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OFFICIAL REPORT
(HANSARD)

Tuesday, June 16, 2009

—
Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, June 16, 2009

The House met at 10 a.m.

PUBLIC ACCOUNTS

Prayers

ROUTINE PROCEEDINGS

• (1000)
[English]

STRENGTHENING CANADA'S CORRECTIONS SYSTEM ACT

Hon. Peter Van Loan (Minister of Public Safety, CPC) moved for leave to introduce Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code.

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

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INTERPARLIAMENTARY DELEGATIONS

Mr. Gord Brown (Leeds—Grenville, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the following reports of the Canadian delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the following meetings: first, the National Governors Association winter meeting, "Strengthening our Infrastructure for a Sustainable Future" held in Washington, D.C., February 21-23, 2009; second, the Pacific Northwest Economic Region "Border Challenges and Regional Solutions: 2010 Olympics and the Pacific Northwest Experience" also held in Washington, D.C., on February 24, 2009; and third, a U.S. congressional visit which was held in Washington, D.C. on February 25 and 26, 2009.

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COMMITTEES OF THE HOUSE

LIBRARY OF PARLIAMENT

Mr. Peter Goldring (Edmonton East, CPC): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Joint Committee on the Library of Parliament. The report focuses on the operations of the Parliamentary Budget Officer within the Library of Parliament.

I am pleased to inform the House that the report received unanimous support from all members of the committee who represented all parties in the Senate and the House of Commons.

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I have the honour to present in the House today, in both official languages, the following reports of the Standing Committee on Public Accounts: first, the 15th report on Chapter 7, Economy and Efficiency of Services, Correctional Service Canada, of the December 2008 report of the Auditor General of Canada; and, second, the 16th report on Plans and Priorities for 2009-10 and the Departmental Performance Report for 2007-08 of the Office of the Auditor General of Canada.

* * *

[Translation]

VALCARTIER MILITARY BASE ACT

Ms. Christiane Gagnon (Québec, BQ) moved for leave to introduce Bill C-419, An Act respecting the notification of former residents and former employees of Valcartier military base concerning contaminated water.

She said: Mr. Speaker, I am introducing a bill concerning the contaminated water in Shannon. This Bill requires the Department of National Defence to identify the former residents and former employees of Valcartier military base and to notify them that they may have been exposed to contaminated drinking water.

When we are aware of the consequences, we can only condemn this serious negligence. The people identified would be given the option of completing an epidemiological questionnaire, and Health Canada would analyze the questionnaires and publish the results within 18 months of the coming into force of the act.

The Department of National Defence can no longer remain passive in light of the tragedy affecting all the victims of this contamination, for which it is partly responsible. It must inform everyone who drank this contaminated water, as the American navy did in a similar situation.

I thank Charles Veilleux, a lawyer from Quebec City, and I encourage all of my colleagues, here in this House, to vote in favour of this bill.

Routine Proceedings

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

* * *

•(1005)

[*English*]

INCOME TAX ACT

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP) moved for leave to introduce Bill C-420, An Act to amend the Income Tax Act (deduction for volunteer emergency service).

She said: Mr. Speaker, I am pleased to introduce this bill which would amend the Income Tax Act to allow volunteer emergency workers to deduct \$3,000 from their taxable income if they perform at least 200 hours of volunteer service in one year.

Volunteer emergency workers make up the bulk of the emergency service providers in our small communities. They represent the majority of Canada's rural firefighters and perform their services selflessly.

Without a thought to the monetary compensation, they put their lives on the line to protect ours. I believe there is something we can do to acknowledge this sacrifice. I am sure there will be a few among us who feel otherwise.

The Canadian Association of Fire Chiefs advises that changes such as this one would greatly assist in the recruitment and retention of volunteer firefighting personnel within our smaller communities. It is a win-win situation for the communities, both in recruitment and in the protection of our infrastructure.

I would like to thank my colleague, the member for Nickel Belt, for seconding this bill. I know it is an issue that is important to him and the constituents he serves, as it is to myself and those I am fortunate to represent.

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

* * *

EMERGENCY SERVICES APPRECIATION DAY ACT

Mr. Glenn Thibeault (Sudbury, NDP) moved for leave to introduce Bill C-421, An Act respecting an Emergency Services Appreciation Day.

He said: Mr. Speaker, I am very pleased to rise in the House today with my colleague from Nickel Belt to introduce a bill that I think is long overdue.

This bill entitled "An Act respecting an Emergency Services Appreciation Day" would legislate that every third Saturday in June be known as emergency services appreciation day all across our great country. The bill supports and recognizes the work done by police, fire and emergency ambulance personnel.

Greater Sudbury emergency services personnel, like those right across our great country, work hard every day to keep us safe and secure. It is important that we as Canadians recognize the huge sacrifices made by these individuals every day so we can live our lives safely. Each day as greater Sudburians and Canadians wake up and go to work, these individuals have already been up answering emergency calls, helping those in danger and distress.

This day is our way of saying thanks.

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

* * *

DIVORCE ACT

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC) moved for leave to introduce Bill C-422, An Act to amend the Divorce Act (equal parenting) and to make consequential amendments to other Acts.

He said: Mr. Speaker, I am quite honoured to be introducing a private member's bill today which would direct the courts in regard to divorce to make equal shared parenting the presumptive arrangement in the best interests of the child, except in proven cases of abuse or neglect.

Over 10 years ago a joint House-Senate committee presented to Parliament a report entitled, "For the Sake of the Children". That report urged Parliament to amend the Divorce Act to make equal shared parenting the normative determination by courts dealing with situations of divorce involving children. This non-partisan recommendation from that joint House-Senate report was based on compelling research made available to the committee members.

Over the past 10 years the best research has continued to demonstrate the far superior outcomes for children in general when both parents, mom and dad, are actively involved in their children's lives even if the parents divorce or separate. Polling from the past two years demonstrates overwhelming support from Canadians for equal shared parenting. There is in fact slightly more support among women than men for equal parenting.

This strong support from almost 80% of Canadians exists across the country with the strongest regional support coming from Quebec and Atlantic Canada. Canadians claiming to be Liberal and Bloc supporters expressed the strongest endorsement for equal shared parenting at 80.6% among Liberals and 82.9% among Bloc Québécois supporters.

A variety of countries, such as Belgium, Denmark, Norway, Australia and various U.S. states have implemented equal parenting, joint custody or shared parenting presumptive legislation which has resulted in lowered court costs, less conflict and improved social outcomes for the children of divorce.

This bill is one of the most apolitical, non-partisan pieces of legislation introduced in this current Parliament. I look forward to strong support for this important piece of legislation from all members of Parliament who are committed to the best interests of our Canadian children.

Routine Proceedings

CANADIAN BROADCASTING CORPORATION

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

* * *

• (1010)

PEARY POLAR EXPEDITION

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, there has been discussion among the parties and I believe that you will find unanimous consent for the following motion. I move:

That this House takes note of the significance of the 100th anniversary of Captain Bob Bartlett's voyage to the North Pole as captain of the Peary Polar Expedition and the Bartlett 2009 Program celebrating his life, his career and his contribution to helping us to better understand the Arctic now taking place in Newfoundland and Labrador.

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

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

PUBLIC SAFETY OFFICERS COMPENSATION FUND

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, pursuant to Standing Order 36 and as certified by the Clerk of Petitions I am pleased to present again another petition concerning public safety officers.

The petitioners would like to point out to the House that police officers and firefighters are required to place their lives at risk in the execution of their duties on a daily basis and that the employment benefits of these public safety officers often provide insufficient compensation to the families of those who are killed while on duty; and finally, that the public also mourns that loss of these police officers and firefighters killed in the line of duty and wish to support in a tangible way the surviving members in their time of need.

Therefore, the petitioners call upon Parliament to establish a fund known as the public safety officers compensation fund for the benefit of families and public safety officers killed in the line of duty.

BROADCASTING

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, I have a petition signed by several hundred residents of the city of Barrie petitioning Parliament and the CRTC to look at value for signal. This is in regard to our local television station that is going through some difficult periods, like local TV is across Canada.

The petition has gained significant support in the community of Barrie where we certainly appreciate the role our local television plays in highlighting local charities and contributing to our local culture.

Therefore, it is with pride and enthusiasm that I present this petition on behalf of the residents of Barrie.

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, I rise in the House today to present two petitions signed by the people in my riding of Thunder Bay—Superior North.

The first one is from over 500 citizens who are concerned that the recent cuts to the CBC will endanger more services and the long-term viability of our national broadcaster. The CBC plays an absolutely vital role in providing northwestern Ontario with a voice through which we are able to express our ideas, concerns and opinions.

In northwestern Ontario, as with many other areas across Canada, we rely on the CBC also to provide a sense of connection for those of us who reside in remote and isolated communities and locations.

• (1015)

POSTAL SERVICE

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): The second petition, Mr. Speaker, is on behalf of residents of Port Arthur and Thunder Bay. It encourages the government to provide adequate local postal service there.

Canada Post has a long tradition of service in Port Arthur, opening its first post office in 1882, but early this year the last postal outlet was closed, leaving downtown Port Arthur stranded.

Residents and business people have had to travel far for basic postal services. Many local residents are mobility impaired, do not have cars or have to mail large packages too cumbersome to take on the bus. It is time for postal service to be restored.

This petition calls on the Government of Canada to instruct Canada Post to immediately reopen a full service Canada Post outlet or post office in downtown Port Arthur.

PROTECTION OF HUMAN LIFE

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, people have sent petitions to my office asking that Parliament pass legislation for the protection of human life from the time of conception until natural death. These petitions are from all over Canada including some from my riding.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS***[English]***MAA-NULTH FIRST NATIONS FINAL AGREEMENT ACT**

Hon. Gordon O'Connor (for the Minister of Indian Affairs and Northern Development) moved that Bill C-41, An Act to give effect to the Maanulth First Nations Final Agreement and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. John Duncan (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Mr. Speaker, I am pleased to speak today in support of Bill C-41. This landmark legislation before us today would put into force the Maa-nulth First Nations final agreement, a historic accord reached by the Maa-nulth first nations, the Government of British Columbia and the Government of Canada.

The Maa-nulth First Nations final agreement is only the second final agreement concluded under the B.C. treaty process and the first under that process that involves more than one first nation. The agreement is an example of the major progress we are making in the province to resolve outstanding land claims.

With the recent implementation of the Tsawwassen First Nation final agreement earlier this year and the signing of several agreements in principle, there is no denying that we are engaged in an extraordinary period in the history of Canada, British Columbia and first nations communities.

Bill C-41 and the progress we have made in other negotiations are positive markers that the B.C. treaty process can achieve success. We continue to work with the provincial government and British Columbia first nations in the negotiation process, and we have ensured that final agreements are appropriate to the needs of the people of Canada, B.C., the citizens of local municipalities and the members of first nations communities.

Many people from the five Maa-nulth First Nations communities played critical roles in enabling us to reach this historic moment. The chiefs of the five communities, four of whom are with us today, along with their chief negotiator, deserve special recognition and thanks for their ongoing leadership and commitment. They are Chief Councillor Charlie Cootes of the Uchucklesaht Tribe, Chief Councillor Violet Mundy of the Ucluelet First Nation, Chief Councillor Therese Smith of the Ka:'yu:'k't'h'/Chek'tles7et'h' First Nation, Chief Councillor Robert Dennis Senior of the Huu-ay-aht First Nation and Hereditary Chief Anne Mack of the Toquaht First Nation.

Bert Mack also played a critical role. For 67 years, he was hereditary chief of the Toquaht Nation, a sacred role he passed on to his daughter Anne earlier this year. I understand that when Chief Mack became chief, at the age of 18, his father had one clear, concise instruction for him to follow. His father said "go and negotiate a treaty". The Maa-nulth First Nations final agreement is a fitting testament to his unwavering dedication to that task.

As a personal note, I have known Bert Mack and his wife Lil for over 30 years. I was delighted to attend the signing ceremony early

this year in Port Alberni and to have the opportunity to share the moment with Bert and Lil and the Maa-nulth people. I have also worked in the forest industry in that region with Chief Charlie Cootes, so we were able to renew our friendship, as well.

The five first nations are collaborative and progressive, and it is very rewarding to witness the passage of Bill C-41. It will be transformative for the people of the Maa-nulth First Nations. With the approval of this legislation, the Maa-nulth First Nations communities can nourish their culture, assume greater control over issues affecting their people and lands, make their own decisions about resource use and delivery of programs and services, and create business partnerships. This would result in self-reliant communities that are better prepared to participate in the overall economic growth and development of Canada.

I would like to expand on five elements of the agreement: land use, finances, taxation, natural resources and governance.

The first element is land use. The land package of the final agreement consists of approximately 25,000 hectares of treaty settlement lands and former Indian reserves that would be held by the Maa-nulth First Nations in fee simple. This type of ownership gives these first nations flexibility to manage and use them to generate long-term economic benefits. The final agreement provides for five first nations governments to exercise a wide range of law-making authority over these lands. In addition, federal and provincial laws would continue to apply.

Over a period of 10 years, the five first nations would receive a total of \$73.1 million in a capital transfer. In addition, over a period of 25 years, the communities would receive an estimated \$1.2 million annually in resource payments.

• (1020)

For their part, the first nations would also deliver a host of agreed upon social programs and services to their people and would be fully accountable for the financial transfers they receive from the governments of Canada and British Columbia to support these programs and services.

Along with these fiscal transfers, each first nation government would have the ability to levy direct taxes on its members who live on treaty settlement lands. The section 87 tax exemption for transaction and other taxes would be phased out after 8 and 12 years respectively.

I should also point out that non-Maa-nulth First Nations members who live on Maa-nulth First Nations lands would be able to participate in discussions and vote on decisions of Maa-nulth public institutions that would directly and significantly affect them. In addition, each Maa-nulth government and public institution would formally consult with non-members concerning decisions that would directly and significantly affect them.

Government Orders

Under the final agreement, each Maa-nulth First Nations would have the right to harvest fish and aquatic plants for food, social and ceremonial purposes. However, these rights would be limited by prudent measures. A harvest agreement, separate from the final agreement, would enable the first nations to acquire commercial fishing licences on a long-term renewable basis, comparable to those held by fishers in the region's commercial fishery. There is no priority commercial fishery for the Maa-nulth First Nations. The Maa-nulth peoples would purchase commercial fishing licences in the open market. Moreover, Maa-nulth commercial fishing would take place only upon a general fishery being open for that species. Further, the standards for catch monitoring and reporting would apply as for other commercial fishing.

Finally, the Maa-nulth First Nations final agreement would establish open, democratic and accountable governments for each of the five first nations, with the exception of determining Indian status. The Indian Act would no longer apply to the Maa-nulth First Nations, their land or their members. Instead, each Maa-nulth first nation would have its own constitution. Each government would consist of a majority of members elected according to an election code, and elections would be held at least every five years. Each of these governments would enjoy all the attributes of modern democratic governments, including rigorous systems of financial administration, conflict of interest guidelines and processes that would enable citizens to review and appeal administrative decisions.

The final agreement would provide an opportunity for the first nations to include traditional chiefs in their government structures, if they so choose. This is an important recognition of the culture and heritage of the Maa-nulth communities. The Canadian Charter of Rights and Freedoms would also apply to the Maa-nulth first nations governments, and the final agreement would include specific provisions to protect the rights of non-Maa-nulth residents living on treaty lands.

In combination, these and other elements of the final agreement would provide what Uchucklesaht tribal chief Charlie Cootes calls a "toolbox" for the Maa-nulth people: a collection of proven, flexible mechanisms that would enable the Maa-nulth to make their own decisions on their own terms. Do not all Canadians, aboriginal and non-aboriginal, want and deserve to steer their lives, to provide for their families, to build strong communities, to reach their full potential and to control their fates?

Men and women would find it easier to secure bank loans, start businesses and save for the future. These are all simple yet profound consequences of the Maa-nulth nations final agreement. The benefits of the agreement would go far beyond the Maa-nulth First Nations. The transformative power of this agreement would touch the lives of each citizen of British Columbia and indeed all Canadians.

In the words of Robert Dennis Senior, Chief Councillor of the Huu-ay-aht First Nations:

The treaty offers opportunities for all of us.

...today, British Columbia can stand proud and say: "I was part of that change. I was willing to stand up and say things must change. Things cannot stay the same.—"

● (1025)

Finally, I would like to pass on the word said to me yesterday by Chief Anne Mack from the Toquaht band. It was from her father Bert Mack. The word, to me, means paddling forward together, and it is a fitting conclusion. The word is *chugchuqa*.

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, indeed it is a pleasure to indicate our strong support for Bill C-41, which is an act to give effect to the Maa-nulth first nations final agreement. Our party has been a strong advocate for first nations rights, for aboriginal rights generally in this country, and a strong advocate over the years for treaty and comprehensive claims settlement.

Yesterday I had the honour of meeting with four of the five chiefs from the five first nations under this Maa-nulth final agreement. I will call them by their first names, Anne, Tess, Vi and Charlie, if that is appropriate. I was struck by the smiles on their faces, the sense of encouragement in their voices and the sense of optimism they had for their communities when they understood this legislation was going through in an expedited fashion.

I would say to those chiefs and their people that we have also spoken with our colleagues in the other place and asked that they expedite this legislation before rising this summer so this bill can come into force and be constitutionally protected.

This is only the second final agreement under the British Columbia Treaty Commission process, the first being Tsawwassen. It has been a long process that has taken decades. The chiefs say it has taken generations for them to arrive at this place of certainty and understanding between aboriginal and non-aboriginal people.

They acknowledge the great sacrifices of their many negotiators, their many chiefs, and they wanted me to particularly mention George Watts. I do not know him personally, but I have some sense of the man and his contribution through the voices of these chiefs. They wanted to recognize their elders, who have given so much over the years to help their people progress.

We often talk about the benefits when we go through these final land claims and self-government agreements. There are tremendous benefits, but that comes with costs as well, many times to the first nations people. It is not as if they are giving up nothing. Many times it is only a portion of the traditional lands that are claimed that are settled for in the final agreements. The self-government powers that aboriginal people will have under these agreements are in some way, shape or form similar to what they wanted. There is a give and take.

These agreements are arrived at through long personal struggles, community struggles. People might ask if the benefits are worth the costs of what has been given up and whether there is a brighter future. The chiefs say, "Yes. For too long we have been denied our rights, our recognition. For too long we have not had the certainty of our own lands. For too long our own forms of self-governance and decision-making were not honoured. This is the way to go forward."

Therefore, we have arrived at a final agreement. The parliamentary secretary has gone over the more general aspects of it, and I just want to refresh the House on some of those benefits and features of the final agreement.

Government Orders

Of course the benefits are certainty over the Maa-nulth First Nations' lands about who can do what, who can make decisions, and what the arrangement is between the aboriginal and non-aboriginal people. It provides modern governance tools and more workable relationships between industry and business as well as other levels of government.

● (1030)

As well, the governance regime under the Maa-nulth First Nations final agreement will be constitutionally protected. There will be no application of the Indian Act after a transition period, aside from the determination of Indian status.

Under the governance provisions, the agreement also contains law-making powers for matters relating to lands, resources and areas of governance relating to the delivery of health services, adoption and education.

There is a land regime where certain powers are conferred upon Maa-nulth First Nations and Maa-nulth First Nations lands and more co-jurisdiction powers on other lands within the settlement area.

There will be five first nations governments, and each Maa-nulth government can make laws applicable to its own lands to preserve, promote and develop their language and their culture.

Maa-nulth First Nations will also have the right to harvest wildlife and migratory birds for food and social and ceremonial purposes within Maa-nulth First Nations areas. They will be able to trade and barter wildlife and wildlife parts, migratory birds and migratory bird parts among themselves and with other aboriginal people who live in British Columbia.

There is a provision for fish to be caught for food and social and ceremonial purposes. When it comes to the commercial side of the fisheries, there is a side agreement, but it is not constitutionally protected and does not fall under this particular first nations final agreement.

There are also provisions that relate to areas of particular concern and interest to the Maa-nulth first nations people, such as Thunderbird's Nest. Under the final agreement, British Columbia has agreed to remove Thunderbird's Nest from the working forest and protect it because it has special cultural and spiritual significance to the Maa-nulth people.

There are also financial components, revenue sharing aspects, as well as aspects dealing with taxation.

The agreement also ensures that where there are, or may be, overlaps, the rights and interests of other first nations are not in any way impaired or hindered.

Each Maa-nulth First Nation community voted separately. There was over 80% support for the Maa-nulth final agreement. When it was debated and reviewed in the B.C. legislature, it passed by a vote of, I believe, 61 to 2.

This particular first nations final agreement has had outstanding support. That support was driven from the community up. Support came from first nations themselves. It was supported within the provincial legislature, and I am more than confident that it will be supported in this House and in the other place.

I wanted to speak with the chiefs because not being from that area and not knowing them personally, I wanted to get a sense of where they were. I wanted to see their faces and to hear what this meant to them and to their communities. They said to me that this means a coming back to their traditional ways, that it means coming back to their traditional lands. They said that it means their young people will have a place to call home. They said that it means opportunity, that it means a way forward, that it means hope for the future.

I am proud to stand here as an aboriginal person to support this bill on behalf of my colleagues and to support the Maa-nulth First Nations communities. I thank them for travelling here and for taking the time to be with us on this historic occasion.

● (1035)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I would like to begin by acknowledging the chiefs and their representatives who are here today. It is deeply moving to see them here. I know that this is probably a historic moment for them, a rare moment in one's political career. Treaties have been signed, agreements finalized, and bills passed to bring the treaties into force. That is quite exceptional for this particular Parliament.

I want to emphasize the fact that all four parties have agreed to pass this bill quickly and move it through the legislative process as soon as possible to enable the Maa-nulth First Nations and their communities to live together and organize their territory so that they can be masters in their own house.

The Bloc Québécois fully supports aboriginal self-government. This agreement entrenches the right of these aboriginal peoples to govern themselves. For that reason alone, we would support the principle underlying this treaty.

More generally speaking, the Bloc Québécois cares about aboriginal peoples' demands for self-government. It recognizes aboriginal peoples as distinct peoples entitled to their culture, their language, their customs and traditions, and as peoples entitled to make their own decisions about how they want to express their own identity. That is exactly what the bill will do. The parties have agreed unanimously to pass the bill in the House today.

I would be remiss if I did not congratulate the chiefs and their representatives, who have been negotiating for years. Although I do not have them with me, I did read the voluminous documents about the agreement that were sent to my office. With all due respect, it might take a lawyer or two to interpret them over the coming years to ensure that the Maa-nulth First Nations enjoy all of the rights to which they are entitled under this historic agreement, which will be ratified by Bill C-41.

Government Orders

Where there's a will, there's a way. And that is exactly the case with this agreement. I would like to speak directly to the chief and to tell him, as a Quebecker, I would love to see more agreements like this negotiated. And speaking to the Algonquin communities of Quebec, I hope that these communities will have the opportunity to look at the documents that have been signed and will be passed by this House today, in order to implement this historic agreement. I hope that the Algonquin, Innu and Attikamek communities will be able to examine this agreement carefully, because there are some very important points in it with the potential to affect them directly. I would like to focus on a few of them.

As far as this territory goes, the agreement includes 24,550 hectares of land and a capital transfer of \$73 million over a 10 year period. This is not the underlying principle, however. It is not a matter of money, but of respect. I believe that is what has guided the five Vancouver Island first nations. Some of our audience may wonder where this story is unfolding. It is to the west of Vancouver, on Vancouver Island and concerns a community comprised of five Vancouver Island nations. The Maa-nulth have lived on those lands since time immemorial.

●(1040)

The point of interest—and the reason why I am drawing a parallel with what could happen for the aboriginal communities of Quebec—is that the regime that will be adopted today will provide each first nation with the flexibility to manage its lands and to create long-term economic spinoffs. That is important. We are starting to talk seriously about independence.

Federal and provincial legislation, as well as the laws of the Maa-nulth First Nations, will apply on the lands of the Maa-nulth First Nations. This is, in my opinion, the exceptional parallel that could be drawn if the effort were made and there was some leadership. Those are what will be necessary in a number of aboriginal communities in Quebec in order to repeat what has happened in the Maa-nulth First Nations.

I am not necessarily referring to the financial side of it, but with respect to wild life and migratory birds, the Maa-nulth people will have the right to harvest wildlife and migratory birds for food, social and ceremonial purposes within specific areas. This is a great advance.

I have the departmental documents here with me and have even consulted the agreement, and this is really what is in it. Two huge documents were sent to our offices. As far as fishing is concerned, for instance, the Maa-nulth First Nations will have the right to harvest fish and aquatic plants for food, social and ceremonial purposes, provided they respect certain conditions related to conservation.

Maa-nulth commercial fishing will be fully integrated within the general commercial fishery on the west coast of Vancouver Island. This is quite exceptional. I believe that this is an extremely important step, because fishing will be incorporated into the agreement. I think that many white and aboriginal communities could take inspiration from this agreement.

With regard to culture and heritage, each of the Maa-nulth First Nations can make laws to preserve, promote and develop culture and

language, conserve and protect heritage resources on its lands, and deal with archaeological materials, sites and ancient human remains. That is another important point.

Interestingly, with regard to governance, the Indian Act will no longer apply to Maa-nulth First Nations lands or members, with the exception of determining Indian status—which is understandable—and a transition period for phasing out the Indian Act tax exemption.

Regarding taxation, the Maa-nulth First Nations governments will have the ability to levy direct taxes on their members within treaty settlement lands, known as the Maa-nulth First Nations lands.

Section 87 of the Indian Act provides for tax exemptions for transaction taxes and other taxes. These exemptions will be phased out after eight and 12 years respectively.

With regard to local government relations, each Maa-nulth First Nation will become a member of its local regional district and appoint a director to sit on the regional district board. In Quebec, this would mean that each nation, such as the Algonquin, would become a member of the regional county municipality.

In closing, I want to wish the chiefs who are here today good luck and to express the hope that the dreams of their elders will become reality and that this historic treaty will reach its full potential.

For my part, I have not seen this often, and I believe that this is the first time five nations have signed a treaty together. It is my hope that this extremely important treaty will serve as an example to other communities and other tribal councils. If that could happen, then the outstanding work they have done will be extremely important to the future of Canada's first nations.

●(1045)

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, on behalf of the New Democrats, I am pleased to rise in the House today to speak to Bill C-41, An Act to give effect to the Maa-nulth First Nations Final Agreement and to make consequential amendments to other Acts.

What we are talking about today in the House represents a journey, and it truly is a journey of generations. When I spoke to the chiefs yesterday, they said this particular piece of work started in 1992. One can see that it has literally been years in the making.

I also want to acknowledge the fact that we are talking about five nations that have come together to bring this treaty to fruition. I want to name the nations and the chiefs, four of whom are here in Ottawa today. We have the Uchucklesaht, with Chief Charlie Cootes; the Ucluelet, with Chief Violet Mundy; the Toquaht, with Chief Anne Mack; and the Ka:'yu:'k't'h'/Che:k'tles7et'h', with Chief Councillor Therese Smith. We also have the Huu-ay-aht, with Chief Councillor Robert Dennis, who was not able to be here today.

It is important to name the chiefs because they are here to bear witness. They are here to see this historic moment unfolding in the House of Commons. This work is part of that reconciliation process that we have been talking about in the House over this last year, with the one-year anniversary of the apology for residential schools. This is part of that reconciliation journey.

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I also want to acknowledge Chief Bert Mack from the Toquaht, who guided his nation as their hereditary chief to this point. I want to acknowledge the elders. In any first nations community, the elders are the very heart and soul of the community. They are the ones who provide the teachings and the guidance. They are the ones who walk with the leaders and they are the ones who provide the guidance to get the leaders to this place today. So I want to acknowledge those elders and raise my hands to the elders and their continuing guidance and wisdom.

