creating a refundable tax credit for transit users. As well, the NDP and Conservative caucuses are 100% behind this policy.

Genuine federal encouragement of increased public transit use can be the boost that will permanently increase ridership and change commuter patterns in our big cities. I call on Parliament to support this motion and therefore the Leader of the Opposition's proposal for a healthier environment and support for public transit.

● (1850)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I look forward to participating in this debate because, as has been often referenced by other members, there is a strong history and precedent in this chamber in support of such a motion. Frankly, I find it perplexing to watch the government stand in opposition to what has become a very sensible idea, an idea whose time has long since come.

Of course we are speaking in support of Bill C-306. Our transportation critic from Manitoba has spoken a number of times to this issue. As has been mentioned, in 1998 Nelson Riis introduced a motion which was very similar to this bill. His motion passed by a margin of 240 to 25. Clearly, all parties from all corners in the House demonstrated that this was a beneficial move, an intelligent way to organize the tax system within Canada to support Canadians who are making good choices in their travel decisions.

Private Members' Business

Yet, as we face growing congestion, increased smog and health related costs and frustrations from all sectors across Canada, we find a government strong on rhetoric but very weak on action. When a very sensible piece of legislation comes before the House, one which many of the government's own members who are still here supported when it first came forward, they now find themselves opposing it, saying that the tax system is not a tool that can be used, regardless of the fact that we have shown that the tax system in Canada has been a strong tool in supporting investment and trade, encouraging the diversity of our marketplaces. Other countries, particularly those in the OECD, have shown that sensible moderation of the tax system to encourage such things as the use of public transportation have been sound and wise investments.

The NDP has clearly stood behind such moves for many years. In seeing the successful passage of a private member's motion by such a wide margin, one can only be cynical when one sees a government still committed to inaction. Even when the House of Commons, to which we were sent to represent the views of Canadians across the country, expresses a very strong view and opinion to pass this legislation, the government still drags its feet.

I sit on the Standing Committee on the Environment and Sustainable Development. We heard testimony all through the Kyoto discussions and what this country needs to do about climate change. There is a need for serious consideration and action within the finance department, within the tax system, to support things that a broad range of stakeholders have supported, such as tax exemption for those who use public transit.

The Auditor General made recommendations a number of years ago that the finance department must take into consideration these changes. We heard testimony from that same finance department, and it was absolutely dismissive of the Auditor General's report. That department suggested that it did not need to act upon her recommendations and that it would continue on in a pattern dismissive of the calls and actions of Parliament and the officers of Parliament, and thus completely ignore the interests of Canadians who are seeking to have access to more affordable public transportation at the end of the day.

The government had a long awaited, much anticipated, and thoroughly underwhelming as it turns out, Kyoto plan. We are now less than two months away from the conference of the signatories to Kyoto in Montreal, which Canada is obviously hosting. My concern is that Canada will step on to the national stage, host leaders from around the world and be thoroughly embarrassed yet again. When we look at the cold hard numbers of the 28 countries in the OECD, Canada remains at the bottom of the list when it comes to sustainable development, when it comes to making the changes that we all agree need to be made.

While it is easy to stand in this House, as members of the governing party, for now, have done and talk about the benefits of sensible spending and positive taxation, when it comes time to actually vote on these same issues, the hypocrisy that runs up and down those benches is rampant. In the face of more than 100 smog days in Ontario and Quebec, increasing smog on the west coast, and Canadians calling for something to be done about the high cost of fuel and transporting themselves around their communities, the government is against a sensible measure. We have a measure which

is both affordable and sensible, which would remove an enormous number of vehicles off the streets, which would lower congestion, traffic and smog, all the things we want to do in our cities to make them more liveable and the government finds its way to vote against it. The government supports very old traditional ways of thinking about our economy and the tax system.

• (1855)

Skeena—Bulkley Valley is an extremely rural riding and quite spread out. We have found that as the health care system has been gutted over the years that services have been concentrated in the cities and further away from my riding. A number of people, particularly those on a fixed income or a lower income, must rely more and more on public transit simply to access basic health care services. People in non-rural ridings do not find these services difficult to access because they are physically much closer.

Our communities in the northwest of British Columbia are trying to implement more and more public transit systems for people who are unable to pay for their own private transportation. Perhaps they are unable to provide their own transportation because they are suffering from some malady. This plan would offer some benefit to those people.

Former NDP MP Nelson Riis brought forward his motion in 1998. We have been looking at the government's inaction for almost seven years.