We have only a very brief time to talk about this treaty today and about its importance both to the five nations and to their neighbours. However, I want to situate this treaty a little bit, because many people in Canada do not really understand the geography of British Columbia, and Vancouver Island in particular. These five nations' traditional territories are on the west coast of Vancouver Island. It is truly some of the most beautiful territory in this country. It is a coastal temperate rainforest and it is very rich in land and sea resources.

In the history, these five nations have been in this territory for thousands and thousands of years. In fact, the teachings say that they have been there since the beginning of time. The rich culture, language and traditions mark that time back through many centuries.

I want to centre the treaty itself around the United Nations Declaration on the Rights of Indigenous Peoples. I think the United Nations declaration could provide guidance for future treaties, for land claim settlements in this country. Although there are many articles that could have applied to this treaty, I want to quote from article 19, which says:

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

With Bill C-41, this very important piece of legislation, we have that free, prior and informed consent. The Maa-nulth nations have been at the table representing their people, making sure that their needs, concerns and wants were understood and were part of that treaty process. Because we have that free, prior and informed consent, we have a piece of legislation that is supported by the five Maa-nulth nations.

It is important to remember that context, because we know that we have other treaty negotiations going on in British Columbia and lands claims throughout the country. If we use the United Nations Declaration on the Rights of Indigenous Peoples, it may help inform these future agreements for other nations.

I also want to touch very briefly on some of the key points. I am going to quote from the Maa-nulth First Nations' own website, because I think their own words are important to have in the House.

• (1050)

What they say on their website is:

The Final Agreement includes a land package as well as funding in the form of a capital transfer, annual resource revenue sharing payments, and ongoing and time-limited funding for each Maa-nulth First Nation.... The Final Agreement also includes self-government provisions and defines each Maa-nulth First Nation's rights to resources such as wildlife, fish, timber and sub-surface minerals.

Although the treaty is not an answer to many challenges that are faced in our communities, it does provide a "tool box" for our people to make our own decisions on our own terms....

A treaty will bring certainty with respect to each Maa-nulth First Nation's Aboriginal rights through the Maa-nulth First Nations traditional territory. The treaty will provide modern governance tools that the Maa-nulth First Nations may use to build strong and workable relationships with other governments, including federal, provincial and local governments on the west coast of Vancouver Island....

[It will also] resolve long-standing issues regarding undefined Aboriginal rights and title, and bring certainty and economic benefits not only to the Maa-nulth First Nations, but also to the entire region.

That is a very important part, because what we know in many first nations communities is that they have the capability, the resources and the will to bring prosperity to their communities. What we need to do is get out of the way and provide the mechanisms through treaties for that right to self-determination, and economic benefits will not only accrue to the first nations in their traditional territories but will also accrue to their neighbours.

We have other examples in British Columbia where we know that, working in partnership, we can bring that prosperity both to the nation and to their neighbours. This treaty is an important aspect of bringing certainty to the nations and to their neighbours. That, in itself, is a cause for celebration.

I want to touch on a couple of other aspects of the final agreement. The final agreement certainly does involve land. It consists of approximately 24,550 hectares of treaty settlement land, including the former reserves. The Maa-nulth First Nation government will have law-making authorities over its land, although federal and provincial laws will continue to apply, along with current Maa-nulth First Nation laws.

There are many aspects of this treaty. Of course, I do not have time to cover them all, but I just want to touch on a couple, because the land aspect is very important. Many first nations will talk about their spiritual, physical, emotional ties to the land and how important it is that those traditional territories are respected. As other speakers have pointed out, we know that this is just a small fraction of the land that was part of the traditional territories of the five nations.

On Vancouver Island, we know forestry is the lifeblood of many of the communities. Under forestry, the Maa-nulth First Nations will own and manage the forest reserves, the forest resources on treaty settlement lands, consistent with provincial standards for private land.

I know elders have often spoken about the importance of culture and heritage, passing on the teachings to the next generation, but also the preservation of language. The language is the heartbeat of the culture. Without the language, it is oftentimes very difficult to transmit the culture. The elders can talk about how the words themselves represent that whole being.

The Maa-nulth First Nations may make laws on treaty settlement lands to conserve and protect Maa-nulth First Nations culture and language, to deal with ancient human remains, and to regulate access to Maa-nulth First Nations cultural heritage resources. Some of the Maa-nulth First Nations artifacts in the Royal British Columbia Museum, the Canadian Museum of Civilization, and Parks Canada collections will be transferred to the Maa-nulth First Nations.

There are many aspects of governance and education, but I want to briefly mention implementation. Implementation is an essential part. Implementation is, of course, covered in the final agreement.

Again, according to the words of the Maa-nulth themselves, they talk about “true implementation”. They say true implementation will mean:

Exercising self government by our Constitutions, laws, regulations and policies;
Drawing down additional authorities in the Treaty as appropriate for that particular Nation.

Of course, we have seen other modern-day treaties were implementation has been a slow and painful process. I would hope that this is a new era with the implementation agreement that is set out in the final agreement, that we will not see the kinds of stumbling blocks that we have seen with other implementation agreements.

In closing, this is a great day to celebrate and to honour the work that the chiefs, their elders and the communities have done to bring this treaty to the House of Commons. I look forward to support from all parties and in the other place so that this treaty has rapid passage.

•(1055)

The Deputy Speaker: Pursuant to an order made on Monday, June 15, 2009, Bill C-41 is deemed read a second time, deemed referred to a committee of the whole, deemed reported without amendment, deemed concurred in at report stage and deemed read a third time and passed.

(Motion agreed to, bill deemed read the second time, considered in committee, reported, concurred in, read the third time and passed)

* * *

CRIMINAL CODE

The House proceeded to the consideration of Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime), as reported (with amendment) from the committee.

The Deputy Speaker: There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC) moved that Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime), as amended, be concurred in.

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

Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time? By leave now?

Some hon. members: Agreed.

Hon. Rob Nicholson moved that the bill be read the third time and passed.

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I am pleased to voice strong support for Bill C-26. As my colleagues in the House know, this bill targets the pervasive problem of auto theft and the

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trafficking of property obtained by crime. Time is short, so I will go straight into the substance of this important piece of legislation.

Bill C-26 has three main components. First, it creates a new and distinct offence of motor vehicle theft. Second, it also creates the new offence of altering, obliterating or removing a vehicle identification number. Third, it creates a new offence for trafficking in and possessing for the purpose of trafficking property obtained by crime, including the importing and exporting of such goods.

Let me deal with the first component of Bill C-26. The new separate offence of motor vehicle theft would give the crown prosecutor discretion to proceed either by indictment or by way of summary conviction depending on the seriousness of the particular case. The maximum penalty on indictment would be 10 years' imprisonment while summary conviction would draw a maximum of 18 months.

Bill C-26 does something else that Canadians have long been asking for. It goes after repeat offenders by imposing a mandatory minimum penalty of six months in prison for anyone convicted for a third or subsequent time of stealing a car, provided the third or subsequent offence was proceeded with by way of indictment.

This is a proportionate and appropriate response to the issue of serial car thieves. It gives those who are prosecuting these cases the flexibility to seek the mandatory minimum sentence when, in their opinion, such a penalty is warranted.

I come from the province of British Columbia. British Columbians are incredibly frustrated with the number of serial thieves who are plaguing our communities. In fact, our community has had one of the highest rates of auto theft in the country. In some cases these thieves do not commit auto thefts 20 or 30 times; we are talking about 50 times, 100 times and even more than 100 offences. When they are apprehended, they are immediately released into the community again. This is frustrating to the residents of my community of Abbotsford.

In fact, our justice committee recently had an opportunity to hear evidence from an official from Statistics Canada. Those statistics showed that the highest rates of auto theft are found in western Canada. The city of Winnipeg is the leader, but what really concerns me is that the city of Abbotsford, where I come from, has the second highest level of auto theft in the country. Abbotsford is certainly the auto theft capital of British Columbia.

To be fair, those statistics go back to 2007. I want to be fair and commend our local police department, as well as other police departments in our region for implementing the bait car program.

The bait car program allows police officials to set up cars that are rigged with GPS tracking devices. Video surveillance cameras are set up in the bait cars. The unsuspecting car thief will steal the car and will be immediately apprehended. The evidence will be there to be able to convict the individual. All the evidence shows that the bait car program has had a marked impact on reducing auto theft in our community and in our region.

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Abbotsford residents are pleased that they now have a Conservative government in place that takes car theft seriously. They are pleased that they have a government in place that will actually impose a mandatory sentence of imprisonment on serial car thieves.

The second area addressed by Bill C-26 relates to a car's vehicle identification number, or VIN as it is commonly known. Many Canadians know that the removal or alteration of the VIN is a common way for criminals to disguise the identity of stolen vehicles.

Bill C-26 takes deliberate and clear steps to prohibit and punish this behaviour. The proposed amendment would make it an offence to wholly or even partially alter, obliterate, or even remove a VIN on a motor vehicle without lawful excuse.

● (1100)

Under the new offence, anyone convicted of tampering with a VIN could face imprisonment for a term of up to five years on indictment and up to six months on summary conviction. The only exception to this offence is if someone is required to remove a VIN as part of regular maintenance or repair work that is done for a legitimate purpose. That exception would only arise in the rarest of circumstances.

Taken together, these first two components of Bill C-26 will provide our law enforcement officials with a set of tailored strategies that respond to the scourge of auto theft which is endemic in many of our communities.

The bill also assists prosecutors by ensuring that previous auto theft convictions are clearly listed on the criminal records of car thieves. This will provide more guidance to the courts when they have to deal with bail and with sentencing.

Finally, as mentioned before, Bill C-26 also proposes new offences that target the trafficking in property obtained by crime. These provisions are extremely important to Canadians.

As chair of the Standing Committee on Justice and Human Rights, I was privileged to be involved in reviewing this bill with other members of the committee. We heard testimony from the director of the Canadian Centre for Justice Statistics, who provided us with statistics which showed that four out of ten stolen vehicles are never recovered. What this statistic suggests is that a substantial number of motor vehicle thefts are committed as part of an organized crime enterprise.

Accordingly, when Bill C-26 creates new trafficking offences, it goes after the chain of criminal acts that yield the financial benefit which makes property crime so lucrative for professional criminals.

Even though Canada's Criminal Code already prohibits the possession of property obtained by crime, simple possession does not adequately reflect the full range of criminal behaviour involved in trafficking in stolen property.

Let me explain a typical chain of property theft within a criminal enterprise.

Typically, a high-end vehicle is stolen; it might be a Lexus, a BMW or a Mercedes, or perhaps a high-end SUV. That vehicle's identification number, its VIN, is then obliterated or removed. The

vehicle is passed on, perhaps to a chop shop, where it is disassembled and sold to unsuspecting purchasers. The vehicle may be placed in a container, shipped out of our country and around the world to be sold to unsuspecting purchasers.

The new trafficking offence would define trafficking quite broadly by including the selling, giving, transferring, transporting, exporting from and importing into Canada. It would also criminalize the sending, delivering and dealing with property obtained by crime. Because there are so many middle men in a criminal enterprise that involves auto theft, we have to have a broad definition to reflect that crime. By using that broad definition of trafficking, our government hopes to interfere with the myriad of ways in which criminal enterprises steal property and then market that property to unsuspecting buyers here in Canada and around the globe.

With the amendments contained in this bill, we will be making it much more difficult for professional thieves to flourish in Canada. Simply put, we are doing our very best to remove the profit motive from property crime.

Bill C-26 also proposes strong penalties for the new trafficking offences. Where the value of the property exceeds \$5,000, the maximum penalty would be 14 years' imprisonment. Where the value is less than \$5,000, the maximum penalty would be five years' imprisonment on indictment or six months' imprisonment on summary conviction.

I strongly support these increased penalties because they properly reflect the additional burden on society created by those who profit from stolen goods.

Evidence before our justice committee estimated that auto theft alone costs Canadians around \$1.2 billion every year. There are a staggering 400 car thefts committed every day in Canada. In themselves, these are disturbing numbers, but they fail to take into account the human costs, costs which are unquantifiable but which nonetheless impact on the lives of Canadians every day.

I too have been a victim of auto theft and I can say that it is not a pleasant experience.

● (1105)

The tougher penalties in Bill C-26 send exactly the right message and demonstrate that such crimes will no longer be tolerated by Canadians.

I urge all members of this House to do the right thing, to reflect the wishes of the majority of Canadians, support Bill C-26 and ensure its swift passage into law.

● (1110)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, the member is the chair of the justice committee and he does a fine job. As a former city councillor of Abbotsford, I know it is difficult for him to get up and say that Abbotsford is experiencing some difficulty with respect to auto theft.

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I want to ask him about one part of the bill which could stand to have a little more explanation. That is the prohibition against the importation and exportation of property obtained by crime and the triggering of certain Canada Border Services Agency powers with respect to investigation, identification and the detention of imported or to be exported vehicles that are the products of crime.

I would like the member to explain how that is a good thing. Also, has he or the government discussed this matter with public safety officials? Is there going to be an increase in the budget, the number of officers or a unit itself to cover these new powers?

All too often legislation is brought forward or enacted by the government, but Peter is not talking to Paul. The public safety and justice ministers do not talk enough to know whether there is enough money in the budget to cover correctional services that might be needed in terms of some other bills.

In this very specific case, it ought to be easy for the member, as a member of the government, to tell us if the government has funded the CBSA and whether the CBSA has some plans to put into effect this part of Bill C-26.

Mr. Ed Fast: Mr. Speaker, the member is a very valued member of the justice committee, serving as the vice-chair of that committee.

His question is focused on the issue of resources and whether there has been consultation with the Minister of Public Safety. I can confirm that the Minister of Justice has consulted with the Minister of Public Safety on the issue. He has advised us of that.

We have also received assurances from the public safety minister that the resources required to do the job of interdicting the illegal transfer of motor vehicles and other stolen property across our international boundary are in place.

I also want to assure him that our government wants to ensure that the statutory regime that is in place is one that our CBSA officials, our border officials, can use effectively to stop the importation and exportation of illegal, stolen vehicles in Canada.

I think that is the assurance he is seeking. I am confident that we are going to be making significant progress in stopping the importation and exportation of stolen vehicles.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, as a follow-up to that, we have been pursuing this issue of resources for CBSA. I appreciate the comments from the chair of the committee, but the reality is there has been no indication that an analysis has been done of what additional resources are necessary. Therefore, it is hard to accept with full credibility the Minister of Public Safety's assurance that the resources will be there when an analysis has not been done. Also, because an analysis has not been done, I have a hard time understanding how the government could apportion any additional resources that are going to be required to deal with the export of stolen vehicles and stolen auto parts out of this country to international markets.

I would ask the member if he knows whether an analysis has been done. Up to this point we have been led to believe it has not been done. If it has been done, how much additional resources are going to be put in, in terms of dollars, to the CBSA?

Mr. Ed Fast: Mr. Speaker, there was no evidence before committee that the analysis had not been done. Quite frankly, the member may not have appreciated the significance of the portion of the bill that would provide additional powers to the CBSA. It is as much an issue of efficiency and providing our CBSA officials with the tools to more effectively and more efficiently do the job that they have been called on to do to interdict the importation and exportation of stolen vehicles.

The member is also a very valued member of justice committee. We have had a good working relationship on that committee. We as a government and as Parliament are anxious to see the bill move forward to ensure Canadians get the assurance they need that auto theft will be reduced across our country, not just in my home province of British Columbia.

● (1115)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, it is my pleasure to speak to the bill and to let the public know why our members will support the bill.

Bill C-26 has a number of elements that poke at different aspects to the scourge of auto theft. The first element of the bill is to create a separate offence for auto theft. This has been kicked around for some time since 2008. One of the criticisms of a predecessor bill was that there was not a separate offence, but now there is, so this is progress. The offence would carry a mandatory prison sentence of six months for a conviction of a third or subsequent indictable offence.

It will not need to be repeated for members like the member for Abbotsford, the member for Fundy Royal and the member for Windsor—Tecumseh, who are members of the committee and know this, but there is a difference between a summary conviction offence and an indictable offence. The indictable offence is the more serious offence. It generally carries sentences of two years or more. Therefore, the law intends to impose is a six month conviction for a third indictable offence involving auto theft.

I had the pleasure recently of visiting the Winnipeg area and talking to individuals involved in law enforcement. It is very clear that auto theft is not something that we pick up off the cuff. It is a bit of an expertise-driven occupation. People in places like Winnipeg, Montreal, Abbotsford and other communities across the country are very good at it and they tend to be repeat offenders. It is a commercial business for many of them.

As they get better, the Insurance Bureau of Canada representatives, law enforcement officials, car manufacturers, after market car parts suppliers attempt to catch up with them, but one thing is certain. If these recidivists, specialists in auto theft, are put away after their third conviction by indictable means, then they will not be out doing more auto theft. The evidence we saw in Winnipeg was very clear. Statistically officials can prove that when the known top 30 to 50 car thieves serve time at Her Majesty's pleasure in a facility, then auto thefts go down. Therefore, that part of it is good.

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The second part of the bill is the vehicle identification number, VIN, tampering. This is the alphanumeric number and letter combination inside the windshield of every vehicle and in many cases on almost all the important parts of one's motor vehicle. Tampering with the VIN is an offence. We studied it at committee at length. Other than putting some protection in the act to cover the truly innocent person tampering with a VIN, we could find no reason why anyone would tamper with a VIN unless there was fraud involved and theft was a goal. That itself would become an offence, which would help police officials do their job.

The other part of the bill is that the trafficking in stolen goods, particularly stolen motor vehicles, would be an offence. The general offence of possession of property obtained by crime in the current Criminal Code carries a maximum of 10 years for property valued over \$5,000. The proposed legislation will give law enforcement or prosecutors new tools to combat those who participate in any part of the trafficking in stolen motor vehicles. There will be a wide definition of trafficking, as indicated by my friend from Abbotsford, which will include the selling, giving, transferring, transporting, importing, exporting, sending of, or delivering of goods or offering to do any of this, and that will trigger the offence of trafficking.

● (1120)

It is intended that this would capture the middlemen who are involved with stolen property. We recognize in today's modern, sophisticated, organized crime culture and business practice that it goes from retailer, wholesaler, distributor, exporter, importer, much in the same way that Wal-Mart probably organizes itself from manufacturer to point of sale contact.

That is why the offence has to be wide in order to catch everyone. It is not one person. Stealing a car, putting it on a boat, transporting it to a foreign location and getting paid on the dock in South America or wherever does not involve just one person. It is a chain of distribution with which we must deal.

The last aspect is something I asked the chair of the justice committee about, and that is the prohibition against importation or exportation of property obtained by crime. While that may not be necessarily groundbreaking, what is important is CBSA officials will have added powers to investigate, identify and detain imported vehicles or vehicles about to be exported and search databases to determine whether those vehicles are stolen. Those are the broad strokes of the bill.

The theft of autos has become a prolific business for organized crime in our country. We have heard about Winnipeg and Abbotsford, but I want to talk briefly about Montreal. Committee members heard that when organized crime was established in a city, it took on the subsidiary of auto theft and made it an expertise-driven crime. We learned that in cases like Montreal, where organized crime seems to be more involved in auto theft than in the western cities of our great country, the amount of vehicles recovered was lessened.

Attempted and actual auto thefts tend to be similar in a place like Montreal, but, to pick on Winnipeg for a moment, the number of attempted auto thefts might be higher per population of 100,000 than in Montreal. However, the actual number of vehicles recovered is also higher. It indicates that auto theft in a place like Montreal, driven almost wholly by organized crime, is for the profit attached to

the procurement of vehicles, chopping them up and the exportation or reselling of parts and/or whole vehicles in and around the Montreal area.

On the other hand, in western Canada the experience seems to be more tilted toward vehicles being stolen to further other criminal activities. The Winnipeg Police Association says that many attempted thefts, because many vehicles are recovered, are merely for the purpose of being a mode of transportation or carriage to further implement a crime in a place like Winnipeg. That allows criminal organizations to have getaway cars and vehicles for committing offences and not having them traced back to their vehicles. We have some sort of quixotic idea that young teenagers in a James Dean like setting go out joyriding. Across Canada that is a very minuscule number when it comes to auto theft.

Another piece of the evidence we heard in committee was that the number of youth involved in attempted auto theft in a place like Winnipeg was much higher than in other large centres in the east. This indicates that organized crime is encouraging young members of gangs to steal motor vehicles for further criminal purposes and then abandon the vehicles so they might be recovered.

I say all of that because it is important to have a regional context and a different context for the scourge of auto theft and to react appropriately.

● (1125)

The bill would attack the situation we see in Montreal. There is no question about that. If organized crime can be pinned down, and if these sentences can pick up the middlemen and the repeat offenders, then that is certainly very good progress.

We support the bill, but I do want to put up a red flag or the marker down here. Since so many young offenders are involved in Winnipeg and some other western cities, this legislation may not have the same immediate impact in combatting auto theft.

Let me get back to the image of cities.

I am a former mayor and I know that almost every city councillor and mayor is concerned with his or her city's image. Sometimes things are beyond a council's control and sometimes they are within its control.

[*Translation*]

As a former mayor of the city of Moncton, I know that citizens' concerns reverberate and are passed on to city council. Complaints reflect negatively on a city's image. No municipality wants to be known as the auto theft capital of the country, the province or the region. That is not a distinction that municipalities like to have.

[*English*]

Anything we could do to amend the Criminal Code through provincial regulations or through public safety programs and public education programs would be important.

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The IBC has been telling people to lock their cars or not park their cars in certain areas. Initiatives as simple as this start at the municipal level. The FCM has been very adamant about having an anti-auto theft policy for all its member cities, and that is at the base level of each municipality.

Organized crime has become a *Fortune 500* new business category. We need to be more sophisticated in our response to this new burgeoning business.

[*Translation*]

Thus, I think it is important that members of this House and the general public know that, despite the rhetoric heard on the major television networks like CTV and CBC, and from the Conservative Party spokesperson, we cannot do it all within this Parliament. That is impossible.

[*English*]

We are sitting here in 2009. I have been here since 2006. We are finally getting around to saying that auto theft should be a specific crime, that obliteration or removing of VINs should be a crime, and that we should give border agency officials more power to stop the exportation of stolen vehicles.

What is controversial about that? Nothing. Why was it not done before? Well, the delay has a lot to do with the mood, the temper, the temperament and, dare I say it, the prorogation of this Parliament many times. I think a three and a half year delay on something that communities are looking for is inexcusable.

I also want to take a shot at the government in that there have been many suggestions coming up from officials from the Federation of Canadian Municipalities. The government should listen to the FCM. It should have a better relationship with the FCM. If it has a member who gets on an open-line show who openly criticizes mayors and councils, the way the member for Nepean—Carleton has done on numerous occasions, some of them who might be former councillors, former mayors or former members of FCM might take that person aside, take them to the woodshed and say, “Don’t say that, that’s not good for municipal relations”. How can FCM work well with the government when it is being criticized for just standing up for what it believes in?

The important thing about auto theft is it is not a victimless crime. The member for Abbotsford spoke very eloquently about his own experience, which up to this moment I did not know had occurred. It is a violation to the person, having a home entered by a burglar or a car stolen. I remember my uncle, who is deceased now, when he was a provincial court judge. His son’s RV was stolen. He had been 30 years on the bench and was fairly hardened. He was mortified and violated, especially from the fact that his dentures were in that RV. When the RV was recovered, he was somewhat more grateful.

It touches a judge, a member of Parliament, all Canadians. That is the point. We must show compassion. We must move this law along. We must show compassion for people who have had auto theft visited upon them.

It is a \$1.2 billion business. It includes things like, as IBC would say, the collateral losses in health care costs, court, policing, legal and out-of-pocket costs such as deductibles. In some cases the police

authorities will tell us, especially in western Canada, and particularly in Winnipeg, there have been incidents where the stolen vehicle is used to run down someone, to injure someone. So the vehicle itself becomes a weapon.

We know from the Insurance Bureau of Canada that each and every householder, and that includes all of us in here who have motor vehicles, who have insurance, is paying about \$37 more per policyholder because of the incidents of auto theft.

The municipalities have been doing a very good job. They have been talking about public education. It is simple to say that when people leave their car, it should be locked, but how many people here or watching have left keys to the vehicle inside the vehicle because they have a second set? That is certainly a no-no. How many people here, because there was a space available, have parked under a tree or in a dark alley? That is a no-no. Never leave a parking lot claim stub in your car when parking at an airport or other large parking lot. Getting car parts marked is something that they suggest can be done.

If parking in a private garage, make sure the garage is locked when leaving. Make sure the garage at home is not accessible. Prevent having a car towed by thieves. This is the evidence we heard about the gangs in Montreal, of organized crime. Immobilizers, which is a very high-tech response to moving a vehicle that is locked, are lauded in some quarters as being very effective. If the car cannot be moved or the wheels cannot be moved without alarms going off, it might make it very difficult to steal a vehicle. What we hear from the police authorities is that in Montreal, for instance, they have such organized units that they come up like a regular towing company and just take the vehicle away without engaging any of the drive mechanisms and without moving the wheels.

To prevent it from being towed, park with the wheels sharply turned or apply the emergency brake. That may not stop the gangs in Montreal, but it might stop other smaller level gangs that have less sophistication.

● (1130)

I want to close with two things. There was a CBC story from Winnipeg. I feel a great empathy for great officers out there, like Officer Pellerin and Officer Sutherland. They have been tracking auto theft for some time in their careers at the Winnipeg Police Force and on behalf of the Winnipeg Police Association.

There are two elements to these last two points. Sometimes, without naming chiefs, mayors or leaders in any way, there is an under-reporting of some crimes. We can imagine that if we are sitting in Winnipeg, Abbotsford or, in the old days, New York, we would want to underplay statistics to improve our civic image. I will close on this. It would be important to have statistics that are accurate. We want to make sure that there is a reporting of statistics that are accurate.

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However, here is the story from Winnipeg. There was a long-awaited milestone achieved in Winnipeg when, for the first time in decades, there was not a single auto theft during a 24-hour period. I come from Moncton—Riverview—Dieppe. The whole area has about 100,000 people. If a car is stolen, I suspect that it happens maybe once a month.

That is not the smallest place that is represented in this Chamber. I am looking around and I see members from rural parts of Canada. I bet an auto theft in, for instance, the member for Fundy Royal's riding might be a big event. I have seen the parliamentary secretary's second vehicle and I am sure it will never be stolen, but it is a big event and it touches everybody in every community. Imagine it being a big deal in Winnipeg to not have a car theft for 24 hours.

We have to do something. I think this bill will help in that regard. It is also important to help municipalities. Officers Pellerin and Sutherland told me about their very good relationship with their new chief, Keith McCaskill, and Attorney General Chomiak. Things are improving in Winnipeg and Manitoba. However, they need the officers and resources that have been promised again and again by the government. They need support at the municipal level for the Federation of Canadian Municipalities to affect its policies.

As a final note, we have to be clear that fudging numbers at the federal and municipal levels is not occurring. Juristat and other Canadian agencies rely on local agencies to feed them numbers. It is incumbent upon the government, public safety and justice to ensure that the feed into the statistical line of information is correct and that we do not have instances such as drive-by shootings not being recorded as organized crime offences.

We will support the bill. Let us get it out of here. Let us get it to the Senate. Let us make it law and let us help cities.

• (1135)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, September 1, 2007, was the date that all new vehicles sold in Canada had to have factory-installed immobilizers in them. However, when I checked further on this, I realized that it was the Liberal government from 2003 that mandated that action to be taken. That is very significant because it means that after that point, with all new cars having the highest quality immobilizers properly installed, Manitoba has had zero auto thefts with that type of immobilizers installed.

The problem should take care of itself over a 10 year period as the older cars disappear. However, I do not think we should be waiting 10 years to deal with this problem. My question comes down to the whole issue of the Insurance Bureau of Canada. If we can show such dramatic results in Manitoba with the mandatory installation of approved immobilizers in older vehicles, why should we not be putting pressure on the Insurance Bureau of Canada to make its member insurance companies follow the same pattern and accelerate what is clearly not a very encouraging situation?