We are facing dire predictions of increased global warming. We are looking at communities that require a greater sense of cohesion and require greater options in their ability to move people around. We have seen gas prices spike over the last number of months. There are few predictions in the oil and energy sectors that talk about these prices really settling anywhere near where they were.

It will become increasingly expensive not only in the immediate cost of filling one's car and transporting oneself around, but there are long term costs and impacts on climate change. Members from all parties acknowledge the need for serious action, not false announcements, not repeated spending announcements which we hear from the government over and over again. We hear this as the numbers continue to worsen on the pollution front and on CO₂ emissions. The time for action is now.

We will be hosting the world in November. The government needs to stand proud in its actions. It needs to stand with this Parliament and remember the votes of the past that supported a progressive taxation policy. When we boil this down, that is exactly what this is.

The federal government and the provinces are faced with rising health care costs. The idea of preventive action and keeping people who are choking on the smog out of our hospitals is a strong, wise and sound investment.

Private Members' Business

There has been talk of the benefits of public transit. There has been much rhetoric from all sides in the past about what we need to do about our transit problems. The government vaguely talked about its contribution and its need to encourage public transit. Action only happened when we brokered the deal that saw significant funding go to the municipalities in support of their public transit. It was through the deal of the NDP which forced the government's hand to actually make some significant investments in public transit that Canadians saw action.

The transportation advocacy groups applauded our moves. We heard this also from the municipalities across the country. I heard in my riding what a positive move this was, to actually have the government seriously engage at the federal level with our municipalities in support of public transportation. Canadians saw that the NDP was interested in getting something done. Then in the midst of the chaos and the partisan fighting, with which Canadians quite frankly were disgusted, the NDP found a way to make positive action happen on this front.

The NDP introduced a motion in 1998. We are very happy to see Bill C-306. We applaud the member for Longueuil—Pierre-Boucher for taking this step. The spectrum of support is truly broad. The benefits that will be achieved through this bill are broader still. We look forward to the passing of Bill C-306.

• (1900)

[Translation]

Mr. Robert Carrier (Alfred-Pellan, BQ): Mr. Speaker, it is a pleasure for me to speak today on Bill C-306, an act to amend the Income Tax Act (public transportation costs). The aim of this bill is to amend the existing legislation in order to allow an individual to obtain a tax credit for public transportation costs.

I congratulate my colleague from Longueuil—Pierre-Boucher for having introduced this bill, which satisfies one of the commitments I had made in the last election campaign.

My riding of Alfred-Pellan includes the entire eastern portion of the city of Laval and is located just north of Montreal. My riding is, however, extremely large, because its urban areas skirt a vast network of farmland. This rich farmland is protected by Quebec legislation, and my constituents are proud of this resource.

My riding has a still active and dynamic population and significant communication needs, given the distances between things. The addition of highways and bridges connecting Laval to Montreal has failed, to date, to successfully resolve problems with traffic jams. People have to leave home increasingly early in the morning in order to avoid running into traffic. Existing highways are nothing more than endless parking lots.

There has been a proposal for a new freeway between the eastern part of my riding and Montreal for 30 years. So far, the enthusiasm of our governments for this project has been tempered by the exorbitant cost. The current government has suggested a new project, although it is proposing to cover the costs through user tolls. It is not even certain that the tolls would be sufficient to cover the construction, operation and maintenance costs.

This project has been questioned by municipal authorities in Montreal. They want four major public transportation projects to be

completed instead because Montreal's road system could not absorb the additional traffic. Quebec's transportation department estimates that between 48,000 and 62,000 drivers would use the new bridge every day. The reasons for Montreal's hesitations are certainly clear.

The Conseil régional de l'environnement in Laval has concluded that it cannot support this project, despite the economic benefits, because of its negative impact on health and the environment. Instead it recommends the creation of a Montréal-Laval-Mascouche commuter train to serve the same area.

In view of the lack of ideas from our governments for improving transportation networks, most people support this bridge project all the same, hoping once again that it will improve traffic.

Like Montreal, all big cities are realizing how effective public transportation is. With the recent, although insufficient, injection of public funds announced by the government in June, a few projects have been proposed.

It is true that the development of each urban area is the responsibility of the cities and provinces, and the Bloc has always insisted on respecting the jurisdictions of other areas.

While complying with this principle, the government can encourage public transportation directly through a user incentive that would give users a tax credit for the costs they incur.

I would like to cite a few examples to this effect.

In Europe, in November 2002, the Observatory on Transport Policies and Strategies studied the public transportation situation in the countries of the European Community.

In Belgium, for example, the federal sustainable development plan is the major environmental approach. The various stakeholders and politicians have already taken a number of measures to encourage sustainable mobility, and these measures have been integrated into the tax reform.

These measures include, for example, increasing the opportunity to deduct the cost of transportation from one's home to one's work when using public transit as well as providing a total tax exemption for employers' contributions to the cost of public transit passes.

Nearly 20 years ago, the U.S. government made the costs of public transit tax-exempt, in order to encourage people to use it. Public transit companies and private enterprise responded by adopting a strategy in which everyone came out a winner.

In November 2000, Bill 137 was introduced in the Ontario Legislative Assembly. This is a bill to amend the Income Tax Act, and also includes a tax deduction for users of public transit.

In connection with that bill, the municipal council of the City of Ottawa issued a decree that read as follows, "Public transit is an important public good for Ontario, which must be promoted."

• (1905)

They went on:

By encouraging people to use public transit, many benefits result. For instance, harmful greenhouse gas emissions are reduced and traffic congestion and gridlock are eased because fewer motorists will be on our province's roads.

In order to encourage people to use public transit, it is important to give them incentives. One way to achieve this is to permit taxpayers to obtain a non-refundable income tax credit for expenses incurred for using public transit.

The utility of the tax deduction for public transit was also recognized by representatives of Quebec Transport. The department made the following recommendation:

Recognize for tax purposes, as an income deduction for employees using public transit, an amount equal to the real cost of a standard monthly pass issued by public transit companies. Invite the federal tax authorities to follow suit.

Moreover, the present Government of Quebec is contemplating a measure similar to the one adopted by the previous government.

Now, I would like to talk about the cost-effectiveness of public transit.

According to a Secor study published in December by the Board of Trade of Metropolitan Montreal, public transit generates double the economic benefits of private transport by car, by generating 70% more employment across Quebec and 2.5 times more added value on each dollar in expenditures.

In addition, collectively, Montreal households using public transit regularly save an estimated \$570 million a year in travel expenses, because of the much lower cost of public transit as compared to transport by car.

According to the Secor study:

Paradoxically, the provincial and federal governments, which invest little in public transport, garnered more than \$300 million in taxes and revenues from the activities of public transport companies, 70% of whose expenditures are employee wages.

There are up to 8 million daily trips in the region, with only \$1.1 million provided by public transport, representing 16% of all daily trips.

Still, Quebeckers are among the greatest public transit users in North America, and soaring gas prices are encouraging them to use it more and more.

Last weekend, the Comité stratégique pour le train de l'est in Montreal planned a symbolic trip. A commuter train overflowing with passengers travelled from Repentigny to the Montreal central station in order to make elected officials aware of the need to provide service to eastern Montreal, which has no direct connection to downtown. Some 500 residents, business people and municipal politicians took the trip from Repentigny to Montreal on the train chartered for the occasion.

The time for speeches is over. We want action, now. We want to put a stop to bumper to bumper traffic in Montreal.

That is what the mayor said.

Judging by the success of some of the current commuter train lines, Quebeckers have shown that they are interested in this mode of transportation. The spike in gas prices can only further encourage them to use public transit.

The government has awesome responsibilities. The public expects it to make good decisions that affect their daily lives and that will ensure them a high-quality future.

In light of the deteriorating transportation situation and commitments to reduce greenhouse gases, the government must act immediately and send a clear message in support of public transit.

Private Members' Business

The measure proposed in this bill is not a cure-all, but it would provide an excellent incentive to promote the increased use of public transit.

I want to point out that authorities from the city of Montreal have said they are pleased with the bill presented by the Bloc Québécois.

I call on my colleagues from the Liberal Party, and my colleagues from the other opposition parties, to support this bill that is so important to the Bloc Québécois.

●(1910)

[*English*]

Hon. Walt Lastewka (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am pleased to have this opportunity to speak to private member's Bill C-306 which proposes to amend the Income Tax Act to provide an income tax credit for expenses incurred by individuals for public transportation.

As I understand the bill, eligible costs would include those incurred in travel by bus, subway, commuter train and light rail. To be eligible for a tax credit, individuals would need to submit supporting receipts indicating the amounts paid for use of an eligible public transportation system.

Let me start by emphasizing that the government supports encouraging more individuals to use public transportation systems to reduce greenhouse gas emissions. In fact, addressing the climate change challenge is one of the government's priorities and encouraging greater use of public transportation could certainly help us move toward this objective.