This situation is going to keep going for a lot longer if we do not follow the private insurance companies and require them to take some action here.

Mr. Brian Murphy: Mr. Speaker, I know that this is a burning issue where the member is from. The Manitoba Public Insurance spokesperson, president Marilyn McLaren, said recently that there

has been a dramatic decrease in auto thefts. She credits the immobilizer program for certain. What we also heard at the committee, in fairness, is that it is more than immobilizers that will be involved in combatting theft. Anti-theft legislation, of course, is required. As I mentioned, in Montreal the evidence was that regardless of immobilizers, sophisticated thief rings can still get cars.

It is important to note that putting immobilizers on the new cars is driven by the industry and is a fait accompli. The implication of that to older cars is not as clear, not as cheap and not as effective probably, as the member thinks.

The point is that this just did not come out of the blue. It is not the IBC installing immobilizers, it is in partnership with the police and with the community.

The thought is very good. I applaud his sentiment.

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I want to commend the member on his comments and also for supporting this bill.

He quite rightly referred to the fact that different regions of our country have different types of automobile thefts. Because Vancouver is Canada's largest port city by a mile, Vancouver, the Lower Mainland and the Fraser Valley have more of an organized crime element involved in car theft. In other parts of the country without port cities there is more of a joyriding flavour; although joyriding is probably a misnomer because that criminal activity does not bring joy to any Canadian and, in fact, it victimizes Canadians.

In the member's riding of Moncton—Riverview—Dieppe, does he find that organized crime is committing a large number of these auto thefts or is it more the occasional car thief, even though it might be a repeat, who might be doing it either for fun or for some other purpose?

• (1140)

Mr. Brian Murphy: Mr. Speaker, the 2007 statistics, which were lower than they are now, per 100,000 population, were roughly 1,900 for Winnipeg, 1,100 for Abbotsford, followed by Edmonton, Regina and Vancouver. It is not until sixth or seventh place that Montreal appears, and then east of Montreal is not there at all. It is different between east and west.

In my capacity as a mayor and as chairman of the Codiac RCMP commission, I dealt closely with police issues for six years. I can tell the member that auto theft was always regarded as a very serious issue, but it was not linked in those days to organized crime. I do not think that it is as prevalent in the smaller communities of eastern Canada, as the evidence would suggest, as it is out west.

We should continue with the very good working relationships we have at the justice committee to determine why there is that difference. We have some preliminary evidence, but we should determine why that is the case and what we can do to better combat the problem.

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Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member's speech was very informative. The list he provided of preventive techniques that Canadians could use would be a good addition to any member's householder.

At the very end of his speech, the member talked about the cost of enforcement and policing. It has been a concern expressed in this place for a very long time. Whether it be about dealing with grow ops, gang violence and now auto theft, all seem to be related to organized crime.

We continue to pass laws which deal with the problem from a standpoint of penalties, et cetera, but they do not seem to have been much of a deterrent. We also have to be on the ground doing the job.

The Government of Canada is passing these laws and imposing that responsibility upon the provincial and municipal regional jurisdictions to apply the laws, but is there any indication from the policing authorities across the country that they have the resources? It is almost self-defeating if there are not the dollars to enforce the laws that are passed in Ottawa.

Mr. Brian Murphy: Mr. Speaker, the evidence is universal that police authorities, in some cases for some legislation, are saying that they would like to have that legislation, that it would be very helpful, but universally, for instance the Canadian Police Association, they are coming forward and saying that they need the resources to do the work that is required of them.

Many police forces are burdened by the paper trail they have to provide in court proceedings. There are simple issues such as codifying disclosure and modernizing electronic surveillance techniques. Various attorneys general and police forces ask that their time involved in certain issues be cut down and that they be given more weapons and greater resources. It is universal.

The chairman of the justice committee said that the justice minister talks to the public safety minister. They are only a couple of seats away. We do not hear enough that there are sufficient resources to back up, with money and men and women, the laws that are coming out of this Parliament. It is a universal story and it is a sad story.

The Conservatives are the government and they had better fund our police forces to enact and provide for these laws to be real.

• (1145)

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I want to thank the member for supporting this important bill.

My question is about how all of us, as Canadians, can make our communities safer by making sure our cars are safe.

The issue of immobilizers came up. It is true there are a lot of vehicles that do not have immobilizers. In Canada, a lot of people will leave the keys in the car while warming it up on a cold and frosty morning. In the Lower Mainland, where I am from, there have been a lot of cases where people have driven off in a car that had been warming up in a driveway. Last winter, a car was being fuelled up and the person went in to pay for the gas and left the keys in the ignition.

How important is it for all of us, as Canadians, to do our part to make sure we do not expose our vehicles to being stolen?

Mr. Brian Murphy: Mr. Speaker, as I said, the IBC has done a lot in terms of public education. Perhaps the Government of Canada should take up some of that and assist the IBC in helping vehicle owners do sensible things.

It is probably the reason when the Conservative government was elected, it asked the chauffeurs of the cabinet ministers' limousines to turn off the ignitions and not allow the vehicles to idle so that they would not be stolen. I will give the government credit for that. Those ministers' limousines are not going to be stolen.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-26, which is supported by the Bloc Québécois. We supported this bill in its previous form, when it was presented in this House as Bill C-53.

We worked very diligently in committee. As our party's justice critic, I attended all the meetings. I was accompanied by my friend and colleague, the hon. member for Abitibi—Témiscamingue, who has at least 30 years of experience as a criminal lawyer. His training was obviously very valuable during our examination.

We do not at all underestimate the gravity of auto theft. We heard a great deal of evidence in committee indicating just how important this issue is. If we sometimes have a tendency to refer to auto theft as a victimless crime, we must correct that tendency. It causes immense inconvenience for those whose cars are stolen, particularly in the regions. It also has a serious impact on the economy, given the associated costs for crime prevention groups, law enforcement agencies and people who rely on the protection provided by insurance.

Some of the best evidence we had in committee was from Richard Dubin of the Insurance Bureau of Canada. I would like to quote him. I believe that it provides a good context for situating the action to be taken by legislators in order to deal with the entire issue of car theft. He said:

Simply put, the days of the joyride have been replaced with sophisticated criminal rings bent on stealing automobiles, because the current penalties associated with this theft are so lenient and the profits are so attractive. These criminals steal vehicles and chop them up to sell parts. They switch the vehicle identification number to change the identity of the stolen vehicle, which is then sold to an unsuspecting consumer. And they export thousands of high-end vehicles through Canadian ports each year to overseas destinations where they can fetch a much higher price than here at home.

In 2007, [not that long ago] almost 150,000 vehicles were stolen in Canada—exactly 146,142, to be precise. That cost auto insurance policyholders approximately \$542 million. In that year, every policyholder in Canada paid an average of about \$35 of their auto insurance premiums to finance costs incurred by the acts of car thieves.

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Car thefts can be broken down into three categories. There are the petty thieves, the young people from the regions, who do it perhaps to impress someone. I said from the regions, but they can also be found in Montreal. I do not want to imply that this does not happen in big cities, but I am sure you know what I mean. These are young people who do not necessarily have a criminal record and decide to go for a joyride, decide to borrow a vehicle without permission to take it for a long, unauthorized drive. This is the first type of car theft. I would call it a joyride, which is not any less reprehensible or damaging to the victims. However, it does happen.

Other car thefts are committed by people who sell car parts. There is a market for them. They can resell the motor and some parts.

● (1150)

There are obviously large organized crime networks that are involved in importing and exporting, and that will export vehicles, especially luxury vehicles, to destinations and countries where they can make more money.

In all three cases, we can see how unique this bill is. Everyone knows that the Bloc Québécois is a responsible, clear-minded party that shows good judgment. When a measure is good, we support it; when a measure is excessive, we speak out against it; and when a measure is very bad, we fight it. I am pleased to tell the government members that we will enthusiastically support Bill C-26 because we know very well how serious the car theft industry is for our communities. When I studied law—a bit more recently than some other members in this House—we learned that the Criminal Code makes a distinction between theft where the value of what is stolen exceeds \$5,000 and theft where that value does not exceed \$5,000. However, until now, there has not been a specific offence related to car theft. Individuals were accused of possession of stolen goods, we made use of offences that were related, but there was no specific charge related to car theft. The government intends to create a specific offence for car theft, and I think that it has the support of law enforcement agencies. It certainly has the support of consumer organizations.

I will come back, obviously, to these offences but it is important to know that it is an extremely distressing state of affairs. In 1977, for example, 84,000 vehicles were reported stolen. In the early 1980s, the figure rose to 96,000. In 2007, it was 146,000. As we can see, in numerical terms, this phenomenon has grown significantly with, once again, the consequences involved in terms of insurance premiums and the resources required on the part of those enforcing the law.

I hope, Mr. Speaker, that you have never had your car stolen. I have not, as I do not have a car, but others may have and deserve our sympathy.

Certain distinctions need to be made if we are to understand this phenomenon. First, the rate of recovery of stolen vehicles varies significantly from one region to another. I have some statistics in this regard. In 2007, four of every ten stolen vehicles were not recovered by the police. What does that mean? We might think that the vehicles not recovered were intended for export and that organized crime was involved. It should also be noted that, in 2007, the lowest rate of vehicle recovery—and I was blown away to discover it—and I would draw the attention of the member for Charlesbourg—Haute-

Saint-Charles to this, was in Montreal, the Saguenay, Sherbrooke and Trois-Rivières. I repeat that, in 2007, it was in Montreal, the region I represent, the Saguenay, Sherbrooke and Trois-Rivières that the fewest vehicles were recovered. People might think that the residents of Trois-Rivières are leading a happy existence, preparing to celebrate their 375th anniversary as if they had not a care in the world, but in fact there are problems with car theft.

And so, with regret, I must inform the House about the city that tops the list for this kind of offence.

● (1155)

I see that my colleague from Trois-Rivières felt I was directing my remarks at her, but the city that tops the list in all categories is the city of Winnipeg. It has one of the highest rates of vehicle recovery in Canada. So, it is in Winnipeg that the most vehicles are stolen, but it is in Winnipeg that the most are recovered. Still, these are troubling data.

What does the bill propose?

I repeat, the Bloc Québécois enthusiastically supports this bill because we are a responsible and reasonable party. I have no recollection of our party not supporting a government whose measures were reasonable.

The bill creates four new offences. First, there will be, as I said, a separate offence for the theft of a motor vehicle, punishable by a maximum sentence of 10 years. Obviously, I repeat, we have no problem with maximum sentences, since their application is left to the discretion of the judge.

Also, in the case of a third offence, there will be a minimum sentence of six months below which the judge cannot go. The type of proceedings will be at the discretion of the plaintiff.

We support the creation of a second offence in Bill C-26 in connection with the alteration of a motor vehicle identification number. In the course of our work, I learned that every vehicle has an alphanumeric number that is located in a different place depending on the vehicle model. It is not always in the same place. This set of 12 alphanumeric characters can be obliterated or changed to facilitate the resale of the vehicle, and that would constitute a specific offence. I believe that is a good thing. It is covered by clause 3 of the bill.

In addition to creating an offence for obliterating the vehicle identification number, as well as an offence for auto theft with a maximum sentence ranging from 6 months to 10 years, the bill establishes a third offence for trafficking in property obtained by crime and for possession of property obtained by crime for the purpose of trafficking. I spoke earlier about the import and export of autos dismantled for parts. Under clause 5 of the bill, this will be an offence carrying a maximum sentence of 14 years.

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The fourth new offence is very important for those working at the Canada Border Services Agency, who will henceforth be able to prevent property obtained by crime from being taken across the border. I was very surprised to learn that, under the terms of the law, customs officers did not have the means to intercept stolen vehicles. This bill will correct that situation.

This is a bill that attacks a real problem. I will say it again: almost 150,000 vehicles are stolen every year. It is a reality in major centres, but not just in major centres. Earlier I gave examples of towns dealing with this problem.

I would like to speak about another issue. We were informed in committee that auto theft is a significant problem in Canada and is an offence that is committed in particular by young people between the ages of 15 and 18.

● (1200)

We were told, for example, that they were responsible in 2007 for three solved auto thefts in ten. The people found guilty, therefore, in three solved cases in ten in 2007 were 15 to 18 year old youths. This takes us much more in the direction of young people out looking for a thrill. With their desire to run with the crowd and impress their peers, they get together in a gang, take a car and go for a joyride. These youths are not necessarily big time criminals, but it is still very disagreeable, as the communities where this kind of thing tends to happen have pointed out to us.

I talked about the statistics and will not go back over them. However, I still want to mention the geographic realities of auto theft. For the 15th year in a row, the city of Winnipeg had the highest rate, followed by Abbotsford. The latter is a lovely town and I hope our committee gets a chance to go back there, but there is this nagging concern and the hon. member involved should delve into this a little more deeply. In third place is the city of Edmonton, followed by Regina. Then there is Kingston, which is actually a university town represented in the House by the Speaker, who guides our proceedings. Kingston is the city with the fifth highest auto theft rate. We should not think the Maritimes are spared. Saint John, New Brunswick, is in sixth place. The six communities that are most affected are therefore Winnipeg, Abbotsford, Edmonton, Regina, Kingston and Saint John.

People who want to know more about this should see the letter I had the pleasure of seeing published this morning in *Le Devoir*, the newspaper of Henri Bourassa himself, which explains why the Hells Angels should be outlawed. People should not hesitate to send me an email or correspond with me because this is very important. I hope to have a quick five minutes at the end of my remarks to return to this.

According to a study done by the RCMP in 1988, big criminal gangs are involved in all aspects of auto theft. That includes ordering specific vehicles, recruiting young people, taking vehicles apart, changing the vehicle identification number—which is now a specific offence—and transporting stolen vehicles outside Canada. That pretty well covers what organized crime is responsible for.

In conclusion, the Bloc Québécois supports Bill C-26. We worked hard on it in committee. We know this is a significant problem. One hundred and fifty thousand vehicles are stolen in Canada, and certain communities are particularly hard hit.

I hope this bill will be passed as quickly as possible so that it can be sent to the other place and given speedy royal assent.

● (1205)

[*English*]

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I thank the member for supporting the bill. One thing he did not spend a lot of time talking about was the mandatory minimum sentence for serial auto thieves. In committee the member's party supported a motion that would have removed mandatory minimum sentences for those who were convicted for a third or subsequent offence.

I would like to paint a small picture for him. A young, single parent of two children has an older model car, takes her children to school and back. She also uses the car to take her children to other community events such as music lessons and athletic events. She goes shopping, comes back and her car has been stolen. She is devastated. She cannot afford this. She is told by the police that this is not a first offence, or a second offence, but it is thirtieth conviction for the person who stole her car. In fact, the offender has admitted to having stolen hundreds and hundreds of cars.

How does the member justify to this mom that the individual will not receive a six month minimum sentence for the many crimes he has committed?

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I would like to thank our colleague from Abbotsford for his comments. I would also like to thank him for being so fair-minded as the committee chair.

The example he gave is not very convincing. If an individual known to law enforcement organizations is charged with stealing 30 cars, I sure hope that individual will not get away with just six months in jail. That person's sentence should be measured in years, not months. Any crown prosecutor who fails to appeal a six-month sentence is not doing a good job.

The Bloc Québécois is a rational party. We are against minimum sentences. The example provided by the member for Abbotsford does not prove that minimum sentences are a good idea. If sentences are not tough enough, it is the Crown's responsibility to appeal them.

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[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am interested in the member's comments on a couple of ideas that have been tried in certain areas of the country. One is the bait car program in British Columbia, which I gather has been used for a couple of years. Manitoba looked at it and for whatever reason decided not to proceed with that type of idea right now. My guess is it is a fairly expensive proposition to set up a vehicle to entice people to try to steal it, then box them in and capture them.

The other idea, which Manitoba actually uses, is one that has been used in Nova Scotia for a number years. It is the GPS tracking device system. We had 20 of our most prolific car thieves outfitted with these devices for a period of a year. I believe the program worked reasonably well because I think Manitoba will extend it.

I know the member was on the committee that dealt with the issue. Does he have any comments or observations about either one of these programs. I believe the tracking system evidently is somewhat effective and the bait car program obviously is effective enough in British Columbia that police keep using it. However, I do not see either idea catching on fire and expanding across the country as quickly as they probably should have because they are great ideas.

• (1210)

[Translation]

Mr. Réal Ménard: Mr. Speaker, the committee heard those examples, and also about the 2007 requirement for electronic vehicle immobilizers in some vehicles.

In addition to police investigations and the energy that goes into finding cars, if we can intervene before thefts occur by installing immobilizers or using GPS tracking techniques and bait cars, which the member just referred to, I think we should consider that. We can only urge Quebec and the rest of Canada to avail themselves of these options.

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened very carefully to my colleague from Hochelaga. I know that he may well soon take up a position in a major city. We all hope so, not because we want him to leave, but because I know he will be able to play a very important role in that major municipality.

I have a question for him. He mentioned a number of statistics. I would have liked it if he had been able to say—without going into great detail—whether, in the next few years, this bill will reduce vehicle thefts or whether vehicle theft is really increasing dramatically. Has there been a huge rise in vehicle thefts in recent years, or could vehicle theft be controlled somewhat with the help of Bill C-26?

Mr. Réal Ménard: Mr. Speaker, I thank my colleague for his remarks, which are always relevant. I would also suggest that he not be too quick to predict the future.

The statistics that were presented to us in committee indicate that vehicle theft rose from 1977 to 2005. In 2004, 2005 and 2006, vehicle theft declined, but there are still around 150,000 vehicles stolen per year, which is quite a few.

The merit of the bill is that it creates a new offence specific to auto theft. We can never count on the law alone to deter people. Many other variables come into play. But I believe that Parliament is

sending a clear message that we recognize that there is a specific reality within the more generic reality of auto theft. There needs to be emphasis on this aspect of vehicle theft. It is extremely disturbing for communities where people depend on this mode of transportation. In that respect, the bill is a wonderful initiative.

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I would like to congratulate my colleague on his excellent speech. He referred to an article in *Le Devoir* that talks about the impact of biker gangs on auto theft and other crimes committed in Montreal and throughout Quebec. I would like to hear him talk a little more about that.

Mr. Réal Ménard: Mr. Speaker, I thank my hon. colleague for his very relevant question.

The article, written in a brief, precise style, appeared in this morning's paper and was, I think, expected by analysts. It explains why the Hells Angels and other similar groups must be criminalized. In committee, I had the opportunity to move a motion that was well received by my colleagues. We heard from a number of witnesses. One situation that must be corrected is this: even though a court of law in Manitoba declares that the Hells Angels meet the definition of a criminal organization under section 467.1 of the Criminal Code, the various prosecutors in Canada and Quebec must again demonstrate that the Hells Angels are a criminal organization during every trial involving charges of gangsterism. Of course, this requires a great deal of the Crown's resources and wastes a lot of time. That is why we would like to see a list of criminal organizations put together in a manner that I will explain in future debates. I thank my hon. colleague for his question.

• (1215)

[English]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I rise today to speak to Bill C-26, which addresses the issue of auto theft.

As has been said throughout debate on the bill, not only in this Parliament but in the previous one, there is strong support from the NDP. I want to start off by being critical of the government. The bill should have been passed into law at least a year or year and a half ago if it had not used a number of tactics to slow down the work of the justice committee, preventing bills like this one from moving ahead.

I want to provide a caution and I will do that in a bit more detail as I get into my speech. This is not the be all and the end all. When I was preparing some notes for my speech this morning, it made me think of one of the lawyers I articulated for and one of my law professors, who became a judge while I was still in law school.

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Both of them gave me what I thought was some very good advice. As a lawyer, a judge or a legislator, one cannot always look to solutions in the law as a strictly legislative approach. There are a good number of times when the better approach is a practical one. That is very true with regard to this bill. It fills some cracks that exist in the Criminal Code and for that reason the NDP is pleased to support it. However, in terms of dealing with the issue of auto theft, practical, street-level solutions are going to be much more effective in dramatically reducing the numbers.

I will put this into context. During the course of the committee's work in analyzing the bill, we heard a good deal of evidence from representatives of Statistics Canada, specifically *Juristat*, on what the current situation was in Canada with regard to auto theft and what it had been over the last several decades.

It is interesting that with so much other crime in our country, auto thefts are in fact in decline. That is not in any way to minimize the problem with which we are faced. As we have heard from some of the other speakers, we are still averaging almost 150,000 thefts per year across the whole of the country. It varies quite significantly from province to province and even from city to city within provinces.

Overall, if we look at the statistics, on a per 100,000 population, we averaged about 375 thefts 30 years ago, in 1977. That peaked at slightly over 600 thefts per 100,000 in the 1996-97 period of time. It has declined since then, with several peaks during that period of time. In 2007, which is the last year we have statistics for, it is down to about 450 per 100,000 population in the country, again with very wide variations across the country.

I would note that because of the work done in the installation of immobilizers, when we see the statistics for 2008, which we will receive some time in July, I expect that number to be down even more dramatically to close to about 400. This is the information being received particularly from Manitoba and more generally across the country. We were at 375 per 100,000 in 1977 and we will be fairly close to that by the end of 2008. I am expecting an ongoing decline, so it will be almost a straight line from 2009 back to 1977, when we began gathering these figures.

Having put that in context, it is important to emphasize what has happened historically over that period of time.

● (1220)

Traditionally, we have looked at auto theft from three vantage points in terms of how they are perpetrated.

I think back to when I was first starting to practise law in the early 1970s. Clearly, joyriding, as we called it then and now, constituted by far the larger percentage of auto thefts. That is no longer the case. It still happens, and in fact, in provinces such as Manitoba that have a disproportionate number of thefts, it is quite clear from the statistics and the nature of the theft that the joyriding percentage is still quite high there. In the rest of the country, it has come down dramatically.

We have that theft, and obviously with the joyriding, it is almost always a young person, oftentimes young people who cannot even drive legally, who will steal a vehicle for a very short period of time and then abandon it. That vehicle is generally recovered.

The second type of theft has become a fairly recent phenomenon. We cannot even put percentages on it, but we know it is happening at a more significant rate than it was as recently as even five years ago, and certainly 10 years ago. This is a theft that is perpetrated by an individual who steals the vehicle for the purposes of committing another crime. We have what would be expected as the usual types of thefts, sometimes for armed robbery, sometimes for kidnapping, and more often for break and enter and they are using the vehicle to transport the stolen goods. In the vast majority of those thefts, the vehicle is then subsequently abandoned, if the person is not apprehended.

The third one, of which we have seen a significant increase in percentage, is theft for profit. It is organized crime stealing large numbers of vehicles at the high end. These would be more valuable vehicles, specifically targeted for this purpose.

Interestingly enough, it has a couple of interesting phenomena. One, organized crime is generally engaging or hiring young people to steal the vehicles, the directing mind never going near them, having set up a chain where it is usually stolen by a street gang member, delivered to the organized crime centre where the vehicle is altered in some way, sometimes completely taken apart for parts, but most often altered in some way, sometimes painted, and then shipped out of the country, oftentimes to Africa and Asia, those two markets. They are going into countries where there is much more limited enforcement of laws and they are sold there, oftentimes at greater value than they could be sold at as used vehicles in Canada. One of the parts of this bill specifically addresses that issue, but I will come back to that.

So we have this phenomenon that is growing, we believe, from the numbers we are seeing, that is using young people just starting out in their criminal careers, being hired to steal vehicles, and those vehicles are being put into a network and ultimately exported from the country.

One of the ways we know this is happening is in looking at statistics for thefts and how often the vehicle is recovered. We know, and we have learned this from police and prosecutors, that once they determine the facts of the theft they are able to say that this was the stereotypical joyriding, and in the large percentage of cases, as I said earlier, those vehicles are abandoned and then recovered, oftentimes intact, sometimes with some damage as the result of an accident.

On the other hand, if it is part of organized crime, if it is a theft for profit, the percentage of successful recoveries is extremely low, because those vehicles, in a large number of cases, are exported from the country or they go through a chop shop and the parts are sold off, so the vehicle is never recovered intact.

● (1225)

It is interesting to look at the proof of this by comparing the figures for Manitoba, specifically Winnipeg, and for Montreal.

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From the testimony we heard from witnesses and the statistics we are seeing, it is our belief that organized crime syndicates in Quebec, and specifically in the Montreal area, are very active in this network of auto theft, whereas in Manitoba, the vast majority of thefts are more of the joyriding kind. The recovery rate of stolen vehicles in Manitoba is over 80%; in Montreal, it is right around 30%. We can do that comparison with other cities and provinces, but this statistic is the one that is the most telling.

My next point goes back to the comment I made about my law professor and senior when I was articling, about practical solutions.

On a percentage basis, auto thefts are dropping in the country. We cannot attribute that to this legislation since it is not yet in effect. It should have been, but that is the government's problem. The reason that auto theft is decreasing is really because of two things that have happened.

By September 1, 2007, all new vehicles in Canada had to have immobilizers. These immobilizers have had the effect of stopping thefts of the joyriding kind by almost 100%. The individual who steals a car for joyriding purposes does not have the sophistication, the competency, or the criminal network to steal a vehicle.

For almost two years we have seen a decline in the number of thefts of the joyriding kind and thefts for the purpose of committing another crime, the reason being that the individual could not get the vehicle to start. It was just not possible.

However, organized crime looked at that and decided to change its method of operation. We know from apprehensions in the Montreal area in particular that organized crime will acquire a towing vehicle, either by stealing it or leasing it, or whatever, and steal 10 or 20 cars in one evening by towing them away. Those cars then go into the network and are sold off internationally.

The rate of auto theft in Manitoba is three times the average for the country. Abbotsford, B.C., the other city that is close statistically, has a little better than twice the average of the rest of the country.

The Government of Manitoba, through its public auto insurance, required everyone to have an immobilizer on their vehicle in order to get insurance. It had tried doing that on a somewhat voluntary basis for about a year but had very little uptake. When it was mandated, thefts in Winnipeg specifically, but Manitoba generally, dropped dramatically. We have not seen the final figures because the full year would have been 2008, but we know that in 2007 the figure declined.

My colleague from Winnipeg, who used to be a provincial member of Parliament, stood up in the House about a month or so ago and proudly announced that, for the first time, the city of Winnipeg went a whole 24 hours without an auto theft.

Immobilizers have had a dramatic impact in driving the numbers down. Because the numbers came down so dramatically in Manitoba, the numbers have been brought down for the rest of the country.

• (1230)

That was a practical solution, and I have been quite critical of the private insurance industry in this country for not following suit,

because it is obviously working. They have been before the committee a number of times on this bill and others, in the form of the Insurance Bureau of Canada. They set out their statistics, which I am sure are quite accurate, about the losses they are taking and what it is costing the rest of the community in terms of health care costs, our police officers' time, and our prosecutors and our judges.

I ask them why they do not get their members to follow the example of the Government of Manitoba. It is working there clearly. We are driving the rates down, we think, by as much as 40% or 50%. I do not get a satisfactory answer from them. They are quite prepared to slough this off to others, including this level of government, but the problem of auto theft is something that the private insurance industry could solve to a significant degree. If they did that, if every car in this country were required at this time to have an immobilizer in order to be insured, we would see the auto theft rate drop in this country by as much as 50%. They will not do that.

With regard to the bill itself, it has four specific provisions, all of which we support.

It first would create a specific offence of auto theft. At this point, in the code, the theft of an auto is treated like the theft of household furniture or other property. We are creating a separate offence, and there are good reasons for doing that in the case of some legal decisions we have had over what is the theft of a vehicle. It is important that we do that.

The second section is even more important. It would create a specific offence for tampering with the VIN, the identification number that all vehicles have. As I said earlier, this is an area where we are going right at organized crime, because in the vast majority of cases, they are the ones who are taking vehicles apart or altering the VIN before they export them to Asia or Africa. That section would make it a specific offence.

The next point is that it would create additional authority where, in terms of dealing with the export issue, we would authorizing the CBSA to specifically intervene when they find stolen parts and stolen vehicles that are being shipped out of the country. Historically, they have had to call the local police force to intervene, because they did not have a specific jurisdiction. We would now give that to them.