However, as stewards of the public purse, we, as members of Parliament, have a public responsibility to fulfill, the responsibility to ensure that the policies we put in place are in fact the best methods of achieving our goals. Although I agree with the intent of the bill, it is flawed. The consequences and the effects of the bill have not been considered and we should not be in the business of considering flawed legislation.

Regarding the specific option of a tax credit for public transportation costs, there are significant effectiveness and fairness considerations that need to be taken into full account before voting on the bill.

Let me take moment to explain some of the difficulties that the bill raises. As I stated, the bill is flawed and the thought process in presenting the bill has been insufficient.

Initial evidence has shown that a tax credit would have a limited impact on public transit usage. The federal government's transit pass pilot project has shown that only 10% of eligible participants actually took part and just over 5% of those participating were new to the system. Therefore, the pilot project attracted very few new users to the public transit system even with a financial incentive. This pilot project will be evaluated this fall and at the very least we should wait for the final analysis rather than drafting and passing legislation that is flawed.

Private Members' Business

We all know that the cost of public transit is one of many factors coming into play in an individual's transportation choice. Costs are weighed against other considerations such as accessibility, convenience, comfort and personal preference.

Ten thousand people leave the Niagara region and St. Catharines each and every day to work in the Hamilton and Toronto area. I would rather have infrastructure money to extend the GO Transit to Niagara Falls for the convenience of those people who would use and require such facilities. I am convinced that if there were \$240 million to \$300 million per year available, this would be a valuable thing to do.

In addition, for effectiveness we must also consider the fairness of introducing such a measure and the bill also fails on this ground. Indeed, the measure would mostly benefit individuals living in large urban centres with extensive public transit systems. Individuals living in small centres and rural Canada where accessible and convenient public transportation is not available would not benefit at all from this measure. Only three in ten of the communities in the Niagara region would benefit. What about the other seven?

The bill requires much more research. Nor would the measure benefit those Canadians who are already using more environmentally friendly modes of travel like walking and bicycling. For those people who have moved into an area and have the ability to walk or bicycle to work, would they get tax credits? These individuals also contribute to help achieve our environmental objectives and they would argue that they also deserve tax relief.

Modest income Canadians such as those receiving social assistance, the unemployed, seniors and students represent a good fraction of transit users, but would not fully benefit, if at all, from a tax credit as many of them do not pay income tax in the first place.

• (1915)

Moreover, there are other concerns about the bill as currently drafted. Let me elaborate. The bill appears designed to provide assistance for costs incurred for public transportation. However, the bill's definition of public transportation is very broad. It could potentially encompass costs incurred outside of Canada. I certainly hope that was not the member's intention.

Let me give some examples for illustration. For instance, based on the current wording, taxpayers could potentially claim a credit for vacation travel costs or travels by bus between cities. It could also cover the cost of local hop on and hop off tour buses. I know this was not the intention, but the bill needs a lot of work.

Imagine having taxpayers at large pay for others being able to claim their costs for having taken the London underground, for example, while on vacation. I know that was not the intent, but the legislation needs to be refined and worked over. Is it the hon. member's intention to cover these types of costs? I do not think so, but a lot of work needs to be done on the bill.

It is also important to remember that the government is pursuing a range of other initiatives which contribute toward better public transit and environmental goals. This includes initiatives such as infrastructure support, a new deal for cities and communities, and our climate change plan.

Since the mid-nineties, the federal government has invested \$12 billion in infrastructure programs. A portion of this funding is going toward various transit projects. This includes funding for the Richmond airport; Vancouver rail transit lines; the GO Transit expansion to, hopefully, Niagara Falls some day; capital renewal at the Toronto Transit Commission; and light rail transit in Ottawa.

As well, the Minister of Finance announced in the 2005 budget a commitment of more than \$5 billion over five years for environmentally sustainable municipal infrastructure, including public transit. This builds upon the federal government's commitment to deliver a full rebate of goods and services tax and the federal portion of the harmonized sales tax for municipalities. This will provide municipalities, including those seven that got left out in the Niagara region, with about \$7 billion in new resources over the 10 years which they can use and they can choose to allocate toward transit priorities.

Last but not least, the federal government will be moving forward on climate change with a plan for honouring our Kyoto commitment which will guide the federal government's approach to reducing greenhouse gases. The 2005 budget targeted over \$4 billion in investments over the next five years for key initiatives included in the plan. As a result, total federal spending in support of measures to address climate change has climbed to over \$6 billion since 1997. The government is committed to do more as resources permit and as we learn from our investments in international experience.

I am sure all hon. members present today, like myself, would agree that increased use of public transportation systems can help reduce greenhouse gas emissions, but the question is whether providing tax relief for public transportation costs would be effective toward achieving this goal. To this question, I trust that hon. members will agree that the answer is a resounding no.

I want to thank the member who brought forward the debate tonight because it is debates like these which make the House productive.

• (1920)

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, I want to add my voice to that of my colleague from Alfred-Pellan, whose riding is not unlike mine.

It gives me great pleasure to speak today on Bill C-306, which was introduced by my colleague, the member for Longueuil—Pierre-Boucher. I salute her determination and perseverance with regard to this file.

Private Members' Business

In 2001, a similar bill, Bill C-209, reached first reading and was well received by numerous stakeholders, including the Canadian Urban Transit Association, CUTA. Unfortunately, the then Liberal government did not support this opposition bill. So now, four years later, we are experiencing serious problems related to infrastructure, pollution and, now, the spiralling costs of fuel.

My constituents in Vaudreuil-Soulanges have expressed their dissatisfaction to me, and they expect the federal government to take concrete action. My colleague told the House about innovative initiatives in his riding. The Festival des couleurs will be held in my riding on October 8 and 9. I invite the people of Montreal to use public transportation and the commuter train service. This solution put forward by the Bloc Québécois is simple, practical and effective. I am certain that everyone agrees.

Recently, the Société de transport de Montréal, or STM, indicated a great interest in this issue. For the past 10 years, the STM and a broad coalition of organizations have been unsuccessfully requesting that governments provide tax deductions for public transit users.

A tax credit compensating those who choose transportation habits more beneficial to the community and more responsible is but one option to encourage private vehicle users facing increasingly long traffic jams and urban problems such as parking shortages to jump on the band wagon.

In reaction to soaring gas prices, the Bloc Québécois recently proposed a series of measures, which included the tax credit for low income families and the tax credit for public transit users. By easing the burden of these families, we are also helping to prevent an economic downturn.

Monday night's emergency debate on the spike in gasoline prices was an opportunity for many of us to propose detailed solutions, such as a tax credit for public transit users.

Bill C-306 essentially provides Quebec and Canadian taxpayers with a tax deduction for the purchase of a pass in order to encourage them to make more use of the various modes of public transportation. The public must be encouraged to use modes of transportation that are far more economical and better for the environment, as well as contributing to reducing the traffic on our roads.

Such an initiative is long overdue. A number of countries are far ahead of Canada in their support of public transportation.

There have been a number of studies proving that it is very much in a community's interest to focus on the efficiency of its public transportation system for the sake of its competitiveness and prosperity. In order to gain full benefit from public transportation, moreover, the system must attract maximum ridership.

If people are encouraged to use public transportation, there is less pressure on urban infrastructure. The result is less investment in construction and repair, and improved traffic flow. This is good for both the economy and the environment.

The initiative proposed by Bill C-306 will attract new users. If the change can be made successfully, it will also help Canada achieve the Kyoto protocol objectives.

Earlier I was talking about the strategy to reduce pressure on transportation infrastructure. Allow me to give the example of the Université de Sherbrooke. Their innovative initiatives focus on the community choosing to make a firm commitment to use public transit. This fall, at the beginning of the new school year at the Université de Sherbrooke, roughly 5,000 students were given free passes to use the Société de transport de Sherbrooke, or STS, public transit. Instead of building more parking lots, the university recognized the long-term benefits of adopting a policy to encourage the use of public transit. In addition to stabilizing Sherbrooke's transportation network by increasing the student clientele from 16% to 20%, there is less congestion and more possibility for developing the university's property in the future.

A study by the Board of Trade of Metropolitan Montreal also found that congestion costs nearly \$1 billion a year in the Montreal area alone and that public transit contributes directly to reducing losses incurred through congestion.

• (1925)

So, a 2% increase in the modal share of public transit means 19 million fewer car trips in the Montreal region. The economic benefits total more than \$150 million annually. That is why it is important to promote the increased use of public transit. These are just a few, albeit very significant, examples.

However, there is one principle that we must keep in mind: the federal government must respect Quebec's jurisdictions.

There are many solutions to help public transit and reward users. The Bloc Québécois is proposing this tax measure, namely a tax credit that remains within federal jurisdiction.

I invite all members of this House to support Bill C-306. It has to do with people's quality of life, environmental protection and economic vitality. Today's decisions will impact on the future.

[English]

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: On division.

The Deputy Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Finance.