I have to say to the government again that I do not believe it has addressed in any adequate way the additional resources that are going to be need. We heard from the committee chair, in one of my questions earlier today, that there are going to be efficiencies here. I think the Conservatives are deluding themselves in believing that.

I live on the busiest border crossing in this country and have regular contact with CBSA officials. They have no belief that there can be those kinds of efficiencies when they are taking on this additional responsibility. I think we are going to see that this part of the legislation will not be very useful, because our officers at the border will not have the resources to actually deal with it.

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The final point on this bill is that it raised some concern with a delegation that came before us that we would allow a defence of lawful excuse. This would be where a vehicle has been in an accident and the damage to the vehicle is where the VIN is situated. A regular repair shop would have to deal with that part of the vehicle and would not be guilty of an offence for tampering with that.

It went a bit further, and we have some concerns about that. It is an issue that we will have to address. I just want to say to that delegation that we heard them and we will be monitoring this on an ongoing basis.

We are going to support this bill. I hope the government will find a way to provide those additional resources to the Canada Border Services Agency and get this through as quickly as possible, having delayed it for over two years now.

• (1235)

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I consider the member for Windsor—Tecumseh one of the more reasonable members of the NDP caucus and he is a valuable member of the justice committee. However, I am somewhat troubled by one of the positions taken by the NDP at committee. The NDP members are supportive of the bill in general, but one of the things they tried to do at committee was to remove the mandatory minimum sentence of six months in prison for those who are convicted of a third or subsequent offence of auto theft.

Abbotsford has been plagued with auto theft. If he were to speak to the residents of my riding, he would hear a strong support for a mandatory minimum sentence for serial car thieves. In many cases, these car thieves steal not 10, 20 or 30 times, but hundreds of cars every year. Yet, there is no guarantee that they will receive a prison term or at least a prison term that is going to get them off the streets for a period of time to reconsider their life of crime.

Why is it that the member for Windsor—Tecumseh and his party are so ideological in their opposition to mandatory minimum sentences when a large majority of Canadians support it, especially in circumstances where we are dealing with serial car thieves?

Mr. Joe Comartin: Mr. Speaker, I have two answers to that. First, anybody who has practised law for any length of time and knows what goes on in our criminal courts would think that it is a joke that one is only going to get six months in jail after a third theft. That is what the bill does. It has another condition to it. It is also required to have the prosecutor move by way of indictment. Otherwise, the mandatory minimum does not apply. On the third offence, an application must be made by way of indictment.

Again, this is so typical of the ideology that drives the Conservative Party. It puts out a big dramatic statement that we are going to solve all the car theft problems by imposing a mandatory minimum of six months and it expects the Canadian public to believe that. I do not believe that and I do not think the Canadian public is going to buy it.

The second reason why we are systematically opposed to mandatory minimums is because we trust our judges. I can point to any number of cases that I have seen over the years where judges blew it. They made a mistake. They are human. However, in my belief, they are still the best judges in the world. I have a great deal

of faith in their ability to look at the individual case and decide to give someone two and a half years instead of six months.

In the vast majority of cases, that is the kind of penalty the repeat offenders are going to be looking at, certainly with anything involving organized crime. They are going down for hard time and probably going to federal pens. The problem with putting a six-month mandatory minimum into it is that that then becomes the target. That is the one that the judges start adhering to. It is a useless piece of the bill.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened carefully to the member for Windsor—Tecumseh.

When I looked at the statistics, I was shocked to see that in Ontario—I think Windsor is still in Ontario, and that concerns my colleague—there were 50,065 car thefts in 1999.

We do not yet have the statistics for 2007, but in 2006, there were 38,398, so let us say 39,000, car thefts in Ontario. That is almost 11,000 fewer cars stolen in Ontario.

Does my colleague know why there was this decrease? Is there some kind of phenomenon in Ontario? We were not yet in a recession.

Were there any measures that could be used in other regions in Canada that led to this significant decline in the number of car thefts?

• (1240)

Mr. Joe Comartin: Mr. Speaker, I have no explanation for what happened.

According to one statistic, between 1997 and 2007, car thefts decreased by 45.5% in Ontario.

At the same time, big cities, like Toronto and Windsor, started cracking down on street gangs. That is a considerable percentage, and I see no other explanation for the decrease in car thefts. Nothing else was done. There were no immobilizers installed or anything like that. I do not know why there was this decrease.

I hope that it is the direct result of the actions taken by our police.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, as car thefts rose in the last 20 years, we had the car industry basically resisting putting in factory-installed immobilizers. I recall consumer groups, a number of years ago, trying to put pressure on the car companies. It had been determined at the time that the car manufacturers could factory-install an immobilizer for about \$30. However, they were more interested in putting more cup holders in the cars than they were dealing with this very serious issue.

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It was not until about 1997 that Ford Motor Company, and I know because I bought one of its products at the time, had a factory-installed immobilizer in its products. Interesting enough, from 1997 on, there was not a single Ford product with the immobilizer in it stolen in Manitoba. However, Ford installed the type that is approved at the highest level. Meanwhile, other companies, I believe GM and Chrysler, installed immobilizers that were not as good in their cars. The result now of course is that Manitoba does not recognize those, and that causes a lot of internal conflicts. There is a lot of blame here to be shared. There is no one cause of this. It is up to us, now, to get together and solve this problem.

Mr. Joe Comartin: Mr. Speaker, my colleague from Manitoba is very accurate in the assessment of what happened over that decade period of time. The auto industry was, in so many other ways, reluctant to come into the latter part of the 20th century and the first part of the 21st century, and we have seen it in all sorts of ways.

Equally, as I said earlier in my speech, critical of the insurance industry in this country. If it had come onside earlier, we could have reduced these numbers quite dramatically, greater than we have been able to up to this point.

I want to make one more point in this regard. We are going through this again right now with the auto industry and the insurance industry. There is technology that is fairly close to being usable on all vehicles that would prevent the vehicle from starting if the person was intoxicated as a result of alcohol. We are very close to having that. We are close to being able to do it economically.

But, again, there is great resistance from the auto companies, less so in Europe than here, but there is still great resistance. When we look at the tragedies that occur on a daily basis as a result of impaired driving due to alcohol, it is one of those areas where additional research should be done and that technology developed and carried on. If we have not learned from this experience, maybe we will when we see what the consequences are when we finally get those types of immobilizers on vehicles to prevent drunk driving in this country.

• (1245)

Mr. Ed Fast: Mr. Speaker, it is unfortunate that the member is not willing to support our government in providing some additional direction to the judges when they are imposing sentences on serial car thieves. However, I did notice he spent a lot of time talking about immobilizers. He decried the fact that the insurance business does not want to accommodate that.

In B.C., we have the bait car program, and the latest results show a 30% reduction in car thefts. I wonder why the province of Manitoba has not implemented a bait car program.

Mr. Joe Comartin: Mr. Speaker, it is simply not as effective.

I have a sister in British Columbia, as well, who also had her car stolen. I remember her talking to me about the bait program because that was the first time I heard about it. It has been used there. It is expensive to staff those vehicles with all the police resources that have to be put into place.

The use of the immobilizer is, in effect, mandatorily imposed through the auto insurance scheme. The Government of British

Columbia could be doing the same because it has public auto insurance there as well. It would have a much more effective result.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I would like my colleague from Abbotsford to ask me that same question relating to minimum prison sentences during the period reserved for questions and comments. I will have what I think is a wholly appropriate response under the circumstances.

For those who are listening to us, these are pretty impressive figures. I have the statistics for 1999, but I do not want to dazzle our audience with a whole lot of numbers. I would just like to demonstrate why the government must attack this scourge and why the Bloc Québécois will be supporting Bill C-26. As a criminal lawyer for a number of years, I have, as my colleague from Hochelaga said, experienced this with a number of my clients, and I will come back to that.

In 1999, 161,388 vehicles were stolen in Canada. Nearly 10 years later, in 2006, the figure was 159,944. Let us round that up to 160,000. So there has been just a slight drop. Only 1,000 fewer car thefts in close to 10 years, so we have a major problem.

Let us look at the situation in Quebec. In 1999, 43,068 vehicles were stolen, and in 2006, 38,821. So yes, there has been a drop, but we still have a problem.

I have some good news for our audience. In 2006, the car the most often stolen in Canada was—and if someone has one of these, they would be wise to keep a close eye on it—the two-door 1999 Honda Civic. It is followed by the two-door 2000 Honda Civic. Third, the four-door all-wheel drive Subaru Impreza. Fourth, the two-door 1999 Acura Integra. In fifth place is the 1994 Dodge Grand Caravan/Voyager, and in seventh the 1994 Dodge Plymouth Caravan Voyager. In eighth place we have the two-door 1998 Acura Integra. Ninth place is held by the two-door 2000 Audi TT Quattro Coupé 2000, and tenth by the two-door 1994 Dodge Shadow Plymouth Sundance hatchback. Why did I list all those? Because there really is a problem, most definitely a problem with auto theft.

When I look at the bill we have before us, which the Bloc will be supporting as I said, we see that there are three types of car theft. A theft is always a theft, I agree on that, but there are three different categories.

Let us talk about the theft of an idling vehicle by a young person aged 15, 16, 17 or 18. How many times do cars get stolen when the owner has just run into the convenience store for two minutes to get a newspaper? They leave the keys in the ignition, the motor is running, and the young person happens by. He has decided he wants to go downtown, so he takes off with the car, and when he gets downtown he abandons it in a public place and just goes on about his business. That is what is known as a joyride. Kids who just take cars to drive around in. They have no intention of doing any harm to them, or anything else. They just want to take a spin for a little while. That is the first kind of theft, and it is unacceptable.

Government Orders

●(1250)

I live in a region that is 600 km from Montreal, and some 500 km from Ottawa, and cars are a necessity in regions like mine. There is little if any public transit in small places such as ours. In the riding of Abitibi-Témiscamingue, the only place with municipal service is Rouyn-Noranda. There is none anywhere else.

When someone is deprived of the use of his car, it is a problem. No offence to my hon. colleague from Hochelaga, with his metro and other public transit, but we have nothing like that. So it is very unpleasant to lose your car, I would go so far as to say unacceptable. Very often, the young people who take a car just for a joyride do not even realize they are depriving someone of his means of transportation. They need an appropriate sanction. I will return to this later if my hon. colleague from Abbotsford will ask me the question. The problem with these young people will not be solved with jail time. There may be an underlying problem but generally, if they are taken to youth court under the young offender legislation and given community service—like painting or washing vehicles in garages or at the municipal vehicle pound—the problem solves itself.

There are two other types of theft that this bill provides a strong response to. That is why, I would repeat, we will be supporting it. I am referring to motor vehicles being stolen for parts. This is what happens. Generally, an individual sees a vehicle and knows a place where someone can strip the vehicle for parts. We were told, in our practice, that quite often this is done to fill an order. A young person is told that they need a 1978 or 1980 Volkswagen windshield, or a particular kind of radiator. Very often, the individuals receive an order and go out and steal a vehicle, which they bring back to a specific place. The vehicle is stripped and only the parts are kept. I will come back to this during in-depth consideration of the bill, but quite often, the vehicle is stripped for parts. It is broken down into pieces. I have seen Audi TT transmissions completely stripped. Vehicles are stolen for a spoiler. There was a time when vehicles were stolen for the windshield, because it had wires that could be used to receive radio signals. Completely unacceptable things have happened. It has become totally unacceptable.

I am not going by order of seriousness, but I think this point is the most serious. Generally, someone who steals vehicles for parts is not necessarily part of a ring. The person does it for the parts. They steal two or three. Yes, they may be part of a ring. With no disrespect to my hon. colleague from Hochelaga, this really happens more in big cities like Montreal, Toronto, Calgary or St. John's, where we see vehicle thefts with definite organization and where organized crime has already started to be in evidence in places where vehicles are stripped. In regions like mine, Abitibi-Témiscamingue, or even Saguenay—Lac Saint-Jean, criminals tend to do it more to fill orders.

There is a third kind of offence. This one was less visible in recent years, but it is being seen more and more and it is very important. Earlier, my colleague mentioned the number of vehicles that had been stolen in recent years, and in particular the number of those vehicles that had not been found. That is extremely dangerous. An order is sent out. Someone says: "I want a Porsche 911. I want a 2006 Volkswagen Jetta. I want an Audi TT. I want an Acura." And so on.

●(1255)

Why? Because organized crime has in fact set up a system where vehicles are taken for export. What do they do? Obviously, it takes an entire organization. There has to be good planning to know how they can be exported. Generally, organized crime controls the supply chain from the outset, from when the order is placed to the final step. I will give an example, something that has happened several times. Someone wants a Porsche 911 or a Porsche Carrera. Why? Because the Porsche Carrera will end up somewhere in Russia, or somewhere in Afghanistan—maybe not—in other countries, but in very specific places. To organize that kind of theft, that kind of crime, you need a well oiled, well run organization. That is where Bill C-26 is going to be useful.

I want to get into the details of the bill. It contains a particularly important provision. This bill would amend section 353. It would create a hitherto non-existent offence. My colleague from Hochelaga is very young and, sadly for us, has not yet been called to the bar. Unfortunately, he only recently found his calling in the law. However, those of us who are older remember a time when the stolen parts market was booming. What happened was that a guy would steal a car, go to a chop shop and have it broken down into parts. The charge was having voluntarily, directly or indirectly, encouraged an individual to commit an offence, or having directly or indirectly possessed an object known to have been stolen. What did people do? They went to the chop shop, had the car broken down into parts, and then sold the parts.

Now there is a new section that reads as follows:

Every person commits an offence who, without lawful excuse, wholly or partially alters, removes or obliterates a vehicle identification number on a motor vehicle.

I said that I would say it at least ten times during my speech, so I will once again refer to the member for Hochelaga. He does not own a car—and I respect that—so he does not know this, but next time he takes the metro in Montreal, which he often does, or travels on VIA Rail, as he does every week, he should take a look and he will see that every car has an identification number. Generally it can be found inside the car—I would hope—just below the windshield. It is a very long number that usually includes several letters.

Mr. Réal Ménard: Twelve letters.

Government Orders

Mr. Marc Lemay: My colleague from Hochelaga, who quite obviously is an expert, knows that it has 12 letters and several numbers. So what happens? Every car has an identification number. What were people doing? People were stealing cars and chopping them up for parts, thereby removing that number. With the number removed, they can no longer be tracked down. Their parts can no longer be traced. Certain companies have made some changes. I know it exists, and I am an advocate of this. German car makers have already made some advances on this. Manufacturers have even begun putting electronic chips in many major car parts like the engine, transmission, carburetor, and wheels, which are often referred to as “mags”. Generally speaking, a Porsche's wheels are called “mags”. Each wheel is worth a fortune. When cars are stripped down for their parts, it is for the money.

This is all set out in section 353, which will be amended and become section 353.1. But there will be one exception. It was not very clear. My colleague from Hochelaga and I asked some questions in committee concerning this small ambiguity. The department's representatives answered our questions. There will be one exception, and one exception alone. It reads as follows:

●(1300)

Despite subsection (1), it is not an offence to wholly or partially alter, remove or obliterate a vehicle identification number on a motor vehicle during regular maintenance or any repair or other work done on the vehicle for a legitimate purpose, including a modification of the vehicle.

An example would be if a vehicle is in an accident and, for whatever reason, the front—where the VIN is found—must be replaced. If the windshield is replaced and the VIN is removed accidentally, of course charges will not be brought against the individual who did the repair for a legitimate purpose. That will be the only exception.

I have a hard time accepting one thing, however, and that is the minimum jail sentence set out in the bill. We will vote in favour of the bill, since it has at least been watered down a little. Subsection 333.1(1) indicates:

Everyone who commits theft is, if the property stolen is a motor vehicle, guilty of an offence and liable:

(a) on proceedings by way of indictment, to imprisonment for a term of not more than 10 years, and to a minimum punishment of imprisonment for a term of six months in the case of a third or subsequent offence;

That was put in the bill. Our government colleagues mentioned, though, that they had included this measure in case someone who had committed his 18th theft was prosecuted by indictment and was to be sentenced. There is a problem. If someone commits 18 thefts across Canada without being caught very often, I guarantee that he will receive a minimum sentence of around a year. The judge will say that that is enough.

The government should not interfere in judges' work. Judges' discretionary power is extremely important. In this case, the government wants to impose a minimum sentence of six months in prison after a third offence, even though the person will probably be prosecuted by indictment. I do not dare say that there is something Machiavellian about that, but there, I said it. There is something biased about it. My colleague from Hochelaga, who is a very good prompter, gave me the right word. This is part of a trend. The government does not trust judges. I have a problem with that.

I want to say, as I have said before and I will say many times again, as long as the Conservatives are in power and keep on introducing bills with mandatory minimum sentences, that the problem is not when offenders go into prison, but when they come out. I will give an example.

If someone who has committed his 12th auto theft is sentenced to one year in prison but is released after two months, there is a problem. The problem does not lie with the judge's sentence, but with the offender's early release from prison. Offenders are not serving their full sentences.

This is a worthwhile bill, and we will support it, because we believe it is important to send a clear message. Possession of stolen vehicles is a scourge. We need to give customs officers the means to check certain things. It is surprising that someone can send a container with three Porsche 911s in it to an address in Russia or elsewhere without being questioned. We need to look at this. This is what this bill is about, and we will be pleased to support it.

●(1305)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I would like to thank my Bloc Québécois colleague for speaking so passionately about this bill.

The Bloc Québécois member mentioned a few times that he would like the member for Abbotsford to ask him a question. I do not believe that the member for Abbotsford will ask him a question. Therefore, I would like to ask him to talk about the minimum six-month sentence proposed by the Conservative bill.

Mr. Marc Lemay: Mr. Speaker, I thank my colleague for Nickel Belt for his question.

I will reply that it is somewhat heretical and a disturbing trend that the government has always wanted to include minimum sentences in its bills. Over the next few days, and when the House resumes in September, we will see it in a number of files. Those who believe that there will be an election should not bet on it. You might lose the bet.

Having said that, mandatory minimum sentences do not solve anything and do not lower the crime rate. I have proof. I can hardly wait and see, 18 months from now, if any minimum sentences have been served because we will ask to see the results after this bill is adopted.

We must not forget one thing. Even if we impose a mandatory sentence of one year, the individual will be released in any event. Even with a mandatory minimum of one year, the individual is eligible for parole. An auto thief who has never done anything else is incarcerated with a minimum sentence of six months or one year. What will happen? He is not really a thug. He has a criminal record for theft, but he just has to be monitored for a short while. He will be released. That is what will happen. After one or two months, he is released. The problem is not when they go to jail but when they get out, because they do not serve their full sentence. This is what needs to be understood.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, the member for Abitibi—Témiscamingue provides a nice mix of populism and legal knowledge. This adds to his charm, and he never fails to find this balance. I thank him for his speech.

Government Orders

I think that he made his views clear on mandatory minimum penalties. It is a view shared by the caucus. He is a wonderful spokesperson for our position. The member is a very well-known criminal lawyer. He earned a living doing that, and did very well for himself, but I would like him to talk a little more about the links between organized crime and car rings. Was there information on this today in a Montreal daily?

Mr. Marc Lemay: Mr. Speaker, I want to set something straight right off the bat. I need thirty seconds to speak to the member for Hochelaga about the examples I was referring to. I do not have a Porsche 911, Porsche Carrera or Acura.

That said, I encourage anyone who is listening to go read the newspaper *Le Devoir* today, not to give them any publicity. There is a great article, a letter written by the learned member for Hochelaga concerning the presence of organized crime.

It seems obvious that someone who arranges the export of luxury vehicles like Mercedes, Porsches, Audis, BMWs and maybe some kinds of magnificent Volkswagens must be organized. It requires an entire organization because if these stolen vehicles are exported illegally, smuggled, there must be control over the chain from beginning to end. They control the thieves and receivers, the ones who take the stolen vehicles and put them in the container to be sent somewhere else. They especially control whom these vehicles are sold to. Someone, somewhere in the world, will pay for the Porsche 911, the Volkswagen or the Mercedes sport that was stolen in Canada.

I am saying that this is important, and this bill will likely enable law enforcement agencies to adequately monitor ports where vehicles are being illegally exported.

● (1310)

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to speak to Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime). This enactment amends the Criminal Code to create offences in connection with the theft of a motor vehicle, the alteration, removal and obliteration of the VIN, vehicle identification number, the trafficking of property or proceeds obtained by crime and possession of such property or proceeds for the purposes of trafficking and to provide for a new prohibition and the importation and exportation of such property or proceeds.

As my colleague, our critic in this area, pointed out in his speech half an hour ago, the NDP supports the bill, a bill that is long overdue. In fact, it would have been passed had the government not been so busy calling an election last fall. The Prime Minister passed legislation setting fixed terms for elections, which would have been this October. Then he went back on his promise and called the election, which effectively killed all the bills on the order paper at the time. Therefore, the government has only itself to blame for no action being taken on the bill. It could have easily been passed had he not called the unnecessary election last year.

The issue of auto theft is a very complicated issue, an issue that has been around with us for a long time. In Manitoba, particularly in Winnipeg, we had a front line view of the problem, having three times the theft rate of any other place in Canada. While it was a long

time coming, and there were a number of reasons why things turned out the way they did, three or four years ago the Manitoba government developed what turned out to be a very effective approach to deal with the whole problem. This is basically our argument on some of the approaches in crime legislation with which the government deals.

The NDP is willing to support items that work. If the government can show us that something works, then we will probably say it is a good idea. We did not support the mandatory minimums on a crime bill last week. We know from the history. For over 25 years the United States have tried it and it has not worked. It has ended up in a huge development of prisons and the crime rate is as high as ever. Clearly that is not an approach we want to follow. It has been demonstrated that it does not work. We would like to deal with issues in a way where we can develop programs that works.

On September 13, 2007, the Premier of Manitoba pressed Ottawa for tougher sentences and action on auto theft. Representatives from the Manitoba NDP government, Attorney General Chomiak, the Liberal leader, the Conservative leader, the mayor of Winnipeg, the mayor of Brandon and a number of people came to Ottawa to meet with the then minister to advocate for tougher action on this whole area of auto thefts.

Manitoba's approach to reducing auto theft and youth crime is focused on a number of issues. One of the big issues we are involved in is the whole idea of prevention. We believe if we can prevent the crime from happening, it is a much cheaper and more effective way of dealing with it than trying to deal with the consequences of the crime after it has been committed. In the last nine years we have set up a number of lighthouse programs for young adults. There are roughly 50 of them now in operation. There are friendship centres, education pilot projects and, as I had indicated many times before, the vehicle immobilizers program.

● (1315)

With regard to the immobilizer program, it was not established in isolation from the other programs. There was an operational gang suppression unit that concentrated on the most high risk criminals. Car thieves are classified by level one, level two, level three, level four and special attention was paid to the highest level, the level four, offenders. We are only talking about maybe 50 people.

The gang suppression unit of the police targeted these individuals. It visited them every three hours or so to find out where they were. A number of approaches involving police activities were provided to try to deal with this problem. That was one of the ways it was dealt with, but then the immobilizer program was also brought in.

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When the immobilizer program was brought in, the Manitoba Public Insurance announced it and for a period of 10 months it was basically a voluntary program. It gave what I believe was an \$80 reduction in people's insurance rates for the first year and then \$40 afterward, but they had to pay for the immobilizer. The uptake on that program was not extremely high.

Sometimes there are programs in government that we think should work. When we try them out, they do not work as well as they should. It boils down to a bit of tinkering to make them work correctly. We knew we had the right program, but it was not working, probably for the reason that people had to pay for the immobilizer.

After 10 months, the Manitoba government made an announcement that it would make the program mandatory. It identified a number of cars that were at the highest risk of being stolen based on theft statistics. It announced that as of September 1, 2007, people could not renew their insurance unless immobilizers were installed. The installation was free and the customer would receive an \$80 reduction in insurance and a \$40 reduction in each subsequent year.

It was that action, combined with the gang suppression unit's activities, that caused a huge drop in auto thefts in Manitoba. It was not only the immobilizer program alone that did it. It was the combination of working with police. We also understood that we had to go to Ottawa to ask for tougher laws. It is a multifaceted approach to deal with auto thefts.

We know the problem over the long term will solve itself. The federal Liberal government back in 2003 announced that effective September 1, 2007, all new cars sold in Canada would need factory-installed immobilizers. However, it would probably take 10 to 15 years before we would solve the problem.

Clearly, from a Manitoba point of view, we applauded the federal government for announcing that in 2003 and for the Conservative government bringing it in September 1, 2007. However, we were not prepared to wait those 10 to 15 years for the problem to solve itself. While we were happy with that, we wanted to deal with the other more immediate problems of auto thefts today.

Members have compared the Manitoba auto theft rates with Montreal. In Montreal the recovery rate was only about 30%, which would indicate that there is criminal gang involvement, where vehicles are stolen and exported to other countries for resale. In Manitoba the recovery rate was about 80%. Therefore, we could conclude that people were joyriding, that they were using the cars to get from point A to point B.

• (1320)

It is true that a lot of that is going on and the cars they are stealing are usually older, but the fact is we have had an alarming increase in the number of stolen vehicles involved in police chases. The vehicles are involved in police chases that invariably end with serious accidents that have resulted in a number of deaths. Auto thieves have stolen cars, become involved in high-speed cases and ended up killing a number of people. Last year we had a situation where so-called joyriding thieves actually tried to run down joggers on the road.

We saw this as a very serious problem that needed an extremely aggressive approach. It was only when we took the mandatory steps to force people to put in immobilizers in order to insure their car, at the insurance corporation's cost, that we had compliance and saw an almost immediate drastic drop in the car theft rate.

That is an idea that should be transplanted to other jurisdictions. I am wondering why that has not actually happened at this point. The member from B.C. asked about the bait car program, and I told him we did look at that. We do not have a monopoly on good ideas here; there are other ideas, like the bait car program, that could be used.

Manitoba looked at the bait car program and for whatever reasons decided it was either too expensive or, as some may know we have cooler temperatures for parts of the winter, perhaps the bait car would not work properly at 40 below in January.

Nevertheless we did adopt a GPS program, which has been used successfully in Nova Scotia for a number of years. We have tested that for over a year now, and there was some slippage with it. I think it has worked out okay. We outfitted a number of high-risk car thieves with a tracking device. They were followed around and monitored, and evidently that was helpful.

It seems surprising that we can have a system that works in one place and we cannot replicate that with any kind of swiftness across the country. I look at the whole history of the auto thief program, and 20 years ago consumer groups were asking the auto industry to install immobilizers. The car industry resisted. It did not want to do it. It did not want to do it because it was going to add \$30 to the cost of manufacturing the car. It had all kinds of time and money for putting in extra cup holders and all sorts of other features that would not add to the safety of the vehicle the way putting in an immobilizer would.

It was not until 1997, I believe, that the Ford Motor Company started installing the number one approved immobilizer of the different types that were available. Then again, it only installed them in the high-end, not the lower-end vehicles. It was something that was necessary at the end of the day, but it certainly took a long time for the auto industry to start an effective immobilizer program.

Now a couple of the other car companies use a different standard, and the standards are at odds with one another. The Manitoba Public Insurance Corporation will not give a discount to people with immobilizers that are not of the highest standard. Constituents of mine have insisted they had the right immobilizer on their car, but found out they did not. Several kinds of immobilizers are available and not all of them meet the standards.

Government Orders

•(1325)

I have the definition of what is required with respect to meeting the highest standards. Approved immobilizers have to meet a national standard, Canada ULCS338/98. Immobilizers of this standard meet a number of requirements for immobilizer technology. Transponder base technology is the key to this.

The transponder is a radio frequency chip located in the key or key fob. When the chip is near the ignition it sends a signal to deactivate the immobilizer thereby allowing the vehicle to start. The vehicle will not start without the signal. When someone walks away from the vehicle with the key or key fob, the immobilizer is armed and the vehicle cannot be started.