Adjournment Proceedings

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

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

NATIONAL DEFENCE

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, it is unfortunate that it is necessary for me to rise in the House once again regarding the decision of the government to refuse to defend the Canada Health Act on behalf of the men and women who serve their country as members of our armed forces.

I am referring to the decision of the government to allow its provincial cousins in Ontario to charge and collect the illegal health care premium tax. I am pleased to confirm, for the benefit of all Canadians who may be aware of this tax, the facts.

After campaigning on a promise not to raise taxes, the Liberal government introduced a controversial new tax called the Ontario health premium with a claim that all contributions made by residents would be funnelled directly into the Ontario health insurance plan, OHIP.

This huge tax increase, which at last count bilked \$2.4 billion from Ontarians, has been confirmed, as recently as yesterday, as a permanent tax increase on the people of Ontario. While I am pleased to confirm that the new Conservative leader at Queen's Park, Mr. John Tory, has confirmed that a Conservative government would eliminate the tax, soldiers in Ontario should not have to wait for the government to change in order to get their money back. Members of the Canadian Forces residing in Ontario are insured under the Canadian Forces health services plan and are specifically excluded by the Canada Health Act from the definition of insured persons.

The Canadian Forces health services plan pays \$450 million into its health care system and the federal government identifies that money as a direct federal contribution to the total health care spending in Canada. In turn, the federal government uses this figure in health care negotiations to reduce the amount that it transfers to the provinces. As a result, Canadian soldiers living in Ontario are forced to pay twice for health care. That is wrong and it must stop.

The particulars of the case of the military couple that I raised in question period are as follows. Both husband and wife are members of the Canadian Forces. Their first child was born in May of this year. These are Canadian citizens, members of the Canadian military with their child being born in a hospital in Canada.

Up until the birth of the child, military coverage paid for the delivery. The problems arose after the delivery. Usually when a child is born the mother's coverage is extended to the child. An insurance application on behalf of the child that would be filled out in the hospital at the time of birth can only be completed with an OHIP number from one of the parents. In this case, since both parents are

military, they do not have a provincial health insurance number so the application cannot be completed.

When the military couple took their sick baby to the hospital emergency department they were told to get out their chequebook before their child could receive treatment. They were also told to forget about their military coverage because it would not apply to their child.

As a couple they are paying upwards of almost \$2,000 in health insurance premiums, thanks to the Ontario health premium tax, and they are still refused treatment for their baby unless they pay up front. Like many Canadians who have suffered from the health care cutbacks the Prime Minister used to accumulate a budget surplus when he was finance minister, this couple was forced to use a hospital emergency room in the absence of a family doctor.

The acute doctor shortage is even worse for military personnel. Military members are routinely at the bottom of any waiting list for a doctor because by the time they move up to the list to get a family doctor they have been posted to another base and have to start all over again. This has led to some military families keeping their family doctors in cities hundreds of kilometres away just so their families will not be without a doctor, or worse, they just go without a doctor and hope they do not get sick.

Until this couple contacted their member of Parliament they were told it could take upwards of six months to get health insurance coverage for their baby. They were told an OHIP application had to be completed in person, booked in advance by appointment in a city three hours away, thanks to the cutback services provided to Canadians who live in small towns or rural areas.

• (1930)

Hon. Keith Martin (Parliamentary Secretary to the Minister of National Defence, Lib.): Mr. Speaker, personally, it is great to see you in the chair.

On the question to which the member spoke, I will clarify a few things. First, it is the Ontario provincial government that introduces health taxes, as the member fully knows. The federal government has no basis in that.

The federal government is fully committed to supporting the members of our Canadian Forces. The health and well-being of the men and women who serve in our forces and their families is of primary importance to the government. We recognize the contributions and sacrifices that all of those people have made, are making and will be making in the future, and we honour them. Their quality of life is of the utmost importance to all Canadians and, in particular, to the government.

We are proud to report that since 1996 the basic pay of non-commissioned members has increased 49%. The average wage of the forces now is about \$52,000 a year. Base pay improvements, together with the introduction of other benefits, such as tax relief provisions, new allowances and annual pay improvements, are a clear demonstration that our government intends to support members of our Canadian Forces fully. We want to ensure that their cost of living is relatively stable and predictable across Canada regardless of where they live.

Adjournment Proceedings

The introduction of the Ontario health premium by the provincial Government of Ontario is inconsistent with this principle. The Minister of National Defence has made this point crystal clear to the Province of Ontario. We are appalled by this and the minister is doing all that he can to rectify the problem. He is working with the Ontario provincial government to resolve the issue as soon as possible. He has approached both the ministers of finance and health in Ontario to highlight the unfairness of personnel in the Canadian Forces being charged the health tax when they already receive, as the member correctly pointed out, moneys from the federal government for members of the Canadian Forces and moneys through the negotiations that took place by the Minister of Health earlier this year with all provinces last year amounting to \$42 billion.

In addition, departmental officials from the federal government have been working and conducting a review of the post living differential policy framework in order to ensure that CF members in Ontario will have this issue addressed one way or the other. Either we will support and help them or this tax will be negotiated out and removed on the part of the provincial government.

I join with all my colleagues in the government and the Minister of National Defence in reassuring the CF members who are listening today and the member who asked the question that we will do all that we can to rectify the situation for CF members and their families who live in Ontario.

On the issue of medical personnel, the member also should know that the government is working with the provinces to greatly expand the numbers of people in medical school right now. The Minister of Health has put in \$50 million to help integrate existing medical personnel from abroad who currently live in Canada so they can get their skills up to speed and be able to work and supplement our current complement within Canada.

•(1935)

Mrs. Cheryl Gallant: Mr. Speaker, luckily for this couple and their baby, the illness was non-life-threatening and it was not a severe financial hardship to pay up front for their daughter to be treated. While the father told me that he would have come up with the money no matter what to treat his baby, why should this family have been put into that position just because they chose to serve their country as members of the Canadian Forces?

I draw attention to this case to let the government know that well-meaning talk is not addressing the problem. In other countries military health coverage is extended to dependants. However, in the absence of such an obvious and practical solution to this problem, the government first needs to address the charging of the Ontario health premium tax on individuals who should not have to pay it.

While I appreciate the parliamentary secretary telling me that he agrees with me that the tax is totally unfair, military members want action and they certainly know this tax is unfair. They cannot understand why the Minister of Health thinks that health care premiums and extra billing is a good thing and why on behalf of the government he defends the practice.

The time has come to axe this tax on behalf of the men and women who serve in Canada's military.

Hon. Keith Martin: Mr. Speaker, I wish life were that simple, that we as the federal government could simply axe a tax implemented by the Ontario provincial government, but the member knows fully well that we cannot.

What we can do and what the Minister of National Defence is doing is working very closely and putting a lot of pressure on the provincial government here in Ontario to axe this tax, to use her words, and relieve this pressure on our CF members. That is one way that we are working on it.

The other way, as I mentioned before, is to work through the post living differential that we have for our members within Ontario who are working here as part of the forces to ensure that we can use this particular benefit that we give, to ensure that CF members, regardless of where they live, will have their cost of living basically harmonized across the country through this post living differential, which is like a cost of living allowance.

We will use that if we have to in order to help our CF members in Ontario regardless. Their well-being, their income and their standard of living is of utmost importance to us. We are seized with trying to ensure that members who serve in Ontario are not penalized.

VETERANS AFFAIRS

Mr. Greg Thompson (New Brunswick Southwest, CPC): Mr. Speaker, in June I asked the Government of Canada to conduct a public inquiry into the herbicidal spraying program at CFB Gagetown from 1956 to 1984. About 90% of that base is in the riding I represent. I said that the public inquiry should have the authority to make recommendations for compensation of all persons affected, both civilian and military.

In typical Liberal fashion, the government went out on a public relations campaign all summer, trying to defuse the issue. The member from Pembroke who just spoke is well aware of this. She has done a lot of work on this file herself and has been very helpful to me.

These people have been abused by the government. As I said, the government is into a public relations exercise, nothing more and nothing less. How has the government responded to this issue? The government will not have a public inquiry with the authority to actually compensate the victims.

In my hand I have a copy of a government press release of August 16. The headline states, "Government Announces Approach Regarding Use of Herbicides at CFB Gagetown". In this press release, the government came out with what it called a "fact-finding outreach coordinator" who would go around to communities, including the base itself and the surrounding villages, and talk to the people who had been exposed to herbicide spray over the years.

The *Ottawa Sun*, in an article done by Greg Weston on September 25, really speaks as no one else can on this issue. The headline in that story says, "Agent Orange Victims Sick of Feds' Dithering". That is exactly what the government is doing.

Adjournment Proceedings

There is only one good thing I can tell members about the outreach coordinator. The Liberals were very smart because they picked a person who is very capable and is well liked by me and by many other New Brunswickers, a person by the name of Vaughn Blaney. Mr. Blaney is ill tonight and I want to express my best wishes to him. In fact, he had to cancel some of the public meetings.