By contrast, some non-approved immobilizers have the deactivation system in the steering column. In addition, many non-approved immobilizers only disable two systems in the vehicle, while approved immobilizers must disable three. Thieves have become skilled at defeating less effective systems, and as a result, theft of these vehicles is on the rise.

If the immobilizer is installed according to the proper standards, it cannot be defeated. Until a year ago, there were zero car thefts because of Ford's high standard.

A number of people in my constituency were quite incensed about the whole idea of installing an immobilizer in the first place. They feel that it is not their responsibility to protect their vehicle. They feel that people should behave themselves and be law-abiding, as they were when they grew up. They feel they should be able to leave their cars unlocked in front of their house with the keys in the car, as they did in the 1950s. People did not steal things in those days.

My constituents are quite incensed, and they have been phoning my office to complain about putting an immobilizer in their cars to prevent people from stealing them. They feel we should lock people up and the problem would be solved. We know that locking people up is not the correct approach. They will come out of jail as better criminals unless we have preventative programs, training programs, educational programs and incentives.

The previous Conservative government in Manitoba tried making auto thieves pay for stealing cars. Legislation was introduced, maybe it has been passed by now, requiring parents to pay for damages caused by their children. I heard the other day that some other jurisdiction is looking at this right now. Young people who are stealing cars are not concerned about paying for damages.

We also looked at the idea of having the auto corporation put on liens to make sure car thieves could not renew their driver's licences. Most of them do not have a driver's licence, so the lack of a licence would obviously not stop a person from stealing a car and driving in the first place.

We looked at a prohibition against car thieves getting a driver's licence. We were hoping young people would think twice about stealing a car because having a licence is important to them. Some people might actually have been deterred from stealing a car because of that.

I am not saying we should not do these things, but the last thing young people are worried about when stealing a car is whether they

are going to get a driver's licence on time or they are going to have to pay for the damages they cause.

•(1330)

Another big area of auto theft is that thieves are not only stealing cars for joyriding, they are stealing them in order to commit more crimes. We have found that people steal cars, go out and break into houses and then use the vehicles to transport stolen goods they then sell.

This is a very complicated and huge area. If we were to work together to try all the different aspects that work in different jurisdictions, we could actually get a handle on this, albeit about 20 years later than we should have.

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I listened to the member's speech with some interest. At the end of his speech, he talked about working together and collaboration. I was a little disappointed to hear the member basically apologizing and making excuses for the people who commit auto theft, not once or twice but sometimes dozens of times. One person alone in B.C. was responsible for more than 1,000 car thefts.

I heard him mention that insurance companies should perhaps transfer responsibility to car owners by forcing them to buy immobilizers, as was tried in a jurisdiction he referred to. It seems to me that is lazy politics. It is wrong-headed. It is like the gun registry, which penalizes the honest people.

Bill C-26 creates a separate offence for theft of a motor vehicle. It calls for a prison sentence of up to six months for conviction of a third or subsequent offence, and there is a new offence for altering or destroying a vehicle identification number. It makes it an offence to traffic in property obtained by crime, and it makes the possession of such property for the purposes of trafficking an offence.

Why does this member and his party not get on board with Canadians who are tired of this kind of theft and do something that will actually make our communities safer?

Mr. Jim Maloway: Mr. Speaker, I think the hon. member should get on board with us. It was the Manitoba NDP premier and the Attorney General who came to Ottawa in September 2007 to try to encourage the government to do something about the problem.

These members talk a lot, but it is all about politics and trying to position themselves with certain wedge issues to gain some advantage in a future election. I asked them where they were when we were prepared to pass this bill two years ago, but they had to call an election.

We have said we support the bill. We are going to move to pass the bill. What more do they want? We are with them. Let us work together.

•(1335)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened closely to my colleague's remarks. I will not ask any more questions about prison sentences. My colleague made some interesting comments on one issue, and I would like him to expand on it.

Government Orders

We did not hear much about this issue when we studied the bill in committee. I would like him to talk to us about the system that can immobilize a vehicle once stolen. Many of us have cars. It seems like a no-brainer that if the key is left in the ignition, the car will be stolen. How does the system that prevents the car from starting work? The problem we have when it comes to this kind of crime is that, typically, thieves belonging to organized crime gangs tow vehicles away and then sell them elsewhere.

I would like my colleague to explain how the system he thinks we should implement works.

[English]

Mr. Jim Maloway: Mr. Speaker, certainly the member is correct that in Montreal, the car theft rate is very high and there is only a 30% recovery, which means that cars are being stolen by people driving tow trucks, who pick up the cars and drive them away. We are not going to be able to solve that with immobilizers.

The whole idea behind the immobilizer is that the car cannot start without a key. In the old days and with older vehicles, people hot-wired cars from the ignitions. The old Chryslers from 15 years ago were easy to do. Any of us here could probably learn how to do it in a matter of minutes. All we have done is we have made certain that the systems to start the car are disabled and they can only be started with a particular key.

The problem is that there are some unapproved immobilizers that housed the deactivation system in the steering wheel column. There were also some systems that only disabled two of the systems on the vehicle. The type that we say one has to have is based on the national standard of Canada, the ULC-S338/98, which says that it has to immobilize all three of the systems in the car to be eligible for the insurance discount and for the vehicle to be registered.

There is a certain amount of confusion in the market when people say, "I have an immobilizer. I was told there was one when I bought the car", and then we find out that it is not the one that qualifies for the discount because no one has stolen a car with that system in it and driven away. They may steal the whole car with that system, as they do in Montreal, but in Manitoba they have not stolen one yet that have been able to drive away.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I would like to thank our colleague from Elmwood—Transcona for his passionate speech.

I know that the public insurance plans in Manitoba and British Columbia are on board with this system. If this is such a good thing that would reduce car thefts and lower insurance costs, why would the private insurance companies not be on board with this plan?

Mr. Jim Maloway: Mr. Speaker, that is an excellent question. It baffles me that the Insurance Bureau of Canada would not be taking the Manitoba experience and basically advocating to all of its hundred members, the private insurance companies of Canada, to bring in a similar program.

What we did was provide free immobilizer installation and an insurance discount on top of that. Perhaps the insurance companies think that it is going to be a difficult program for them to administer, or it is going to cost them some short-term money. Obviously they are having some investment problems at the moment, with their

investments being cut by the recession. If they had a sincere interest in trying to reduce auto theft and auto theft insurance losses in as dramatic a fashion as we have in Manitoba, then yes indeed, they would be doing the same thing. It is a mystery to me why they have not followed suit and tried to encourage their members to do the same thing.

I am not even sure if the Insurance Corporation of British Columbia, which is a publicly owned system, has copied Manitoba's system and provided free immobilizers to the drivers in British Columbia, but it ought to try. It could add that to its bait car program and maybe they would get an even bigger bang for their buck.

● (1340)

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, the member and I disagree very much on the issue of mandatory minimum sentences for serial car thieves. I strongly support that, especially for those thieves who are stealing three, five, ten, sometimes a thousand cars, as was mentioned by my colleague. However, I do want to commend the member for Elmwood—Transcona for his advocacy on immobilizers.

Would he agree with me that combining an immobilizer program that is mandatory with a bait car program would serve to dramatically drive down car thefts in all of our provincial jurisdictions?

Mr. Jim Maloway: Mr. Speaker, I would encourage the member to get the insurance corporation in B.C., which is a huge corporation, to follow what Manitoba Public Insurance Corporation has done and offer free immobilizers to the most at risk cars and solve the problem that way.

I personally have no problem with the bait car program. If the member wants to drive one out to Manitoba and make the thing work at 40° below zero in January, I will be there with him to watch him do it.

In terms of the mandatory minimums, I have already told him that we support the bill as written. We say that the government should have brought in the legislation last year. We would have supported it then.

[Translation]

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, it is with considerable interest that I rise today to speak to Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime).

This bill, introduced on April 21 by the Minister of Justice is almost identical to Bill C-53, which was introduced in the second session of the 39th Parliament, but which was not debated in the House. We know why. There has been an election since then. As with Bill C-53, the Bloc supports Bill C-26, which we are currently studying at third reading. As always, we carefully studied the bill in committee and now look forward to its passing.

Government Orders

In justice matters, as parliamentarians we are very concerned about public security. Clearly we want an effective justice system ensuring everyone's security. It is from this perspective that we worked with this bill.

Although their numbers have decreased since 1996, the number of auto thefts is still too high and their social and economic consequences remain too heavy a burden for both the individuals involved and society as a whole. The Bloc is certainly not opting for an ideological approach in justice matters, like some of our colleagues opposite. It recognizes that targeted measures aimed at improving the Criminal Code, if combined with measures linked to crime prevention, may be appropriate, indeed vital. Prevention remains the best tool, in our opinion, for fighting all forms of crime.

In addition, the Bloc notes that Quebec society, where wealth is the most evenly distributed, has lower rates of murder and violent crime. This is definitely something worth thinking about, since providing better protection for the public means attacking the root of the problem, the causes of delinquency and violence. Poverty, inequality and the feeling of exclusion provide fertile soil for the growth of crime. Better wealth distribution, better social integration and a focus on rehabilitation are proven ways to prevent crime.

When we in the House refuse to help people in a time of economic crisis by doing something about the waiting period for employment insurance, I believe we are encouraging crime and forms of delinquency. People sometimes get involved in crime in order to meet the needs of their family. This is why it is vital to provide support to individuals, families and children when we want to fight crime.

This bill also tackles a real problem affecting Quebec, but more so the western provinces, that is the theft of vehicles for joyriding. There are young people who, often just for the fun of it, steal a car to impress their friends or take their girl for a spin and return it later. They go off with a car, and the consequences for that are major too. It is in this perspective that the Bloc supports Bill C-26.

This Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime) was introduced by the Minister of Justice and Attorney General of Canada and passed first reading on April 21, 2009. Although the bill focuses primarily on the theft of motor vehicles, it also has to do with the trafficking, export and import of any property obtained by crime.

• (1345)

It provides for four new offences and makes corresponding changes to the Criminal Code. In short, it creates a distinct offence of motor vehicle theft, punishable by a maximum sentence of 10 years of imprisonment and, in case of a third or subsequent offence, a minimum sentence of six months. It creates the offence of tampering with a vehicle identification number, punishable by a maximum penalty of five years of imprisonment. It also creates the offences of trafficking in property obtained by crime and possession of such property for the purposes of trafficking, punishable by a maximum sentence of 14 years of imprisonment. Finally, it allows the Canada Border Services Agency to prevent property obtained by crime, including stolen cars, from crossing the border.

Bill C-26 is basically a repeat of former Bill C-53, with the addition of the offence of motor vehicle theft and the ability to use electronic listening devices in investigations into the new offences created by Bill C-26. Former Bill C-343 would also have created a distinct offence of motor vehicle theft, but it died on the order paper before it could be passed by the Senate. Finally, former Bill C-64 would have created the offence of tampering with a vehicle identification number similar to the offence in Bill C-26, but it died on the order paper at the end of the 38th Parliament. It has been a long process, but this bill is still opportune.

Motor vehicle thefts have major repercussions for vehicle owners, consumers, police, insurance companies and governments. The Insurance Bureau of Canada estimates the financial losses resulting from this crime at more than \$1 billion a year. This includes theft of uninsured vehicles and costs related to health care, the courts, police forces and lawyers, and personal expenses incurred by the vehicle owners who were victimized by these thefts.

In 2007, four stolen vehicles in 10 were not found by the police, which leads one to think that a considerable proportion of these thefts are linked to organized crime. In 2007, the province of Quebec, unfortunately, had the lowest rates of vehicles recovered, specifically in Montreal, the Saguenay, Sherbrooke and the region I represent, Trois-Rivières, or one part of Trois-Rivières. Winnipeg had one of the highest recovered vehicle rates in Canada.

I would like to take a few moments now to explain the situation a bit. As things currently stand, the Criminal Code does not specifically mention vehicle identification numbers. This bill will change that.

Although all vehicles in Canada must have a vehicle identification number to clearly distinguish one vehicle from another, there is no specific offence of tampering with it. However, changing this number is one of the easiest ways to disguise a stolen car and resell it.

At the present time, people caught altering or removing a vehicle identification number are charged under the Criminal Code with possession of goods obtained by crime or some other theft-related offence.

Tampering with a vehicle identification number will henceforth be considered evidence with respect to the offence of possession of goods obtained by crime.

The Criminal Code defines a vehicle identification number as any number or other mark placed on a motor vehicle for the purpose of distinguishing the motor vehicle from other similar motor vehicles.

Statements by Members

Bill C-26 contains two major amendments. Clause 5 of the bill amends the section relating to possession of property obtained by crime. More specifically, it creates the offence of trafficking in property obtained by crime, which is punishable by imprisonment for a maximum of 14 years.

● (1350)

The clause defines trafficking:

...“traffic” means to sell, give, transfer, transport, export from Canada, import into Canada, send, deliver or deal with in any other way, or to offer to do any of those acts.

Another important point is that the new clause prohibits the importation into Canada or exportation from Canada of the proceeds of crime. The purpose of this is to allow the Canada Border Services Agency to prevent the cross-border movement of property obtained by crime.

Clause 3 adds, after section 353 of the Criminal Code, a specific section on vehicle identification numbers. It does, however, give one example of a legitimate excuse: it is not an offence to alter or remove a vehicle identification number on a motor vehicle during regular maintenance or any repair or other work done on the vehicle for a legitimate purpose,

This new offence is punishable by imprisonment for a term of not more than five years.

As a Bloc Québécois member, I would like to take a moment to explain the situation in Quebec at present. Quebec is not distinct just because of its language and culture; its crime also presents a very different picture.

According to the insurer's organization, Groupement des assureurs automobiles, there were more than 38,800 vehicle thefts in Quebec in 2006. That is the equivalent of one every 14 minutes, and \$300 million of insurance companies' money, which has a direct impact on our insurance premiums. Despite the size of those figures, Quebec is far from the worst. In fact, per capita, the figures are far lower than in the western provinces. Quebec's emphasis on prevention and creating public awareness gets results. Comparing the number of vehicle thefts per 100,000 inhabitants in 2006, Quebec had 507, Alberta had 725 and Manitoba had 1,376. The average across Canada was 487 per 100,000 people. In all of Canada, approximately 160,000 vehicles were stolen in 2006.

Behind the figures, however, the situations in Quebec and the western provinces are different. In Alberta, Manitoba and Saskatchewan, a majority of thefts are crimes of opportunity—they are committed by people who are not necessarily looking to derive a pecuniary benefit from their theft. Such thefts are known as joyriding. They are often committed by young people experimenting with driving a car. They are committed for fun or on a dare, or to use a vehicle to commit a crime. A majority of these thefts are committed by young people, as I said before.

In Quebec, and to a lesser but similar extent on the Ontario side, the picture is different. In fact, thefts are not committed for the same reasons as in the West. A larger proportion of thefts are committed for the purpose of trafficking in vehicles. This factor can be clearly seen when we read a statistic about the recovery rate for stolen vehicles. In 2002, for example, the stolen vehicle recovery rate in the

greater Toronto region was 75%, as compared to only 56% in the Montreal region. Clearly, that means that the vehicles, whether intact or as parts, are leaving Quebec in large numbers. Of course, the regions most affected are mainly greater Montreal and Laval. The rates in those regions are 723 and 852 thefts per 100,000 population, respectively.

● (1355)

Apart from enacting more punitive measures in order to improve public safety, I think we must also tackle the root of the problem: the causes of crime and violence, as I said earlier.

We also have to understand that poverty, inequality and exclusion are very important factors in the emergence of this criminal behaviour, and so it is important to adopt social policies that do more to promote the sharing of wealth, social integration and rehabilitation. Filling our prisons and building new ones is not the way the federal government is going to bring the crime rate down.

Regardless of how harsh a bill may be, if we do not do something to prevent youths and other people from committing crimes, we will get nowhere. Investing in ways to combat poverty means investing in families, in preventing crime among young people and children who are often living in very vulnerable family situations. It also means investing in fighting crime; we must never forget that. And informing the public and promoting awareness are simple precautions we can take so people can avoid having their vehicles stolen. That is also important.

As I said earlier, however, we will be supporting this bill. When it comes to justice issues, I recognize that if targeted measures to improve the Criminal Code go hand in hand with crime prevention measures, they may be appropriate, and may even be necessary.

The Acting Speaker (Mr. Barry Devolin): Questions and comments will continue after oral question period.

STATEMENTS BY MEMBERS

[English]

STEPHEN LEACOCK MEDAL FOR HUMOUR

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, last weekend, I attended the annual Stephen Leacock Medal for Humour award presentation near the city of Orillia in my riding.

Each year, the Stephen Leacock Association announces the winner of the Leacock medal for the most humorous book published in Canada in the previous year. Since 1946, it has been granting this award to such literary icons as Pierre Berton, W.O. Mitchell, Farley Mowat and Mordecai Richler. This year, the associates have awarded the medal and its \$15,000 prize, courtesy of TD Financial Group, to Vancouver-based author and filmmaker Mark Leiren-Young for his book *Never Shoot a Stampede Queen: A Rookie Reporter in the Cariboo Country*.

Statements by Members

●(1400)

[Translation]

I invite all members to join me in congratulating Mr. Leiren-Young for winning this highly coveted award and the Stephen Leacock Association for its steadfast promotion of Canadian literature.

* * *

[English]

HEALTH CARE PROFESSIONALS

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, it is an honour for me to stand in the House today to salute an individual from my riding of Random—Burin—St. George's in Newfoundland and Labrador. Ambrose Penton, from Marystown on the Burin Peninsula, has been a nurse for the past 26 years.

He was recently named Canada's first ever "no-nonsense nurse". Mr. Penton was chosen because of his compassion for his patients. Like so many nurses everywhere, but particularly in rural communities, Mr. Penton goes above and beyond the call of duty in fulfilling his responsibilities as a nurse.

Mr. Penton's prize for this recognition was not something for himself, but a \$5,000 donation to Daffodil Place in St. John's, a facility built to serve as a hospice for cancer patients and their families in the province.

I ask my colleagues to join me in congratulating Mr. Penton on being recognized in this manner, and thank him and the hundreds of other health care professionals in the country who dedicate their lives to ensuring quality health care is available for their fellow citizens.

* * *

[Translation]

GABY BOUVRETTE

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, Gaby Bouvrette has been working at the Saint-Bruno-de-Montarville volunteer centre in my riding for 20 years. Unfortunately, she will be retiring on June 26. I say unfortunately because she is a real treasure for the entire community. She has been the executive director of the centre from the beginning and was not paid for the first three years.

She organized all the centre's activities including the food bank, meals on wheels, and the second-hand clothing shop, one of the centre's most popular activities. She also coordinated all construction work for the new centre that she planned and designed with municipal leaders from Saint-Bruno.

Gaby Bouvrette has many qualities. Simply and with humility, she demonstrates determination, generosity and altruism. She deserves to relax with her spouse and grandchildren. Let us wish her a happy retirement.

[English]

VETERANS

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I rise today to thank our veterans and to congratulate the Royal Canadian Legion, Branch 225, in Kakabeka Falls, on its 60th anniversary this week.

Please join me in congratulating the president Ken Milenko; the vice-president, Mary Majbroda; the past president, Jim Heald; the second vice-president, Don Kamula; the sergeant-at arms, Cliff Kerslake; the service officer, Bill Majbroda; and members-at-large, Russel Gillies, Konrad Kramer, Noni MacLean, Steve Druhar and Christel Kramer; and all the members of Branch 225.

I hope that all members of this House will join me in these congratulations and in thanking all of our veterans, our service women and men on active duty, and their families for the sacrifices they have made on our behalf and for serving our country with such honour.

* * *

EQUAL SHARED PARENTING

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Mr. Speaker, unfortunately, many Canadian families experience the breakup of a marriage. When this happens, the results can be devastating for children. Children are caught in the middle, but should not be used as a weapon or alienated from one of the parents.

Aside from proven abuse or neglect, Canadians want equal shared parenting to be the presumption in our courts when marriages break up because it is in the best interests of children and because it is part of an enlightened equality agenda.

A recent poll I commissioned, conducted by Nanos Research, shows that 78% of Canadians support equal shared parenting, with a high of 86% support in the province of Quebec. More women than men support equal shared parenting, at 78.3%. Among supporters of major political parties, about 78% of Conservatives support equal shared parenting; 75.8% of the NDP; 80.6% of Liberals supported equal shared parenting; and 83% of Bloc supporters endorsed equal shared parenting.

An equal shared parenting private member's bill was introduced in Parliament today. I urge members to support it and expedite its passage through Parliament.

* * *

●(1405)

IAAF WORLD JUNIOR CHAMPIONSHIPS IN ATHLETICS

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I am thrilled to rise in the House to update members on the progress being made for the upcoming IAAF World Junior Championships in Athletics being hosted in Moncton next July, or as it is being called by the people already working full-time on the event, Moncton 2010.

This is a world championship competition of athletics, which in North America has yet to gain the popularity it enjoys in other parts of the world, but I guarantee that will change after Moncton 2010.

Statements by Members

[Translation]

There will be more than 2,500 athletes and coaches from 170 countries. More than 2,500 volunteers will be involved in these championships, thus making it one of the biggest sporting events to have ever taken place in Canada.

[English]

As part of the event, the City of Moncton continues to work on a 10,000-seat stadium and just announced last week the development of additional facilities that will be a lasting legacy of the championships.

I want to congratulate the organizing committee chair, Larry Nelson, and encourage all Canadians to come to Moncton 2010.

* * *

CRIME PREVENTION

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, I would like to pay tribute to the RCMP officers in my riding of Kamloops who are part of the prolific offender program.

This program began in 2007 with the monitoring of 32 chronic offenders. This number has now grown to a watchful eye on 57 repeat offenders. The results have been outstanding. In 2006, before this initiative was implemented, local police received 3,853 reports of break and enters, thefts from vehicles and other criminal offences. Last year, there were 1,866 calls, a staggering decrease of 51% in the number of crimes.

This program has allowed our officers to turn around a prevalent crime problem by simply becoming proactive.

On behalf of the citizens of Kamloops, I want to thank the 200 members who are involved in this program, including our front-line officers, municipal and support staff, for their tireless effort to make our community safe. With initiative and creativity, crime can be prevented.

* * *

[Translation]

**STUDENTS FROM MARCELLIN-CHAMPAGNAT
SECONDARY SCHOOL**

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I have the honour to present to you today three students from Marcellin-Champagnat, a secondary school in my riding. They are Yuki Émond, Kathy de Munk and Agnès Gagnon-Maltais. With their teachers, Josée Henry and Lianne Legault, they have come here to defend our democratic values on the international level. This afternoon they will be delivering a petition to the Minister of International Cooperation protesting human rights violations in the Democratic Republic of Congo.

These young people will be our spokespersons in the future and are standing up for the values we hold dear: freedom of speech, respect of human rights, equality for women, the right to fair wages, and the holding of democratic elections.

What better proof that this generation is indeed engaged and committed. They set an example for our society. I admire them and

encourage them to continue along their path. May your commitment serve as an inspiration to us all.

* * *

[English]

CENOTAPH VANDALISM

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, residents of the city of Airdrie, including myself, were disgusted this week to learn that vandals had desecrated a cenotaph dedicated to the memory of our war veterans.

A concrete cross that sat atop the memorial was found broken and in pieces on the ground. The RCMP said a lot of force would have been needed to cause such damage, marking this as a deliberate and targeted act.

This senseless damage done by cowardly individuals dishonours the memory of the brave men and women whose sacrifice made possible our present-day rights and freedoms.

This desecration has inflicted pain and sadness on our entire community, our veterans and our soldiers still serving. I know that my fellow citizens of Airdrie share my tremendous respect for our veterans' valour and sacrifice and they are outraged by this terrible vandalism in our community.

I ask members of this House to join with the citizens of Airdrie today in strongly condemning this shameful act of vandalism and disrespect.

* * *

[Translation]

GATINEAU SENIORS' SUPPORT CENTRE

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, on June 7, the Centre d'entraide aux aînés de Gatineau celebrated its 30th anniversary.

This not-for-profit community organization was founded in 1979 thanks to generous citizens. Its mission is to help and support people over the age of 65 who are less independent than they used to be, but want to keep living at home.

Every day, several hundred seniors who are members of the organization benefit from the services of many volunteers, who help them get to doctor's appointments, the grocery store and community activities at the Centre d'entraide, and take care of other essential needs. These men and women give generously of their time to provide a better quality of life to seniors and their families.

I would like to congratulate and thank all of the volunteers, people whose willingness to listen and help means so much to the happiness of others.

I would also like to congratulate and thank the executive director, Christiane Charron, and her management team for their excellent work carrying out this humanitarian mission, and Claire Lamont, the founder of the Centre d'entraide aux aînés.

Happy 30th anniversary.

Statements by Members

●(1410)

LEADER OF THE LIBERAL PARTY OF CANADA

Mrs. Sylvie Boucher (Beauport—Limoilou, CPC): Mr. Speaker, is the Liberal leader aware of the consequences of voting no on Friday?

Here is what it will mean: a Liberal no to the work sharing program that helps workers and entrepreneurs; a Liberal no to the infrastructure spending program; a Liberal no to the Canada-wide sports infrastructure program for things like arenas; a Liberal no to the home renovation program for families; a Liberal no to social housing; a Liberal no to modernizing research and training facilities at post-secondary institutions; a Liberal no to the major festivals that contribute so much to this country.

A no vote by the Liberals will jeopardize all these projects. This House is not a reality television show. The Liberal leader must do what is needed for the good governance of the country.

The government would like to remind the Leader of the Opposition that if these projects do not move forward, he will be the one responsible.

* * *

VERONYK WILSON

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, last week, the Canada Millennium Scholarship Foundation awarded Veronyk Wilson, a Grade 12 student at Collège Notre-Dame in my riding, a \$20,000 national scholarship in recognition of her academic and community achievements.

Veronyk, who is president of the student council, is able to carry out several projects at the same time, such as organizing a fundraising campaign while maintaining an outstanding academic record.

Veronyk's enthusiasm in running the cancer research fundraising blitz helped raise hundreds of dollars and was commended by all the representatives of the community.

When she was asked what was most important to her about this project, she answered that it was bringing together everyone in the community.

I want to congratulate Veronyk on her community involvement. The example she sets bodes well not only for the future of Nickel Belt, but for the future of the entire country.

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*[English]***FIREARMS REGISTRY**

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, Bill C-301, a private member's bill that would have repealed the long gun registry, fell just shy of majority support in the Commons, because it contained some additional rule changes that made opposition backbenchers uncomfortable. So the member for Portage—Lisgar introduced her own bill, Bill C-391, which seeks to repeal the registry and nothing more.

Based on their public statements, enough backbenchers support this bill to put it over the top, but the opposition leaders are so anxious to kill this bill and preserve the firearms registry that they are prepared to flout parliamentary rules.

At first, they tried to make the bill non-votable by arguing that it was the same subject matter as Bill C-301, but when Bill C-301 was dropped from the order paper, the opposition parties dropped their pretense that procedural considerations were relevant. They are going to keep this bill non-votable and they do not care what the rules permit.

Tomorrow in their caucuses the backbenchers from the Liberals and the NDP have the chance to make their leadership stop trying to kill this bill against parliamentary procedure. They have the chance to ensure that they will honour their campaign commitments to make sure that the gun registry is voted down.

* * *

*[Translation]***GRAND DÉFI PIERRE LAVOIE CHALLENGE**

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, the Grand défi Pierre Lavoie was held this weekend. Mr. Lavoie, who was born and still lives in my riding of Chicoutimi—Le Fjord, and dozens of cyclists rode 1,000 kilometres in under 40 hours from Saguenay—Lac-Saint-Jean to Montreal.

For several years, Pierre Lavoie has been working to help children affected by rare diseases like lactic acidosis. This event has two main goals: to raise funds to support research on orphan diseases, and to promote awareness among children aged 6 to 12 about the benefits of physical activity.

Both the young and the not so young participated in the challenge, cycling alongside Pierre Lavoie for sections ranging from five to fifteen kilometres.

I would like to congratulate this courageous athlete. All of Saguenay—Lac-Saint-Jean and Quebec thank him.

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●(1415)

*[English]***THE ECONOMY**

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, Canadians are now facing the deepest recession in a generation. Yet the Conservative government can point to almost no tangible results that it is making in addressing the crisis. What are Canadians getting instead? Weasel words, misrepresentations, and in some cases, outright fabrications.

Yesterday, the Prime Minister got it dead wrong when he claimed stimulus funds could not be spent more quickly without further authorization from Parliament. That is absolutely wrong.

As the media reported today, Parliament has already approved over \$21 billion in spending. Nothing prevents the government from spending these funds. In fact, it appears that so little funds are actually getting out the door because of political interference demanding photo ops and ribbon cuttings by Conservative MPs.

Oral Questions

Unemployed Canadians are waiting for jobs because of Conservative vanity. That is shameful.

Canadians want honesty from their government, not false claims of accountability. When will the Conservatives drop the Harpocrisy and stop trying to mislead Canadians?

* * *

THE ECONOMY

Ms. Candice Hoepfner (Portage—Lisgar, CPC): Mr. Speaker, yesterday the Liberal leader threatened to block our economic action plan and force Canada into an unnecessary summer election.

Since the start of this global recession, our Conservative government has provided the largest and fastest stimulus package in the G8. We are permanently reducing the tax burden on Canadians and we have expanded support for those hardest hit by the recession.

While our government is prudently managing the economy, the Liberal Party is advocating for permanent spending initiatives that would result in a structural deficit and put our economy at risk. The Liberal leader is calling for a 45-day work year; he wants to implement a job-killing carbon tax; and he did say, "We will have to raise taxes".

Canadians do not want an election and neither do we. On this side of the House, our primary focus remains the economy.

We hope that the Liberal leader considers the interests of Canadians instead of personal interests, and we hope he drops his threat to block our economic action plan.

ORAL QUESTIONS

[English]

INFRASTRUCTURE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, in a reasonable and measured way the Leader of the Opposition raised four important issues yesterday. The Prime Minister responded by offering a meeting, which is taking place now. The issues were these: the isotope crisis, employment insurance improvements, the federal deficit and actual spending on infrastructure.

On the latter point, who in the government has a complete tally of actual infrastructure expenditures to date, not just announcements or promises or wishful thinking, but hard expenditures already made? Who can give those numbers specifically?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, it is very simple. He need only go to actionplan.gc.ca to see 3,200 projects in various stages of implementation. On the side of stimulus spending for infrastructure, an extra \$10 billion has been announced. Our partners are in the process of hiring the construction workers, the architects and so on.

What this is really about is the fact that the leader of the Liberal Party cares more about himself than the future of these projects. He cares more about himself than the future economic recovery of the country. That is a shame. Worse than that, it is an abomination.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the minister still cannot give the numbers.

Conservatives allege wrongly that unless their financial estimates are approved on Friday, the stimulus package will grind to a halt, but that is not true.

The budget was approved in February. The budget implementation bill was passed in March. So were the supplementary estimates and the interim supply bill. The government even gave itself extraordinary power to allocate money in April, May and June for spending through the rest of the year. Therefore, it has the money.

However, look at the record. The Conservatives left billions of approved dollars idle that last year. Why can they not admit those facts?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, Canadians do not want an election. Neither does our government.

If the opposition votes to bring down our government, negotiations on infrastructure contribution agreements between the various levels of government will immediately cease. Thousands of projects will not go ahead in this construction season.

An irresponsible decision by the opposition to bring down this government will jeopardize our economy and will jeopardize tens of thousands of jobs across the country.

• (1420)

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, that answer is only a confession of incompetence.

The government's Treasury Board official confirmed that 93% of stimulus spending is totally unaffected by anything that happens this week. The tiny remainder is easily covered by the blank cheque in the government's interim supply bill, which is already law. Therefore, the votes this week pose no threat to stimulus, not a penny. The threat is the government's inability to get approved money out the door, shovels in the ground and jobs created.

How much was actually spent in the first 120 days?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, let us make this perfectly clear for Canadians across the country. If the opposition votes to bring down the government, the infrastructure negotiations, the contribution agreements among provinces, municipalities, NGOs and private sector organizations will immediately cease. Tens of thousands of jobs will be in jeopardy and our economic recovery will be in jeopardy.

The opposition members are being irresponsible. Shame on them.

Oral Questions

[Translation]

EMPLOYMENT INSURANCE

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, that is completely irresponsible of the Treasury Board president and he knows it. Once we voted for the budgets, negotiations could begin. The amounts were approved. So everything he is saying is false. Whether in English or in French, what he said is false, absolutely false.

Now, as for employment insurance, can the minister tell us, since there is a plan for the fall, what is stopping her from tabling it immediately?

[English]

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, who is misleading the House, but that member. That member is misleading the House when he says that. In fact, who will negotiate all of the contribution agreements when the government falls? All of those negotiations end at that point.

There are hundreds of negotiations on projects going on at this very moment and the irresponsible decision by that opposition party to bring down the government brings those jobs, those projects and our economy into jeopardy.

[Translation]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, I was a minister longer than him and I know how it works. During an election campaign, there are departmental officials who negotiate, and they are not about to fall asleep at the switch.

I would, however, like to ask a serious question.

The minister hesitated earlier. I am asking her to rise. Can she tell us why she cannot table her employment insurance plan immediately? People are going to starve this summer and they want to know what will be done about employment insurance. What is she waiting for?

[English]

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we did make substantial improvements to the EI system to help those Canadians who need and deserve our help, such as five extra weeks and expanded work-sharing program, now protecting 130,000 jobs. We are looking at a promise that we made during the 2008 campaign, one that would allow access to EI benefits for self-employed workers on a voluntary basis. That is a major design change to the system. It cannot be done within a week, but we will have it ready for the fall.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister claimed yesterday that what he wanted most was to help people get through the economic crisis. To that end, he should start telling the truth and stop spreading falsehoods about employment insurance. The Prime Minister keeps on saying that an eligibility threshold of 360 hours would entitle people to 52 weeks of benefits. That is absolutely untrue.

Will the Prime Minister or the minister dare say again from their seats that a 360-hour eligibility threshold entitles people to 52 weeks of employment insurance benefits?

● (1425)

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, the Bloc Québécois leader and his party are in this House to create crises and ensure that the country does not function. I will give an example. As recently as this week, our government was invited to the Paris Air Show at Le Bourget in France. We were to attend to support the aerospace sector, which employs 45,000 people. The Bloc Québécois did not cooperate and prevented us from supporting this industry, which is extremely important to Quebec.

Why do they refuse to help us when we want to help people have opportunities to develop our economy?

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, that is not true. We were willing to go, but their whip refused. When it comes to creating crises, no one holds a candle to the Prime Minister. He is the all-round champion.

That said, with 420 hours, the current threshold, a person is entitled to 37 weeks of employment insurance and no more.

They have not answered the question. I will now ask the political lieutenant, the Minister of Foreign Affairs, who is bellowing, to stand up. Let him put his seat on the line and say once again that it entitles people to 52 weeks.

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, the Bloc Québécois leader's language is not very appropriate. He should watch what he says.

When we were asked to support the aerospace industry, they refused. After the whole thing was cancelled, they suddenly decided that they were willing to support us, but it was too late. They want crises here in Ottawa, but we want to move our economy forward.

As for employment insurance, amendments are coming in the fall. For the first time in our history, we are going to help self-employed workers who want to contribute in order to receive employment insurance in the future. This is another tangible measure our government is preparing to take.

* * *

CONSERVATIVE GOVERNMENT

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the Liberals paid \$1 billion to the Atlantic provinces and the Conservatives gave \$4.3 billion to Ontario in order to harmonize their sales taxes with the GST, but has still given nothing to Quebec, which was the first province to harmonize its taxes.

Does the Prime Minister realize that he will not earn the confidence of this House as long as he acts unfairly towards Quebec and refuses to give it the \$2.6 billion it has asked for?

Hon. Christian Paradis (Minister of Public Works and Government Services, CPC): Mr. Speaker, once again, the other side of the House is looking for a crisis.

We have been clear, such things are not negotiated in public. I can assure them that good negotiations are underway between my colleague, the Minister of Finance, and Quebec's finance minister, Mr. Raymond Bachand.

Oral Questions

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the minister who just rose is the same one who refused to attend the Paris Air Show at Le Bourget.

Not only is the Conservative economic pseudo-plan, which is supported by the Liberals, ineffective, as indicated by the decline in sales of 16 out of 21 industrial sectors, but it is also unfair to Quebec.

How can we trust a government that is prepared to provide \$10 billion to the auto sector concentrated in Ontario when the forestry sector and Quebec are given peanuts?

Hon. Christian Paradis (Minister of Public Works and Government Services, CPC): Mr. Speaker, I can say that the matter we are talking about is much more serious than that of withdrawing one's agreement to pair, as those on the other side of the House have done.

One thing is certain: municipalities have expectations. The UMQ was here two weeks ago and asked that money be sent because it is desperately needed. Credits are coming and will be voted on this Friday. What will they do? They will vote against it. They will block payments to municipalities. Construction work will be suspended. That is irresponsible. Shame on the Bloc Québécois.

* * *

EMPLOYMENT INSURANCE

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, workers are sick and tired of the Prime Minister's insults. He is wrong about his "45-day work year". We have to act now to help people, but the Prime Minister does not want to do anything until the fall.

The government's promises to self-employed workers are not reassuring because we know that the government has refused even to consider the NDP's employment insurance bill, which the House passed.

Why does the Prime Minister keep insulting people instead of acting?

• (1430)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, during the 2008 election campaign, we promised self-employed workers that we would give them access to some employment insurance benefits on a voluntary basis.

We have already done a number of things for the unemployed. We are working on doing something for self-employed workers, but it is a major change.

It will take time, but we will do it.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Conservatives put it in their program, but they did not have clue how they would get it done. That is why we did not see it in the budget.

We have seen no action, but this is no surprise from that party and a Prime Minister, who refers to an EI cheque as a big, fat cheque. That is a put-down of the people who have lost their jobs through no fault of their own.

How many times does he need to be told that fixing EI is the best way to stimulate the economy? Every dollar turns into a \$1.60 in stimulation. That is why EI adopted our party's plan to fix EI, which included the self-employed fair benefits and fair access. Why will the Conservatives not take action?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, in fact, the minister and this government have done a lot to improve EI. That is what the extra \$5.5 billion in our economic action plan is all about. That is what extending EI by five weeks is all about. That is what work-sharing is all about as well.

We care about the fact that people in this economy and in our country have been hurt by the world economic downturn. That is why our economic action plan is worthy of support, so it gets to those issues. However, the member and that party do not get it because they continually vote against it.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, out-of-work Canadians are struggling and we now are seeing that household debt is at 140% of disposable income. The Bank of Canada calls it the biggest risk to our economy.

Big banks are hoarding cash and gouging Canadians, not helping businesses create job. If the Prime Minister really wants to get our economy moving, why give banks money to hoard instead of helping Canadians who are being left behind? Will he listen to the experts and fix EI now, for this summer, not next?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, in this case, we have a lot in our economic action plan to extend credit to small businesses, to make sure that credit is also extended to individuals who want to lease cars, for instance.

Our economic action plan gets to the fact that Canadians need help in various parts of our country and that various parts of our economy need help.

That is why it is a comprehensive plan. It is the best plan in the G7 and has been recognized as such by the International Monetary Fund. I, for one, salute our finance minister, who has done an excellent job in making sure that we are the top in the world.

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[Translation]

MEDICAL ISOTOPES

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, yesterday, one of the world's leading experts in nuclear medicine said, "The patient community is facing one of its greatest threats in modern times".

Patients are in limbo; some have had their tests cancelled outright. We are now hearing that Canadians will have to undergo exploratory surgeries that would normally be unnecessary.

Oral Questions

Every day, 5,000 Canadians need isotopes for tests and treatments. Can the minister tell us how many of those people will have access to isotopes?

[*English*]

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, I met with the experts on medical isotopes and the nuclear society over the weekend in Toronto. We are continuing to deal with this situation.

In fact, this morning I made an investment of \$6 million for more research on Tc99 as we need to start addressing the shortage of that.

In terms of triage, each province and territory delivers health care. They are managing the situation with the alternatives that we have identified. This morning the Ottawa Hospital said that it has switched to thallium to continue to provide testing as needed.

Mr. David McGuinty (Ottawa South, Lib.): There is the problem, Mr. Speaker. Patients and their families cannot get straight answers.

The truth is that we are back to only 75% of global isotope supply, with nearly half of that production set to go offline next month. There is no evidence that Canada has access to 75% of its weekly requirement.

Let me try again. Leaving alternatives aside, could the minister tell us what percentage of isotopes required by Canadians is available this week, next week and next month?

• (1435)

Hon. Lisa Raitt (Minister of Natural Resources, CPC): Mr. Speaker, as indicated in the House yesterday, Canada has 75% of its supply of medical isotopes for this week on order. We are monitoring the situation very closely.

This morning I spoke with Belgium's minister of energy to discuss with him the reactor schedules. The Belgians have indicated that they are going to help us as best they can. I will continue on that follow-up on Thursday when I meet with the experts in Toronto.

* * *

[*Translation*]

THE ECONOMY

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the minister has predicted a tiny surplus for 2013-14. But that prediction no longer stands.

The extra interest charges for the \$50 billion deficit will eat up most of this surplus.

Will the minister do what needs to be done and present a credible plan to Canadians, or will he admit, as most economists already have, that Canada will still be in deficit in 2013-14?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, on page 61 of the report to Canadians, we laid out the breakdown of the deficit this year, and \$22.4 billion are temporary measures. In the previous budget in January of this year, which the member opposite supported, we laid out a plan over time to get back into surplus by

2013-14. We remain on track to do that with the predictions with respect to economic growth.

I look forward to reporting in detail as usual in the fall economic statement.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the finance minister's \$50 billion deficit is the biggest in Canadian history, yet he stands there and tells Canadians that in less than four years this enormous deficit will simply disappear into thin air without any plan or any remedial action by the Conservative government. Canadians, especially Ontarians, cannot possibly take the assertions of the minister at face value.

Where is his plan to bring the budget back into balance?

Hon. Jim Flaherty (Minister of Finance, CPC): The plan, Mr. Speaker, is actually on page 61, but the member does not want to read it.

The majority of the stimulus in this year's deficit is one time spending. It ends after two years. It is use it or lose it. Some of the tax measures, like the home renovation tax credit, will end next February.

Hon. Marlene Jennings: You left Ontario with a big deficit and now you are doing the same thing to all of Canada.

Hon. Jim Flaherty: Mr. Speaker, I can hear the member for Notre-Dame-de-Grâce—Lachine. She might want to listen so she will understand what is going on in terms of the deficit. She might want to read the document.

The member for Markham—Unionville's former employer, the Royal Bank of Canada, has predicted economic growth at 2.5% in 2010.

* * *

[*Translation*]

MEDICAL ISOTOPES

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, the Minister of Natural Resources is trying to play down the isotope crisis by saying that 75% of our needs are being met. But representatives from the medical community are criticizing the lack of vision of the Liberals and Conservatives, who have let this situation deteriorate over the years.

How can the minister justify her reassuring statements when everyone is denouncing the fact that thousands of patients have had their tests delayed indefinitely?

[*English*]

Hon. Lisa Raitt (Minister of Natural Resources, CPC): Mr. Speaker, one thing that is clear is that this is a global issue. In fact, we are working with the other producing countries in the world with respect to reactor schedules and we have had a very positive response.

It is under Canada's leadership that Petten increased its amount of medical isotopes produced, as was done in South Africa as well. Those isotopes are coming into the country this week. We will be able to have 75% of our total medical isotopes.

Oral Questions

However, we continue to work. The Minister of Health continues to work with the medical establishment. We will continue to work with the reactors to get this done right.

[*Translation*]

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, aside from making a last-minute, cosmetic research announcement, does the government plan on listening to nuclear medicine specialists, who got together and have called on the government to provide adequate funding for the production of isotopes, to build new reactors and to update the existing ones?

• (1440)

[*English*]

Hon. Lisa Raitt (Minister of Natural Resources, CPC): Mr. Speaker, as mentioned in our five-point plan in December of last year, one of the issues that the department was looking into was exactly what kinds of proposals were out there for alternative means of producing medical isotopes.

Last week we did announce that there will be an expert review panel to take a look at all of these reports and suggestions that are coming in from institutions as well as universities in terms of an alternate way of producing medical isotopes. They will be reviewing them over the summer. We look forward to receiving the results.

* * *

[*Translation*]

BISPHENOL A

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, according to a study released yesterday, the effects of endocrine disrupting substances are responsible for the shrinking gap in the birth weights of newborn boys and girls between 1981 and 2003. Bisphenol A, which the government has banned in the manufacture of baby bottles, is one of those substances.

Now that the toxic effect of these substances on the fetus has been established, will the government finally ban this product in the manufacture of all food and beverage containers, as called for by the Bloc Québécois for over a year now?

[*English*]

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, our government has a strong record of taking action on bisphenol A.

As part of the chemical management plan, this government carefully evaluated the potential health effects of BPA and concluded that the general population does not need to be concerned. However, to protect newborns and infants, this government wanted to be prudent. That is why we are proceeding to ban the baby bottles made with BPA.

Canadians expect actions by their government when it comes to their safety and we are taking action.

[*Translation*]

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, that is not enough. These substances attack the human reproductive system, with the negative end result of fewer and fewer boys being born. The CBC reported the case of a first nations community near

Sarnia, Ontario where the proportion of newborn boys was under 35% in 2003.

Does the government plan to better regulate the use of chemicals, such as bisphenol A, which researchers have identified as the source of the problem?

[*English*]

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, as part of the government's chemical management plan, we will continue to evaluate these situations. We take them very seriously. I look forward to having a dialogue with my colleague on the very issues he has expressed. We will look into that.

At the same time, I can say that Canadians expect action and we have taken action on this issue.

* * *

EMPLOYMENT INSURANCE

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, the incompetence of the government is staggering. Each day it fiddles around while the unemployment situation deteriorates, bankruptcies continue to rise and household debt spins out of control. Each day we hear stories of constituents who have fallen through the cracks of our social infrastructure and are getting little help from the government.

How can the government leave this Friday for the barbecue circuit knowing that its inaction on the economy and EI has left tens of thousands of Canadians without a way out of this Conservative recession?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we have done a lot to help Canadians in these troubled economic times.

We have expanded EI. We have expanded the work sharing program. We are offering unprecedented assistance to help laid-off workers get the training they need for future jobs.

My question for the hon. member is, how could those members have us leave here this Friday night after voting against these measures that would help Canadians? If we leave Friday night and they have voted against the supplementary estimates (A), we will not get the funding for the strategic training and transition fund. We will not get the money for the Canada summer jobs. We will not get the money for the targeted initiative for older workers.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, the minister is becoming more and more robotic in her answers, showing an astounding lack of understanding of the real pain that Canadians are feeling.

Job losses continue, uncertainty reigns, and the government has no coherent plan to help the unemployed. The Conservatives' only plan is to mislead Canadians when they talk about changes to EI, saying it would create a 45-day work year. What she is saying is that she thinks Canadians are lazy. The Liberals do not think that Canadians are lazy. She should apologize to Canadians.

Why is the minister unwilling to make changes to EI now?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, all three of the opposition parties have put forward a proposal for a 360-hour work requirement to collect employment insurance benefits. That works out to 45 work days. That is nine weeks. Then they said that would give people 39 weeks of benefits. Thirty-nine and nine equals forty-eight, plus the two-week wait period makes fifty weeks. Near as I can reckon, that is close to a year. They are saying if people work 45 days, they will get a year's benefits.

Canadians do not want that. We will not support that because it will not create jobs and it will not help the economy.

• (1445)

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, William from my riding had a good job working for a contracting company for almost 20 months. During this period he worked over 630 hours, the minimum requirement in Mississauga. When William applied for his EI, he was denied. He appealed, but he was denied again. He was told he only had 619 hours, because his hours were calculated from the end of his pay period, not from his last day of work, a small but devastating technicality.

Thousands of Canadians are in the same boat. William and others want to know, why will the government not make EI fair for all Canadians?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let me quote Janine Halbesma, the Alberta director of the Canadian Federation of Independent Business. She is referring to the plan that the Liberals are proposing for a 45-day work year. She said, "Smaller firms are worried about the cost and long-term impact on the economy" of simply making EI benefits richer or shortening the qualifying period for benefits. She said, "Increasing EI entitlements could make long-term labour shortages worse...use the EI system as a hiring and training incentive. Not only will it get Canadians back to work, it will also improve the productivity of the Canadian workforce".

We are helping Canadians get back to work. I wish those members would join us in that effort.

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, the minister is misleading the House once again. It is not enough to pay lip service to change. Change is needed now.

William, Ted and Jodi, and others in my riding and thousands of Canadians need a government that takes action, not photo ops. EI needs to be fair, equitable and equally accessible for all of Ontario and all Canadians.

When will the government make the national changes to EI so that every Canadian can obtain it when he or she needs it the most?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, as a matter of fact, over 85% of

Oral Questions

Canadians now have easier access to EI benefits and for a longer period of time, in some cases as much as 14 weeks longer, and they can get those benefits four weeks earlier.

What they need is more than benefits, they need help to get the training they need to get the jobs of the future. Many of the jobs that have been lost are gone permanently.

If the Liberals do not support our bill on Friday night, people will lose out on the strategic training and transition fund. They will lose out on the targeted initiative for older workers. They will lose out on the Canada summer jobs expansion.

* * *

THE ENVIRONMENT

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, since 2007 our Conservative government's eco-energy retrofit homes program has provided grants to over 100,000 Canadian homeowners. In Canada's economic action plan, our government invested another \$300 million into the program. This will stimulate the economy and help 200,000 more homeowners make their homes more energy efficient.

Could the Minister of Natural Resources please tell the House how important this program is to Canadians?

Hon. Lisa Raitt (Minister of Natural Resources, CPC): Mr. Speaker, I thank the hon. member for his excellent and important question.

Sadly, if the opposition were to vote to block our stimulus funding on Friday, some 200,000 Canadian family homes would not receive grants for their energy efficiency renovations. That also includes 55,000 homeowners who have already had their pre-audits done.

However, there is still time. The vote is on Friday and the Liberals have a choice. We hope that the Liberal leader considers the interests of Canadians instead of his own interests and drops his threat to block the economic action plan. If the opposition—

The Speaker: Order. The hon. member for Outremont.

* * *

[Translation]

CONSERVATIVE GOVERNMENT

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, the Conservatives promised to keep Canadians informed of the money spent to stimulate the economy, to come clean and to be transparent. Instead, they decided to use taxpayers' money, millions of dollars worth, to pay for advertising that is as partisan as it is misleading.

Oral Questions

Since it is completely false to claim that 80% of the money has been spent, will they at least have the decency to pay for that advertising out of the Conservative Party budget or share the cost with their Liberal allies, the only ones who believe them?

• (1450)

[English]

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, the government follows very clear guidelines in respect of what type of advertising it is allowed to do. It does not engage in partisan advertising. If, in fact, the member has any examples of that, I would like to see them, rather than him making those kinds of general allegations that are clearly misleading.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, contrary to those misleading ads, it is not 80%. It is 24%. Why does the minister not read those figures? Less than 24% of the building Canada fund is out the door with no base funding for Quebec or Ontario.

After he has done that, will he send a bill to the Conservative Party of Canada for misleading ads that say it is 80%? Better still, why not send it to the Liberal leader, the only person in Canada who seems to believe the Conservative Party or, as the Liberal leader refers to us, why does he not try to see what the Canadians think about it?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I will not engage in such a harsh language when it comes to my leader of the opposition. My leader of the opposition is right now working with my Prime Minister to do the right thing for Canadians, to make things happen, to create jobs, so we have just a little more hope and a little more opportunity in this country.

* * *

[Translation]

PRODUCT LABELLING

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, every time we ask the Minister of Agriculture and Agri-Food about the "Product of Canada" label, his minister of state replies with the same nonsense. Since he says he is continuing to listen, let him really do so and withdraw the ridiculous standard of 98%, as requested again yesterday by processors.

Does the real Minister of Agriculture and Agri-Food have the courage to tell us why, despite the advice of his officials, he is imposing such an unrealistic standard, when a content of 85% has been agreed on?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, yesterday, an important event took place. As we know, the department of agriculture is also the department of agri-food. This is the way it has been for 15 years, and yesterday, for the first time, we met stakeholders from the food processing industry. There were more than thirty of them sitting around a table to talk to us about their difficulties and the things they would like changed in our government. It was an exceedingly constructive meeting.

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, that is why we are asking the real minister to answer. The Minister of State (Agriculture) meets, listens and does sweet nothing.

Over nearly two months now, the Bloc has asked a dozen questions on the "Product of Canada" label, and the real Minister of Agriculture and Agri-Food has not deigned to respond.

Since silence means consent, does this mean that he is acknowledging by his silence that the plan is ridiculous and that he thus prefers to leave the dirty work to his minister of state?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, the member says I do sweet nothing, but at least I am not here to try to whip up crises and break up the country. I am here to try to build.

In the extremely constructive meeting we had yesterday with some thirty processors, we spoke about the "Product of Canada" label. A number of them spoke of the difficulties it meant for them. There will be follow up to this meeting, since I did not hold it for nothing.

* * *

[English]

TRADE

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, even before the U.S. stimulus package passed, we called on the government to sit down with the provinces and to amend our trade agreements to protect Canadian companies against U.S. protectionism. The Conservative government did nothing, and in the absence of federal leadership, the cities and now the provinces have taken action.

Why is the only leadership to defend Canadian jobs against U.S. protectionism coming from every other layer of Canadian government except one, and that is the federal government?

Hon. Stockwell Day (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, I do not know where my friend has been on this particular file, but he obviously missed it when the Prime Minister talked with premiers to get agreement from them on how we could work together on a procurement agreement. I have talked and had a conference with the ministers of trade from the provinces and territories. I met with the executive members of the Federation of Canadian Municipalities. I shared with them the approach that we were taking which they have wholeheartedly supported with a written statement. We are making progress on that. We think that Canadian producers and workers deserve access to the U.S. market and we are going to make sure that happens.

• (1455)

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, earlier this year I asked the trade minister what he was doing to defend Canadian firms like Hayward Gordon in Halton Hills against U.S. protectionism. The minister said he would simply monitor the situation to ensure that the Americans were playing by the rules. But he did not seem to know that the rules do not apply to state level or subnational level government procurement. So the problem was not that the Americans were not following the rules. The problem was that the Canadian trade minister did not know the rules.

*Oral Questions***ABORIGINAL AFFAIRS**

How can Canadians have confidence in a Conservative government too incompetent to understand our own trade agreements?

Hon. Stockwell Day (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, the member can ignore all the actions that we have taken to date. What he will not be able to ignore is the progress that we are making. It is very clear. We identified our position to the Americans in my discussions with Secretary of Commerce Locke, in my discussions with U.S. trade representatives, and in my meetings with the chair of the ways and means committee. We have had cross-border conferences going on between senators, MPs, between premiers and governors, and between trade associations. That is the reason we now have U.S. chambers of commerce and U.S. business associations agreeing with us on these particular points. We are making progress. He can flail away but he should join us in progress.

* * *

HEALTH

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, yesterday I visited two first nations in my region that have been hit with H1N1. I saw people who were afraid, anxious, tired and a pandemic plan full of paper, no resources, no action. The pandemic is spreading across first nations in Manitoba and across Canada, and the government's inaction is quite apparent. Chiefs from three of the hardest hit communities are on the Hill today. They need doctors, they need supplies, and they need them now.