But the Liberals have given him powers to do absolutely nothing, Mr. Speaker, and you think your job is tough. They have given him no power. He cannot even recommend to the government who should be compensated. Despite all of this spray program over the years and the millions of litres sprayed, only one person has been compensated. In fact, in this public relations exercise that the Liberal government is going through, not once does it use the word "compensation". To the Liberal members, it is a foreign word. They do not understand the word "compensation".

As evidence of this, today Veterans Affairs does not recognize the link between herbicidal spray and incidents of cancer caused by that spray. That department does not recognize it as a legitimate cause of cancer, whereas the United States veterans affairs department recognizes 37 diseases with a direct linkage between the spraying of herbicides and cancer.

We are asking the Government of Canada to compensate those victims, to come up with a plan that will work, and to have a public inquiry so that Canadians can see exactly what the Government of Canada should do, could do, and will do.

● (1940)

Hon. Keith Martin (Parliamentary Secretary to the Minister of National Defence, Lib.): Mr. Speaker, it is always wise, particularly given the sensitivity of this issue, to deal with the facts. We should remove politics from this for a moment and deal with the facts. I will attempt to do that right now because this is a very sensitive issue for a lot of people who are concerned and scared. They need to get the facts, so I will just deal with that for a moment because this is very important.

I was there from the beginning and I can tell members that the department moved very quickly on this issue. I know that the assistant deputy minister involved went immediately to the area and listened to the people's concerns on the ground. This was televised, so that all Canadians knew what was going on at that particular time. We were determined to uncover the facts regarding herbicide spraying, not from 1956 but from 1952, to address the problem. As I said, we have to deal with the facts.

We have developed a comprehensive plan to deal with this, and as the hon. member mentioned, we did appoint an individual to act as an inquirer. We also send our sympathies to him and his family, and we hope that he gets well very quickly.

Our strategy includes three points. The first is to identify the CF members and the employees who were there at the time and present when the herbicides were being sprayed. The second is to collect data on the use, disposal and management of those herbicides that were used. The third is to ascertain the relationship between herbicides and illness.

It is not a simple thing to say that herbicides cause cancer and others do not. There are dose-related responses that have to be dealt

with. It is not a simple thing at all, but we want to get to the bottom of it. That is why we are conducting this contracted, external analysis of what has gone on because we want to get the answers. We are not going to rush to unsubstantiated conclusions which will compromise this entire process.

We are reporting on something that happened 50 years ago. We must have a very clear picture and we need to gather all the information. That is why a fact finding analysis, rigorous and scientifically based, will enable us to get the answers, and assuage the concerns of those people on the ground who may have been subjected to these herbicides. They need the answers and the facts. We are deeply committed to finding the right solution.

I might also say that there were reasons why herbicides were sprayed. They were sprayed to remove brush in Gagetown. If brush were not removed, there could be a fire hazard and a fire hazard could kill people. There are CF members who work and engage in activities in Gagetown. If that brush is simply allowed to stay there, it poses a health risk for them. We know people who get injured and they can get killed under those circumstances.

We are performing this analysis. Those three areas are going to be looked at. The findings will be released publicly and we will have answers, most importantly for the people who are affected.

● (1945)

Mr. Greg Thompson: Mr. Speaker, the government is engaged in a public relations exercise. It is as simple as that. The medical evidence is out there in terms of the linkage between herbicide spray and exposure to that spray. That has been proven and the government of the United States recognizes that. It has compensated literally thousands of victims exposed to that type of herbicidal spray. Canada has not. We have compensated one soldier.

The government has been hiding on this issue. Pure and simple, this is a public relations exercise to get it through to the next election with doing nothing. That is what it is all about. It did the same thing on the hepatitis C file if members remember. The parliamentary secretary was on this side of the House at the time and drove that battle to the government. Now he is on that side defending the government on something that is completely indefensible. The government's position cannot be defended.

Hon. Keith Martin: Mr. Speaker, I can assure the hon. member, and most importantly the people from Gagetown who may be affected by this, that the bottom line is we want answers. We are committed to finding those answers, so we can deal with the problem.

For the member's information, herbicides are used all over Canada. There are certain herbicides that were used a long time ago that pose a danger. We do not know what herbicides were being used in Gagetown or how much. It is important for us to find out what types were used, how much and who was affected. That is what we are trying to do.

We will only be able to serve the people who may have been affected by this by dealing with the facts and ensuring that whatever they need will be provided, but we have to do that based on the facts.

Adjournment Proceedings

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24 (1).

(The House adjourned at 7:49 p.m.)

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