Will the minister meet with these chiefs and act to support them in what they need for their first nations?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, I have been meeting with the NDP government of Manitoba and it agrees we have adequate supplies for the communities should they require it for the pandemic. A pandemic plan has been in place since 2006. We have been implementing it since April and we will continue to do that in every community. I will continue to work with the provincial health authorities as we deal with this situation.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, what we need to see is leadership from the federal government. This is a national disgrace. The H1N1 emergency on first nations is not in a vacuum. Decades of indifference from federal governments have proven for living conditions that are an embarrassment in a country as wealthy as Canada. Housing, schools, hospitals, roads, this is what first nations across Canada need. As first nations leaders work tirelessly to make sure to protect lives in their communities, we need the federal government to take action. Will the—

The Speaker: Order. The hon. President of the Treasury Board.

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, as the regional minister for Manitoba, I find it amazing that the member has the audacity to come here and advocate on behalf of her constituents asking for improved infrastructure, health care, educational facilities, and yet on every opportunity she votes against it. Let her explain to her constituents why she continually votes against their interests. Why does she not help them with health care? Why does she not help them with education? Why does she not help them with infrastructure? Instead, she says “no”.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, aboriginal leaders have identified unsafe drinking water systems in their communities as a priority that this government should address. In fact, we have listened and it is why, of the 193 high-risk water systems we inherited from the previous government, this number now stands at 58. Additionally, as a result of the economic action plan, we have announced over 15 new projects, which aboriginal leaders have welcomed.

Would the Minister of Indian Affairs tell us about these projects?

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, we are making real progress on cleaning up unsafe water systems since we have come into office. For example, some of the new projects from the economic action plan are improving the water intake for Natuashish, in Labrador; a water treatment plant and reservoir capacity in Caughnawaga, Quebec; water plant upgrades in War Lake, Manitoba; and of course the new lagoon project in Norway House.

All of that is about health and safety and it is about addressing the real needs in first nations and aboriginal communities. It is important that we move forward with these projects. I would urge the opposition parties over there not, again, to put it in jeopardy this Friday when we are voting on the estimates.

* * *

● (1500)

LOBSTER INDUSTRY

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, fishermen have responded to the minister's program for the lobster industry with frustration, disappointment and concern. Far too weak and far too late. Only faint praise has been offered by some saying, simply, “It's a start”. Well, the only way that this can be a good start is if more is on the way.

The minister is meeting with her provincial counterparts this Thursday. These meetings will only be useful if she admits that it is just not enough what has been done and more is on the way.

Is more on the way for the lobster industry or is this start also part of the end, the ultimate end for the lobster industry?

Government Orders

Hon. Gail Shea (Minister of Fisheries and Oceans, CPC): Mr. Speaker, I will point out to the hon. member that \$75 million is \$75 million more than the Liberal government gave to the lobster industry. When the fishers asked for capital gains exemptions, they were ignored. When they requested more harbour funding, they were ignored. For the Liberals' record on the fisheries, their ship did not come in.

* * *

[Translation]

STATUS OF WOMEN

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, a group of nurses responsible for evaluating eligibility for Canada Pension Plan disability benefits has been discriminated against for three decades by the federal government, Liberal and Conservative alike, which was not willing to give them the same professional recognition as their male counterparts.

Since a human rights tribunal has ordered the government to recognize their status as health professionals, will the government for once comply with the court order?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we consider each case on its own merit and we will study the ruling as soon as possible.

* * *

[English]

ABORIGINAL AFFAIRS

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, as the Prime Minister continues his propaganda campaign, pretending that 80% of the stimulus spending has gone out the door, first nations are left behind again.

In my riding, they are still waiting to hear about their applications. Birch Island has \$10 million in shovel-ready projects, but its applications has still not been approved. These are time-sensitive projects and tenders may expire before answers from the government are heard.

Will the government make first nations applications a priority and start the money flowing now?

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, much of the money is flowing now. We took our applications for housing, for example, on June 4. There is \$400 million set aside for aboriginal housing across the country. We have announced a new school in Burnt Church; a new one in Natashquan, Quebec; Opaskwayak, in Manitoba; Birch Narrows; and Little Red River. Those are just the schools.

We have 15 other water projects that we have announced. Some of those projects are in jeopardy because this member wants to bring down the government on Friday. I do not understand. If we want to get help to the aboriginal people, we have to flow the money, and that is what we are doing on this side of the house.

POINTS OF ORDER

ORAL QUESTIONS

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, during the heat of question period, I made a statement about the Minister of Human Resources and Skills Development, which I did not think about, and as soon as I realized what I had said, I wished to withdraw it. I said that she looked as happy as a pig in mud. I apologize for using that term in reference to her and I withdraw the remark.

[Translation]

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, unfortunately, I must rise on a point of order at this time. Those of us on this end of the House hear things that you unfortunately do not from where you are sitting.

Toward the end of question period, about seven minutes ago, in fact, the hon. member for Outremont lost his temper, as you have seen him do in the past, and used language that I would consider unparliamentary according to Beauchesne and Marleau and Montpetit. I have such great respect for the House that I was hesitant to mention it, and I will not repeat what he said. I know that he knows what he said.

● (1505)

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, the only thing I said was “shame” when they refused to act on the first nations issue. I will never withdraw that statement. They should be ashamed.

Mr. Royal Galipeau: Mr. Speaker, as you know, I have been reluctant to repeat what we heard in this part of the House, but the hon. member for Outremont was speaking directly to the President of the Treasury Board when he very clearly said, “Shut up, you moron!”

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Outremont.

Mr. Thomas Mulcair: Mr. Speaker, I respect the member, and he has the right not to hear. I deny it categorically. It is absolutely false. I never said that.

Some hon. members: Oh, oh!

The Speaker: All the Chair can do is check the video, and I will have to do that later. Let us leave the matter for now.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime), be read the third time and passed.

Government Orders

The Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

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

* * *

CRIMINAL CODE

Hon. Stockwell Day (for the Minister of Justice and Attorney General of Canada) moved that Bill S-4, An Act to amend the Criminal Code (identity theft and related misconduct), be read the second time and referred to a committee.

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice, CPC); Mr. Speaker, I am pleased to join today's second reading debate on Bill S-4, which would amend the Criminal Code to address the serious and ever growing problem of identity theft.

Although introduced in the Senate, the bill's proposed reforms are familiar to hon. members as its predecessor, Bill C-27, which was virtually the same, was introduced in this chamber in the previous Parliament and had received all party support at second reading.

I hope Bill S-4 can similarly receive all party support now and be quickly passed into law. Canadians urgently need the protection it would provide against identity theft, a problem that the Canadian Council of Better Business Bureaus has estimated cost Canadian consumers, banks, credit card and other businesses more than \$2 billion each year and a problem that has enormous personal and psychological impacts on its victims. I should add that oftentimes the victims of identity theft are the most vulnerable Canadians.

Identity crime encompasses the collection, possession, trafficking and use of identity information belonging to another in committing crimes such as personation, fraud or misuse of debit card or credit card data.

For example, it occurs when somebody pretends to be an account holder in a transaction and uses the true account holder's identity to access his or her credit or actual funds. It also occurs when someone acquires and uses the identity of another to carry out otherwise ordinary transactions, such as to rent an apartment or to buy a cellphone, which are then used as part of a broader criminal scheme. In these instances, if the crime is eventually detected, the trail leads back to the identity of the unfortunate innocent person whose identity was stolen. We know that organized crime and terrorism routinely engage in identity crimes to carry out their criminal operations. I doubt that any one of us, within our constituency, cannot name someone who has been the victim of identity theft.

Bill S-4 proposes to create three new offences that will target the preliminary stages of identity crime and will enable police to lay charges, for example, before the crimes of fraud or impersonation are committed.

The first new offence would be called identity theft and would apply to attaining and possessing identity information with the intent to use the information deceptively, dishonestly or fraudulently in the commission of a crime.

The second new offence is trafficking in identity information, an offence that targets those who transfer or sell information to another person with knowledge of or recklessness toward the possible criminal use of the information. This offence targets the middlemen, and that is those who traffic the stolen identity information from one person to another, but who may not otherwise be involved in the fraud or other crimes in which the information is destined to be used. The trafficking of such stolen identity information is often part of organized crime's identity fraud activities.

The third new offence is for unlawfully possessing or trafficking in crucial government-issued identity documents that pertain to other people.

Each of these new offences would carry a maximum penalty of five years imprisonment and would complement existing Criminal Code offences such as fraud, impersonation and forgery that already prohibit the most harmful consequences of identity abuse.

Bill S-4 proposes other new offences that will complement other existing Criminal Code mail and forgery offences. It will create the new offences of fraudulently redirecting or causing redirection of a person's mail, possessing a counterfeit Canada Post mail key and possessing instruments, often referred to as skimming devices, that are used to extract and copy debit and credit card information.

Bill S-4 would also facilitate law enforcement's investigative activities by adding new offences and certain existing offences to the list of offences for which a wiretap order may be obtained.

Importantly the bill would enable sentencing courts to order an offender to pay restitution to a victim of identity theft or fraud where the victim had incurred expenses related to rehabilitating the reputation and credit history.

● (1510)

Bill S-4 also proposes two exemptions to address potential negative impacts on the undercover work of law enforcement. I want to spend a moment on this aspect of the bill, as this issue attracted significant interest in the Senate. It is important that these are clearly understood for what they are and are not.

The exemptions in clauses 7 and 9 have been carefully crafted to permit the police to obtain and use identity documents in a fictitious name to support undercover activities. Concealing the true identities of undercover police officers is a problem akin to a uniformed officer carrying a sidearm. The law exempts police officers from offences that would otherwise be committed by carrying their guns, for example. The proposed exemptions will do the same thing for undercover officers with respect to identity documents.

Government Orders

Some will argue that these exemptions are unnecessary and inappropriate, since it is already a scheme in the Criminal Code that operates as justification for offences committed by the police during a criminal investigation. While it is true that sections 25.1 to 25.4 of the Criminal Code could be used to justify the use of false identity documents by the police, that approach would require each officer to weigh the proportionality of using the documents each and every time he or she relied upon them.

While this is an appropriate test where the police are engaging in conduct that amounts to an offence that has not been specifically authorized by Parliament, it is the government's view that it would be inappropriate to require the police to rely on this scheme for a discreet, pre-defined activity that is clearly in the public interest. It is essential to keep in mind that the proposed exemptions do not give the police the authority to commit identity theft or other fraudulent activities. Any other offences that an officer may be required to commit in the course of a criminal investigation would have to be justified under the scheme contained in the appropriate sections of the Criminal Code.

Lastly, the Senate legal and constitutional affairs committee, which undertook a thorough study of the bill, amended it to provide for a five-year parliamentary review. This would provide us with a welcomed opportunity to assess the impact of the reforms in combatting identity theft.

Bill S-4 would provide much needed new tools for Canadian law enforcement and much needed protection for all Canadians against identity theft. I urge all hon. members to consider the most vulnerable in their constituencies when they consider the bill. As we all know, many members of our communities have been the victims of identity theft and the psychological impact of having one's identity stolen or misused can be quite profound.

I urge all hon. members to support the bill and support its swift passage.

• (1515)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I have a few questions. At the Commons justice committee, we did not see this bill in as great an amount of detail as the Senate did. He will know from the changes made to the previous identity theft Commons bill in the last Parliament, some significant and important changes were made. As parliamentary secretary, I would think he would want to say that this shows the Senate justice committee does good work and has provided us a good document from which to work.

Lawful excuse was mentioned as a reason why identity theft might not be charged as either summary conviction or indictable. Besides the police officer exception, what does he envision might make up that lawful excuse?

The interception of private communications in clause 3 is a very good thing. It gives law enforcement officials the tools they need in this electronic age to enforce this law. Why is the government not heeding attorneys general like Wally Oppal from British Columbia who wanted this kind of power extended throughout the code to fight their war on organized crime and the drug industry, which the parliamentary secretary sometimes suggests is the government's war too? Why will there not be more measures for extending the

interception of private communications? Why has the government not worked quicker and with more dispatch in this regard?

Mr. Rob Moore: Mr. Speaker, I thank the hon. member for his work on the justice committee. As he knows, we had the opportunity in the House to consider the previous bill dealing with identity theft.

The Senate and Senate committee took a very thorough look at this bill, and I want to thank Senate members for the input they provided. We feel this is a strong, appropriate bill.

I will speak to the lawful excuse that has been raised. We have to understand that by and large this bill is about protecting Canadians from identity theft. We know that is a growing problem.

Using the example of undercover police officers, in order to do their work, sometimes they have to have a false driver's licence or identity. This is to protect them in the course of their duties. We do not want them to have to go through the other Criminal Code exemption provisions in order to be able to conduct their undercover work. We feel the police should be provided that exemption within the bill so that undercover officers can use those documents.

The bill is largely about tackling a very serious problem. I feel that our government has been responsible in bringing this bill forward. It is something I am sure the member has heard about from his constituents. I have certainly heard from mine about the serious impact of identity theft.

On the broader issue of organized crime, our government has been targeting the root of the organized crime problem. We have been dealing with the issue of identity theft, gang violence and mandatory penalties for serious gun crimes. We have been dealing with some of the things that fuel organized crime, like the trade in drugs and also auto theft. In fact we have also dealt with the very serious issue of the human trafficking of minors that organized crime participates in.

Step by step we have been taking a very serious and direct approach to organized crime. As the Minister of Justice has said many times in the House, we are just getting started. We will continue with this agenda to make Canada and our communities safer and provide balance with our justice system.

• (1520)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I want to pursue the issue of lawful excuse. When I first looked at this provision, it caused me a good deal of concern as to why we would be doing this for this specific crime. There is the general section in section 25 of the code. Why would we not have amended section 25, if that was necessary, as opposed to creating a new section in this part of the code under identity theft?

Government Orders

If we are doing it with regard to identity theft, in how many more sections of the code are we going to use this specific type of lawful excuse, as opposed to using the more general one with the protections it has against potential abuse? That caused us a great deal of concern when we first passed section 25 with regard to lawful excuse, and it continues to be of great concern to the justice committee.

I am wondering whether we are now going to see a series of amendments to the code in other criminal offences and why would we do that as opposed to simply amending, if necessary—and I have some doubts about whether it is necessary—section 25.

Mr. Rob Moore: Mr. Speaker, I thank the hon. member for his work on the justice committee.

Part and parcel of an undercover police officer's role and his or her ability to infiltrate an organization is the use of a false identity. A police officer can obviously not use his or her own identity. This bill recognizes that specifically.

The code does provide for lawful excuse for police officers to be able to conduct undercover activities and to do things that would otherwise be unlawful, for example, in order to infiltrate criminal biker gangs, organized crime. The Criminal Code needs to provide for that because our police need the protection of the law as they conduct their activities.

In the case of identity theft, we feel it is more appropriate to have a specific exemption in place so the police will not have to avail themselves of section 25 every time undercover activities are conducted. That is why that very narrow exemption is in place.

What makes the bill even more workable is that it attempts to target those who prey on the most vulnerable, those who, unbeknownst to a Canadian, would steal his or her identity and rack up charges in that individual's name or use it to conduct organized crime offences.

Canadians want to be protected from identity theft, and this bill would help to do that. It would help to get at the middleman who is in possession of identity theft material. When it comes to identity theft, it would expressly allow the police to do their good undercover work. I think Canadians understand that. It is the right approach and a comprehensive approach to this issue.

• (1525)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I would like to thank the member for commending the Senate justice committee, both this time and two weeks ago, for the great work it is doing.

Is there a role for Internet providers in working with the police to help solve identity theft crimes?

Mr. Rob Moore: Mr. Speaker, the problem of identity theft has become more complicated as technology increases.

We, on this side of the House, look for comprehensive approaches to tackling crime. We have been steadfast in our work on the criminal justice file. We have to be able to work with Internet service providers, the police, provincial attorneys general and other investigative bodies to tackle this serious problem.

The member raised the Internet in his question, which has been used to exponentially increase the instances of identity theft. In the past, a driver's licence or other important personal information would have been physically stolen, but that information can now be stolen via the Internet, so we need co-operation from all quarters.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, it gives me great pleasure to speak to Bill S-4 today.

I have been here for three and a half years or so, and it seems that we deal with issues that are important to Canadians sporadically and cyclically. This is not the first time I have risen to speak on identity theft legislation. It is not the first time we, as a Chamber, have considered it. It just seems to be a shame that after three and a half years Parliament has not tackled identity theft. Prorogation is one thing that comes to mind.

We have to come together, as parliamentarians, to pass legislation that works in making Canada a better place. We do not need lawyers or members of Parliament or professors to tell us that Canadians at the Tim Hortons on St. George Boulevard in Moncton or Quispamsis are concerned about identity fraud, identity theft.

They may not use those terms, but they know what it is if they are offered a free cruise by some company in the United States if they only put \$200 on their credit card and then they have their Visa racked up to its limit. They know what that is. That is good old-fashioned hucksterism, old-fashioned theft, which one only admires. They want us to respond in a modern way to a modern problem which, at its roots, is a very old way of just tricking people. This bill is one that we are pleased to recommend.

Again, all too often we do not recognize the good work of the Senate. On the Senate justice committee, we have les éminences grises, many people who have years of constitutional legal experience. Clearly they have brought to bear amendments or changes to this bill that were needed from the previous bill, which was introduced into Parliament in the last session before the pin was pulled. Some of those examples are modernizing our definition of what constitutes an identification card.

The last clause of the bill says that there shall be a five year review of this legislation. Now many of us, and I know the member for Windsor—Tecumseh would agree, think that the Criminal Code in general should go through a comprehensive review. We seem to be adding layer after layer to the code without any real and thoughtful revision or compilation of its true essence.

In this act, and it seems to be a trend in a number of acts, there is the suggestion that every five years there would be a full review of how we are doing with respect to identity theft or identity fraud. As members know, we did a similar thing with respect to anti-terrorism legislation. We think there should be such a mechanism for the designation of organized crime as well.

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In its first proposed subsection, this bill has a hybrid offence, which means summary conviction or indictable. There are some offences that will be below a mandatory limit. If we only went with indictable or serious offences, we might lose a lot of the minor offences that happen every day with respect to identity fraud.

This is not a case where we are just going after the big pilfering of accounts. This bill is designed to catch, as I mentioned, the rack up of \$200 on somebody's Visa bill. That would be a summary conviction offence. That part is good.

Discretion is a word we use on this side quite a bit. Discretion should be inherent with judges and prosecutors so they can mold the law to the factual situations they see in our communities every day. Hooray that the Conservative government allows discretion in this bill for prosecutors to proceed by way of summary or indictable offence.

The offence itself states that anyone "who, without lawful excuse, procures to be made, possesses, transfers, sells or offers for sale an identity document that relates" to another person is liable for the crime to a term of up to five years in jail.

The identity document is something else that the Senate added to the debate by further specifying what it should be.

• (1530)

Clearly, these are documents that we know of every day. We see them used every day and there is reticence in the minds and hearts of people as to whether they should be handing over their social insurance number, driver's licence or health insurance card. There is a timidity about giving information that identifies a person, particularly to businesses, but also to government. This includes birth certificates. Death certificates were added. One might ask how it could be identity theft if a death certificate is taken because the person does not exist any more. Clearly, it is an issue of identity fraud, where somebody plays on the personage of an estate or of a dead person.

Also included are passports, citizenship documents and employee identity cards. An expansion allowed by the Senate takes into account that employee identity cards sometimes have so much information behind them, either encoded on them but more likely behind them in terms of the application, that they are almost more valuable than a social insurance card or a driver's licence. It is a very modern suggestion to add it to the list.

Before getting into the guts of the bill, I want to talk about the difference between identity fraud and identity theft. The last bill in the Commons took the approach that we should be more concerned with identity fraud rather than just identity theft. To the average person and to the judge interpreting our laws, identity theft might just say that one is stealing somebody's person, who they are legally, for a bad purpose.

Identity fraud dips in and out of the idea of the entire theft of the identity. It suggests a broader definition, which would encompass all of the stages involved in the crime, such as acquiring, collecting and transferring personal information as well as the actual use of the information. It is much like car theft, a bill that we dealt with earlier today. There are typically many players in the stages of identity theft. It is not a situation where someone leaves a Visa card behind at a

store and then someone else tries to use that Visa card at another store. That is clearly a case of identity fraud and identity theft for the purpose of the next purchase.

We are talking about wholesalers of information who gather up student ID cards. We have some students as pages. Mr. Speaker, you probably do not recall as well as the pages do about being a young person at Queen's or U of T and nonchalantly giving all of one's information to the registrar. What if that is privatized? What if it is a private group of companies that amass that information, take those partial identities and sell them to *Maclean's* to sell magazines?

What if that information is intercepted along the way and used for an improper purpose? It would be very difficult to find out how that happened. The young student might say that he or she has only ever given all of that information to Queen's University, so he or she will blame the university, but that may not be the case at all. The person along the way might be an errant secretary, data information analyst or whomever. Anyone involved in the acquiring, collecting or transferring of the information is hooked by this legislation.

Calls for the amendment to the code in this regard have been going on for some time. Papers have been written for some time on the issues of identity theft and identity fraud. One of the best papers talked about the most fraudulent uses of personal information by identity thieves. Initially, until we took it to this level, this law did not deal with the collection, possession and trafficking of the information. We feel that with the additional offences added by this bill, this is now addressed and adequately covered. We are here in 2009 talking about it.

Identity theft is a serious criminal activity. We have reviewed the bill. Between the speech of the parliamentary secretary and my opening comments about the basis of the bill and the documents that are included in the definition, we know that we have a strong bill. People in the community might ask why it is so urgent. Identity theft and identity fraud are a serious and lucrative industry. How do we as lawmakers have any evidence of that?

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•(1535)

The Canadian Council of Better Business Bureaus has estimated that identity theft costs Canadian consumers, banks and credit card companies, stores and businesses more than \$2 billion annually. Two billion dollars used to be a very meaningful number until deficits were running into the area of \$50 billion. Two billion dollars use to be the annual cost of a major national program. As I say, \$50 billion has probably diluted the meaning of \$2 billion, but we know that this is a very serious set of criminal activities. As I mentioned, it is the unauthorized use, collection or trafficking of information. This is the pitfall.

Mr. Speaker, you are an established person, well known in Canada, and you may think this would never happen to you. The worst thing you could do to prevent that from happening to you is to pretend that it cannot happen to you. It is never too late to learn how to safeguard yourself from this type of fraud.

There may be many people in the Canadian public who may think they are protected, because they use a chartered bank, they have known their bankers forever, they have only had one credit card in their lives, they pay their phone bills at city hall, they do everything they can to keep their transactions as discreet, one to one, even personal. According to Louis Robertson, head of the RCMP's Criminal Intelligence Analytical Unit at the Canadian Anti-Fraud Call Centre, identity theft is now probably the most important problem for Canadian consumers.

In 2006 there were 212,000 Canadians who were victimized by identity theft, and their losses, in the use of identity as well as credit card manipulations, ran over \$15 billion. Somewhere, depending on whether one subscribes to what PhoneBusters did on a call-in basis of \$2 billion, or the RCMP with the \$15 billion figure, is the reality about the figures three years ago.

As far as Canadians feeling that they are gripped by identity theft, there was a survey conducted by the McMaster eBusiness Research Centre, MeRC, on behalf of the Ontario Research Network for Electronic Commerce, ORNEC, which was designed to determine the nature and extent of identity theft and fraud so that lawmakers would know that they had the evidence to bring in a bill like this one.

The survey itself, with over 3,000 valid responses, suggests that 6.5% of Canadian adults, or almost 1.7 million people, were the victims of some kind of identity fraud in the last year. Over 20 million hours and more than \$150 million was spent to resolve the problems associated with these frauds.

The issue is that this is costing the economy of Canada more than just the money that is pilfered and taken away from Canadian consumers and taxpayers. The survey also counts the millions of hours spent trying to recover the data that was lost and create new data. Anyone who has ever lost his or her wallet knows that it is a nightmare to replace all of the things in it.

More than half of the frauds that have occurred to the Canadian public involve nothing more than unauthorized purchases made with credit cards. That is certainly something we hear about quite often.

If we eliminate credit card fraud as the most popular or well-known instance of fraud with respect to identity, with the incidence

rate and costs quoted above, the number of victims is reduced to 700,000, but they still spent 12 million hours, not the 20 million hours, but 12 million hours and more than \$110 million of their own money to resolve the problems.

Most victims, 57%, did not know how their personal information was accessed, but when they did know, the identity fraud was most often associated with a business transaction conducted either in person in 25% of the cases, or online in 15% of the cases. This is exactly consistent with what I said earlier. People who are careful about their identity issues try to keep their business transactions discreet and personal, but it is actually more often the case in personal business conducted, that is 25%, than it is for online purchases. That is an important thing for Canadians to be aware of.

•(1540)

This bill captures anyone along the chain involved in taking personal identification information.

Debit card skimming made up 13% of the fraud incidents. Twenty-five per cent of all cases of identity fraud were committed by someone known to the victim. This survey found that to be the case. They were not known by the victim in 7% of the cases.

Very few of the cases of identity fraud were reported to the police, only 13%, or to credit reporting agencies, 6%, or to PhoneBusters, .5%. This indicates that perhaps there is an embarrassment factor. People also might realize, as many people do, that there are inadequate legal provisions to cover the instance, which is the reason we are enacting this law.

If one were to go to police authorities before this law came into effect, the police authorities might well say that this is a civil matter. How often do Canadian citizens hear from police authorities that the fight over the loss of money between the card holder or bank customer and the bank or credit card company is a civil matter and it will not be investigated? That is why there is such low reporting. We hope with this law that there will be more reporting because, frankly, the police will have a better tool to work toward the elimination or the curbing of identity theft and identity fraud.

In closing, the Canadian consumer can protect his or her personal information from physical theft in a number of ways. The government has been adept in some quarters in publicizing a message, at least outside this House, so I would call on the government to take up this campaign of advising and educating members of the public on how to protect themselves from identity fraud and identity theft. It would be disingenuous to suggest that this law is going to eradicate all identity theft and identity fraud.

This is what Canadian consumers can do. I think that the government should lift provisions from this speech for a public education campaign that could be a companion to this bill. These suggestions are from the survey of 3,000 people, of what are the most effective means of protecting one's identity and what have proven to be effective.

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Seventy-nine per cent shred financial documents or important documents all or most of the time. Many use a locked mailbox all of the time, or most of the time. Many keep sensitive information in a secure location, such as a locked box or a drawer, all of the time or most of the time.

Many have eliminated or reduced the number of identity documents that they carry with them. How many people do we know who, because of loyalty programs, credit cards, identity documents needed for almost any club, association, building or job, have two wallets or in some cases a wallet so big that it is the size of a desk? One idea is to get rid of unnecessary identity documents.

Many have stopped receiving mailed account statements or have reduced the number of mailed statements that they receive.

Canadian consumers take the following measures to keep their personal information from prying eyes or unauthorized access. One has to do with securing one's information, and one of them has to do with security at the workplace or at a social event where information may be spied upon.

Never or rarely give information over the phone to people claiming to do surveys or offer promotional goods and services, unless one is a Liberal and is asked by a reputable polling agency what one's view on the next election might be. I highly recommend not doing that.

Make sure no one is watching when using an ATM or debit card machine. The public would be wise not to give credit cards to waiters or gas station attendants in the absence of the card holder himself or herself.

Those are just some of the things that consumers can do.

In summary, this is a good bill. It is a shame we did not get it earlier. It should give law enforcement officials the tools to fight identity fraud. We should be thinking in terms of identity fraud, not just identity theft. We should put out a public education campaign to make sure people do not do things that put them in jeopardy. We should give the Senate a pat on the back for making this bill better.

• (1545)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the member made an excellent presentation.

I would like to ask him a question, but I am not sure that he has the answer. The question has to do with lawyers who are increasingly having problems with clients who present a false identity to get mortgage loans. I would like to know whether or not the mortgage loans aspect is part of the scope of this bill. Does he know the answer?

Mr. Brian Murphy: Mr. Speaker, this is when I should say I am a lawyer. I am not a real estate lawyer and never was. However, I know the mortgage corporations and land title companies are very vigilant with respect to identity issues. I do know as well that law societies across the country are very vigilant about issues regarding identity.

I have not experienced this, but I have read about it. When it comes to land titles systems, most jurisdictions require that each document of identification for an individual be on the registry, which is a bit anomalous and bit hard to explain. I understand that some

people, particularly in provinces like Quebec, have a religious birth certificate and a civil identification document, which may be very different in name. In most land titles systems both documents must be registered to ensure there is no confusion, there be absolute certainty who an individual is and there not be fraud.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, as an experienced member of the justice committee, I would like to ask the member to comment on this.

The parliamentary secretary gave a good outline of the bill and we are all in favour of this. We want to get it through as quickly as possible. However, he made a frightening comment at the end, that there was more of the same coming from the government.

As the House knows, the government had a number of failed justice bills. It had a number that had to be amended because of such a poor agenda. It has made Canada more dangerous in some way by insisting on mandatory minimums in areas where it has shown that it is not successful. It has taken away judicial discretion where that could have led to less recidivism and better treatment.

The government seems to lack the enthusiasm for the things that would make Canada safer, such as improved resources for treatment in the jails, moneys to deal with the root causes of crime that would help offenders not reoffend. Over 50% of crimes are for addiction or to pay for addictions. There seems to be a lack of enthusiasm for items that would actually reduce crime.

Mr. Brian Murphy: Mr. Speaker, I would have to agree with the member for Yukon. As much as we might be in favour of the bill, let us analyze it. There are good parts of the bill. It defines what the offence is so the police can go after the wrongdoers. It would give police and officials wider powers with respect to surveillance interception. That is something attorneys general across the country have been asking for in general. There is also a review of how the legislation is working. It is not necessarily a large jail sentence that makes legislation effective and society safer.

The member for Yukon was a very diligent member of the justice committee, fighting for the rights of aboriginals and the rights of northern Canadians. He knows that 90% of the bills sent forward from the government, after a five o'clock press conference, were about tougher sentences.

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We are sitting here three and a half years later and we are just getting to the auto theft bill, which would give police the proper tools to combat that. We really have not done as much as we should with respect to impaired driving, or at least we got to it very late. We are here today, three and a half years later, dealing with commercial fraud, identity theft, identity fraud, which affect people from St. John's to Vancouver Island, to way up north, of all ages and all walks of life. It is something that should have been done earlier.

My advice to the government, through the member's comment, is to get off the five o'clock newscasts and get into the House and even into the Senate, which it often slams, and get some of this legislation done, which affects every day Canadians in a meaningful way.

● (1550)

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, in my colleague's previous capacity as a lawyer, he managed to delve into the lives of individuals, both victims and those who were convicted. I want to ask his opinion on two enormous issues that have not been dealt with in the House but should be.

First is the incidence of fetal alcohol syndrome and fetal alcohol effects. It is estimated that 50% of individuals who are in federal institutions have FAS or FAE. It is leading cause of preventable brain damage by birth in children.

Second, if one wanted to do one thing that could reduce youth crime, for example by 60%, and have the most profound impact on keeping our country more secure, it is an early learning head start program for children. It is worked in places like Ypsilanti, Michigan, which has a 35 year retrospective experience with this program.

In his previous capacity as a lawyer, does my colleague not think we should work with the provinces to develop an initiative to reduce FAS and FAE? Also does he not think the federal government has a role to work with provinces to implement a national early learning head start program?

Mr. Brian Murphy: Mr. Speaker, you may wonder what this has to do with identity theft. The overall crime fighting agenda of the government is certainly in issue. I want to pay homage both to my friend from Esquimalt—Juan de Fuca and my predecessor, Claudette Bradshaw, who, in founding Headstart in greater Moncton, was very aware of the effects of fetal alcohol syndrome.

The justice committee heard from police forces across the country and during its visits to western police authorities. They said that the prevention of crime was a huge issue. To find the people who are afflicted with this, treat them, intervene and integrate them into society as early as possible is clearly the best way to get away from crimes such as identity theft, car theft and all the other things we have talked about happening at a later stage.

Clearly the member is on the right track. A responsible and passionate government would be proactively thinking about early intervention, child care and early childhood development. So far I have heard very little from the Conservative government in this respect. It thinks that every middle-class parent who chooses to keep his or her child at home is a good thing. I was one of those children growing up. It is not a bad thing but it is not the whole picture.

A whole segment of society has been left out, which, in some cases, gets involved with crime. It would be so much better for the government, the ministers in the front row, to be aware of how to combat crime. The answer is getting to it early.

Mr. Jim Maloway: Mr. Speaker, I noticed one very important point that I thought should be brought to our attention. The RCMP normally takes the view that this is a civil matter. I have lots of examples of credit card theft. The person goes to the RCMP, is told to take a number, that 20 people have been in before the individual and it will get around to it when it gets around to it because it is a civil matter.

To the extent that this bill would give the RCMP more powers to get involved in this kind of activity is a very good thing and we should proceed with it as quickly as possible. When people who do this kind of stuff realize there are really no consequences, they will repeat what worked for them the first time.

Could the member further his comments on that?

● (1555)

Mr. Brian Murphy: Mr. Speaker, I agree that moving this from the realm of a civil dispute to an activity covered by the Criminal Code puts the onus on the police to investigate it and prefer charges.

It delves into another issue that is prevalent, though. The government has promised more resources and officers. Its answer seems to be that it gave the money to the provinces and it is their problem if policemen are not on the streets. However, there is an underlying issue with respect to police forces across the country, which is recruitment and retention.

We are not the government on this side yet and we have to tell the government there is a problem. The Minister of Justice had better start talking to the Minister of Public Safety to ensure all the laws are promulgated and can be adequately serviced by police forces across the country. I hear that they are not adequately resourced and there are issues with respect to recruitment and retention, which the government is not addressing, and that is a shame.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I first want to thank the office of my party's whip for allowing me to spend the next 20 minutes speaking to an exciting bill about identity theft.

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This bill is a singular phenomenon in our legislative process. It came from the Senate first. I do not understand why the government did not lay it before this House and the dynamic Standing Committee on Justice and Human Rights. True, we do have a number of bills to analyze, but it seems to me that it would have been a sign of great deference if we, in our capacity as agents, as representatives and spokespeople for the public, could have had this bill laid before us first.

Identity theft is on the rise in Canada as it is in other countries. This phenomenon can produce some extremely awkward situations for our fellow citizens. Only this morning, I met someone whose credit card had been cloned. Someone had thus had \$5,000 stolen from their credit card. It is easy to imagine not only how insecure this can make a person feel, but also what problems they may have in resolving the situation with the financial institutions. Even though most of them agree to reimburse a person who has been the victim of what is, to say the least, a distressing act, it is still an extremely difficult thing to experience and resolve.

The purpose of Bill S-4, which went first to the Senate before being introduced in the House, is to combat identity theft. When we talk about identity theft, we are talking about the unauthorized collecting and use of personal information, ordinarily for criminal purposes. This is nominative information, such as name, date of birth, address, credit card number, social insurance number, or any other personal identification number that can be used to open a bank account, obtain a credit card, have mail forwarded, subscribe to a cell phone service, lease a vehicle or equipment or an office, and even get a job.

With its usual wisdom and judgment, the Bloc Québécois will support this bill, which seems to it to be reasonable and to properly represent Quebec's interests. We are opposed to bills that do not reflect the values and aspirations of Quebec. We fiercely oppose any bill that attempts to intrude into areas under provincial jurisdiction.

Bill S-4 will mainly create three new offences. First, obtaining and possessing another person's identity information with the intent of using it in a misleading, deceitful or fraudulent manner in the commission of a crime is an offence liable to imprisonment for a term of not more than five years. Trafficking in identity information is the second offence. Here we are talking about an offence that targets people who sell information to a third party, knowing or being reckless as to whether it might be used for criminal purposes. The third offence, in addition to obtaining and possessing identity information or trafficking in identity information, relates to possession or illegally trafficking in identity documents issued by the government or that contain information about another person.

Those are the three main offences created by Bill S-4. I would note again that identity theft and the use of personal information for purposes other than those consented to by the person for whom it is intended are on the rise in Canada.

• (1600)

This certainly has to do with the development of our means of communication and new technologies.

Other changes have been made to the bill. If I had my druthers, I would be talking about the conflict in the Middle East, but I am

afraid it would not be relevant to what we are debating here and so I will not.

The Criminal Code provides for other offences under Bill S-4. A new offence of redirecting mail or causing it to be redirected is created.

There is also the new offence of the possession of a Canada Post mail key. Such a key would obviously be counterfeit.

Additional forgery offences are proposed, such as trafficking in forged documents and the possession of forged documents with intent to use them.

Another new offence is the re-naming of personation, which is called identity fraud.

The final offence that is added is a further refinement of the meaning of fraudulently personating another person.

I think it is probably my responsibility to mention that the bill provides for two exceptions which shield people from forgery charges if they produce counterfeit documents for secret government operations. This protects public servants who shadow people, engage in electronic eavesdropping or infiltrate groups. These public servants would be protected under this bill when they are tasked by responsible law enforcement agencies with creating and using secret identities in connection with their jobs. If they are hauled before the courts for unauthorized duplication, counterfeiting, forgery, or the appropriation someone's personality, they have a defence that will make them immune.

The Bloc Québécois does not doubt that this bill is necessary. There is even a burning need for it. We all know people among our friends or in our families who have experienced unauthorized use of their credit card or debit card or some other people who have had their identity appropriated for nefarious ends.

Identity theft is becoming very widespread. The Canadian Council of Better Business Bureaus estimated that consumers, banks, credit card companies, stores and other businesses lost \$2.5 billion as a result of identity theft or the cloning of credit cards or other cash substitutes of this kind.

In 2006, Phone Busters received some 7,800 calls from victims of identity theft reporting total losses of over \$16 million for themselves or for businesses. The scope of the problem is apparent.

According to a survey Ipsos-Reid did in 2006, one Canadian in four—so about 25% of the population or 5.7 million Canadians—said they had been a victim of identity theft.

We might wonder why we need the Criminal Code to fight identity theft effectively.

•(1605)

When it is a matter of organized crime, importing and exporting stolen vehicles, drugs, when lengthy investigations are necessary, when we want to address the smuggling of certain products, then we can understand that criminal law is probably the best route under the circumstances. But when it comes to identity theft, credit card cloning and phenomena that often have to do with ownership or the real ownership of identity papers, might civil law not be the better route?

The former Privacy Commissioner told a House of Commons committee that the real solution to identity theft would require civil sanctions. She said:

Civil sanctions... are very easy to prove and easy for citizens [to understand].

She was of course referring to civil law as opposed to criminal law. As we know, criminal law is far more complex because, for each offence, there must be proof that the individual not only intended to plan or to take a criminally reprehensible action, which is termed *mens rea*, but also actually performed that act, which is termed *actus reus*. In civil law, the proof is far easier to establish, because it is not proof beyond all reasonable doubt, but proof by balance of probability.

The Privacy Commissioner said:

Civil sanctions... are very easy to prove and easy for citizens [to understand]. Small claims courts [there is one in Quebec and I imagine also in English Canada]... may provide a more easily accessible deterrent to the growing industry of ID theft. This means, of course, that I think the federal government has to work closely with the provinces, because a lot of what happens in terms of ID theft falls within provincial jurisdiction.

This poses a problem, because on matters of civil law, the federal government needs to work closely with the provinces, especially Quebec. Quebec is not only the main place where French is spoken in Canada, but also the only province with a civil law system.

That means that the government will have to be flexible, courteous, kind, open and skilful. I must say that these are not qualities the government has been known for in intergovernmental relations.

We need only consider the cavalier way in which the federal government treated Quebec's demand for financial compensation in connection with the harmonization of the sales tax and the GST. The National Assembly of Quebec had even passed a unanimous motion. We need only look at how the government has handled cultural issues and the reconveyance of land adjacent to the National Assembly of Quebec and on the Plains of Abraham.

This is a government that has chosen the federalism of confrontation. It has chosen to be completely insensitive to complaints and, in some cases, even demands that were unanimously supported by the National Assembly of Quebec.

We could go on and on about the Conservative government's insensitivity to the provinces' complaints. If my colleague, the likeable and charming member for Rosemont—La Petite-Patrie, were here, he would certainly give the example of the Kyoto protocol, which has to do with greenhouse gases, and the battle that Quebec and the National Assembly of Quebec waged together. We repeatedly called on the government to honour the promise made by

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former Prime Minister Chrétien and the treaty he had signed, so as to respect the efforts of a number of industries that had fought very effectively against greenhouse gases.

But the government did not want to respect the strategy of the Government of Quebec.

•(1610)

We need only think of Senate reform. We know that Quebec's National Assembly is worried about Senate reform. We can certainly have different complaints about this institution given that it is not a democratic chamber. We might also say that the Senate is an outdated institution that is ill-suited to a modern parliamentary system. However, we cannot act unilaterally.

The former intergovernmental affairs minister in the Quebec National Assembly, Benoît Pelletier, was my professor of constitutional law. I remember his lectures with a great deal of nostalgia. He was a very good professor and I was a very good student. I remember that the course was on Mondays at 8:30 a.m., too early in some respects. Professor Pelletier would arrive and was able to present his material in a very interesting and lively way. I owe my considerable knowledge of the Canadian Charter of Rights and Freedoms to him.

Naturally we had differences of opinion and I exercised my prerogative as a student to express mine in the middle of a class on the unilateral repatriation of the 1982 Constitution which, as you know, was opposed by the Quebec National Assembly. Even the former leader of the Liberal party, Claude Ryan, who could hardly be suspected of sympathizing with the sovereignists, had joined with the Quebec National Assembly to denounce the extremely cavalier way in which the matter had been handled.

All that to say that the Senate and the Quebec National Assembly do not want us to review the selection process for judges unless the provinces can formally participate. We know that the role of the Senate, the upper chamber, is to provide the necessary regional balance within the federation.

A little while ago, I was giving a tour of the House to some visitors from Australia, and I believe I explained to them why the House of Commons has a green carpet and the Senate has a red one. First of all, the Senate is the chamber of the monarchy. The Queen never sets foot in the House of Commons. She instead goes to the Senate, as does her representative, the Governor General, who goes to the Senate to ratify legislation.

This is done in the Senate, and not in the House of Commons. The House of Commons is the house of the people, and traditionally, the green symbolizes the meadows, which is where the people first gathered to oppose the monarchy they felt was too authoritarian and self-congratulatory.

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These are examples of how the government did not listen to what we would have liked it to hear from Quebec regarding Senate reforms, the GST or cultural issues. I do not want to skip too quickly over the issue of culture.

The current government chose to recognize Quebec as a nation. We know that Quebec is a nation: we have our own history; we have our own vernacular, the French language; we have a different legal system; we have common aspirations; and we have control over institutions and territory. Those are the main characteristics of a nation. The government recognized Quebec as a nation, but in the absence of concrete action to back this up, we have trouble seeing how we can take it seriously.

I remind the House that the member for Joliette, the Bloc Québécois House leader, is an extremely eloquent man, who shows restraint at all times and is not known for excess. Except, perhaps, when it comes to food. But in general, he is an exceptionally controlled man. Now, when the member for Joliette introduced a bill calling for federally regulated companies to comply with Bill 101, we would have liked to have the support of the government and the official opposition. That would have been a very nice recognition of the fact that Quebec is a nation.

• (1615)

Since my time has expired, I will be pleased to respond to any questions my colleagues might have.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the hon. member's speech was good as usual, although this time I have some differences to take up with him on some of his points.

When people are victims of identity theft or credit card abuses, they are already under a lot of stress when they find out about this issue. Then when they go to the police, they are told that it is a civil matter, that they need to take a number and they will be dealt with at some point.

When the member suggests perhaps there is some body of evidence out there that perhaps civil courts could handle issues like this, in real terms people will not be encouraged or happy to be told that. They will have to take someone to small claims court, but if it is an identity theft situation, they may not even know the person who stole the identity in the first place.

Another issue is the credit card companies do not want to tell people what happened with their cases. They put the cone of silence around the situation and do not report back to them, so they may never know who used their cards. We should require credit card companies to report back to people and let them know who did what and give a resolution of the case.

It is very important we have this federal legislation so the police forces cannot step aside—

The Deputy Speaker: The hon. member for Hochelaga.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, there are two parts to the question raised by my colleague. There is of course the evidence I quoted, given by the former Privacy Commissioner, who found that it would no doubt be more effective to resort to civil law in matters

of personal information and transactions, and that this is closer to a civil reality than a commercial reality. In that regard, I agree with the former Privacy Commissioner's testimony.

It is also true that identity theft could lead to criminal prosecution. That is why this bill has been introduced by the Department of Justice. When such offences occur, the crown attorney must lay charges and sentences are handed down, the maximum of which is 10 years. Obviously, we agree that the Criminal Code has a role to play in a number of circumstances.

As for the notion of financial institutions disclosing the identity of the guilty parties, that cannot be resolved through the Criminal Code, but rather through internal regulations and practices established by the financial institutions.

• (1620)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I thank the member for a wide-ranging discussion. I agree that the option to proceed civilly would be good. There should be criminal charges of course, but to proceed civilly would also give the defendant the chance to recoup some of his or her money if he or she did not get it civilly.

The Canadian Chamber of Commerce suggested that another offence be added to the bill, and that was impersonating another person with the intent to solely obtain information pertaining to that person. Does the member agree with that suggestion?

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, when we talk about the crime of personation as identity theft, part of this bill could definitely satisfy the Canadian Chamber of Commerce. It was my understanding that this amendment was proposed by the Senate. We can examine this in committee to see just how far the scope of this offence extends, but I think it is pretty close to what the hon. member for Yukon has suggested.

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I would like to congratulate my colleague from Hochelaga, who gave us an eloquent exposé on the bill and on the current relations between the Quebec government and federal government.

I have three short questions I would like to put to him. First, does he think that we should follow the example of the United States, where, currently, the rate of fraud through identity theft is the highest?

Second, could legislation of this type apply to the identity theft people face with health insurance cards, in Quebec in particular? This type of fraud is widespread and costs the government dearly. Could the government make use of this legislation to eliminate this scourge?

My last question to him concerns civil law compared with criminal law. I have the impression that, in civil law, the sentences are always less harsh and the punishment less severe and that civil law would not discourage people from committing identity theft to the same extent as criminal law.

Government Orders

Mr. Réal Ménard: Mr. Speaker, as regards the last part of the question, it is true that in civil law there is greater likelihood of a fine being imposed than imprisonment and that punishment is generally less severe when the trial takes place before the Quebec court, for example, or in a civil proceeding rather than a criminal one.

I am less familiar with the American example. There was a small explanatory note on the American model, but because I do not have in-depth knowledge of it I am going to reserve judgment, with my colleague's permission, to avoid stepping off the path of prudence I usually follow when I do not know something.

As to health insurance, in my opinion, it would be covered by this sort of bill since it concerns nominative information. The provisions of the bill could be used to instigate proceedings.

[*English*]

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, one of the reasons people commit identity theft is to get resources for illicit purposes. One of the underlying reasons is the individual may have a substance abuse problem. Studies show that an addict steals about \$250,000 in various ways, including identity theft, then turns around and sells that information for about \$50,000.

The North American opiate medication initiative is a very exciting project that has been going on in Vancouver. Recently there has been an extension to that called SALOME, which is a long-term narcotics substitution program. This program is taking place in Montreal.

Does my colleague think that communities across Canada that would like to have narcotic substitution programs should be able to have them and by so doing the ties between an addict and crime, particularly theft, would be severed?

• (1625)

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I thank my colleague for his question. In a few years, when I am no longer in this House and I think of my years as a parliamentarian. I will always recall his originality in suggesting links that do not immediately spring to mind. Let us put it that way.

Quite honestly, I never thought that identity theft and the search for identity information could be driven by substance abuse problems. I do not have a lot of information on the program to which he referred and do not know if it exists in Montreal.

However, the member's question reassures me that I understand what he is, and that is a humanitarian who wants to make sure legislation is never excessive and who can always be counted on to defend the most disadvantaged. It is most certainly all to his credit.

[*English*]

The Deputy Speaker: 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 Saint-Bruno—Saint-Hubert, CBC; the hon. member for Cape Breton—Canso, Employment Insurance; the hon. member for Don Valley West, Sri Lanka.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I rise to speak to Bill S-4, a substantial irritation in my emotional level. I say that because the bill and this problem has been around the

House for way too long a period of time. It has been delayed repeatedly by the government in spite of the reality of the problem for the whole of the country. Large numbers of people are suffering very negative consequences from identity theft criminal acts.

I want to go through it because it bothers me that the government pretends to be strong on crime and says that it will fight it in every way, but the bill is a classic example of how it is attempting to mislead the public in that regard.

The bill was introduced in the last Parliament to address the issue. It has had some amendments since then. It was knocked off its normal rotation because of prorogation by the government in September 2007. It was reintroduced when Parliament reopened. It went through the process of first and second reading. It was sent to the justice committee by March 2008, at which point, we were confronted with a justice committee that no longer functioned because the Conservative chair refused to call meetings or when he called meetings, he would abruptly get up and leave the chair and nobody would replace him. That went on until the summer of 2008 and early fall, when again the government stopped Parliament by calling an election against long-term promise by the Prime Minister not to do that.

We came back after the election and we were into a whole battle over conduct of the government in terms of not seriously addressing the fiscal crisis that both this country and countries internationally were confronting. Then we had another prorogation in December 2008.

We came back after the prorogation and what did we see? We saw this bill, not coming to the House, not to the elected chamber in our Parliament, but going to the unelected chamber down the hall, where it sat. Finally it was sent over here earlier this week.

The bill should have been law by the end of 2007, at least the initial issues that we were addressing, even without the amendments. At the rate we are going, it is not going to be law until sometime near the end of 2009. All of that delay is because of the government.

It is quite clear that the Conservatives cannot claim they did not know how serious the problem of identity theft was in the country. The member from Alberta on the government side introduced a private member's on this issue in a very concrete and extensive way. Unfortunately, it was not the appropriate mechanism to deal with a problem of this size. However, that bill is almost three years old. Therefore, in a very clear and irrefutable way the House has known about this problem for at least three years. It knew what we needed to do about it, as well, in terms of a legislative response.

The Criminal Code, as it is right now, is inadequate to deal with the identity theft problem. We have provisions in the code around forgery, impersonation, creating false documents, but they are a reflection of a technology and a societal norm that is 40 or 50 years out of date for the current situation we have. The ability, for instance, to manufacture large numbers of credit cards is a technology that has only existed for about 10 years. The ability to get personal identification numbers, or PINs, credit card numbers and other identification numbers electronically and in large volume has only been possible as the Internet developed, realistically the last five years.

Government Orders

●(1630)

We knew for at least three years, though I would say any of us working in this area at all knew for much longer than that. The government certainly knew, the Department of Justice knew, and our police forces knew. In spite of all that knowledge, here we are today in the House debating this bill at second reading once again.

The bill itself in fact addresses a number of the issues. When the bill was in Parliament last time, my party was prepared to support it, as far as it went. Its inadequacies are some of the areas it does not touch on.

We heard the question earlier from the member for Yukon about whether it adequately addresses the issue, in the 21st century, of mechanisms one can use to steal an identity from someone and impersonate that person. We will know better once we hear from some more of the experts, but the answer to that question is that it probably does not. I am not sure this bill goes far enough to address that issue. It does in part, and I will credit the government for that, but I am not sure it does fully.

There are some good provisions in the bill. We heard questions today around the difficulty of dealing with identity theft in our civil courts, which has been a real problem in terms of their ability to deal with it, but mostly on the part of the individual who has been wronged to be able to identify the person who stole the identity and profited from it to the victim's disadvantage.

Again being critical of the government, there are not adequate police resources deployed in this area. It is interesting that the approach of the government has always been to concentrate on what it calls serious crime, but it is usually stereotypical of criminals who are drug addicts or other addicts, or have serious mental health problems, who commit violent acts.

If we look at the bills that we have gone through, almost innumerable since the Conservative government has been in power, I do not think we could point to more than one bill that addresses white-collar crime. That is mostly what we are talking about. This has a major impact on many lives, but as I said earlier, we are four or five years behind where we should be down that road.

I say that not only because of the inadequacies, and at times, incompetencies of the government, but we also have to look at it in comparison to what other jurisdictions have done. Western Europe has developed technological levels the same as ours. The United States, Australia and New Zealand are way ahead of us in dealing with the issue of identity theft, ahead by at least half a decade, in some cases as much as a decade. We are playing catch-up to a very strong degree, and we are not doing it well because of the manoeuvring of the government.

With regard to the ability of our police officers to deal with investigations in this area, it is extremely limited. A number of them do not have sufficient training, but overall, there simply are not enough police officers in this country to deal with this problem. They need additional training. They do not get it when they go through their basic training to become police officers, whether that be the RCMP, or provincial or municipal police officers. They need quite extensive additional education in order to be able to combat this crime at the police level.

●(1635)

I know from talking to prosecutors that they feel that they need additional resources to prosecute adequately. Some of those resources are in the form of changes to the Criminal Code and they are, again to the credit of the government, reflected in some of the amendments that we would be passing if Bill S-4 eventually goes through. In terms of the financial resources, they are clearly not there in sufficient numbers.

When this bill went through the Senate, I believe it received either five or seven amendments. A couple of them seemed to be, on the surface, just very technical amendments. One was changing the singular to the plural, but I think there was something more there. So that will be one of the issues we will have to address at committee.

In the provisions, the government empowered our criminal courts to make restitution orders not only for the costs of the proceedings but also the direct losses suffered by a victim of identity crimes, including compensation for replacing all the documentation they have to replace.

In some cases, it can be very significant compensation. For instance, if someone is in the process of trying to obtain a mortgage, their identity is stolen and their name shows up on a debtors list through some of the credit-granting agencies, they may lose their mortgage, and by the time they get it straightened out, they may have lost the real estate transaction and thereby suffer quite severely. It could be thousands, and in some cases, tens of thousands of dollars in damages by the time they straighten it all out and purchase a new building, which by then would be valued higher. They would have taken a real financial hit.

The section that would be amended with regard to restitution would allow an individual to show that evidence to a criminal court and have them order the perpetrator of the crime to compensate the person.

I am sure as people are listening they are thinking that in most cases they would not expect to be able to collect that money back, but the reality with a great deal of identity theft is that, in fact, it is perpetrated by organized crime. So if the individual can be identified, and more importantly, the gang, the organized crime unit, there may be a reasonable opportunity for getting those damages back. The proposed restitution amendment is very appropriate and could turn out to be quite a valuable tool.

With regard to the other sections, the principle sections, creating the offence of identity theft is absolutely crucial. Again, our Criminal Code is so far out of date with regard to the type of criminal activity that is going on here that it is just impossible to use for identity theft as it is being performed now. That is very important, and we are quite supportive of that.

Creating greater penalties and clearer offences for creating identity documents, whether those be ones issued by the government or some other level of government or documents of a commercial nature that would identify a person, in all cases I think these amendments catch that type of activity and clearly make it a crime with appropriate penalties attached.

Government Orders

One of the amendments that came from the Senate was a five-year review that was not in the bill that the government had originally presented. I think that is probably an appropriate amendment, one that we can support. Unfortunately, as so often happens with those reviews, they get done much later than when they are scheduled, in part because the justice committee is so busy. However, we would support that.

I want to address a few comments to the inadequacies of the bill, in particular in the real estate area. I have had some contact with individuals who work in that area. We have had a number of quite notorious cases in Ontario.

● (1640)

In fact, there was a court judgment that I think the average citizen was shocked by, where a couple had bought a condo in the Toronto area and were in residence for I think it was 17 years, but someone else, a criminal, forged documents, created a false identity, went into a lawyer's office and signed documents that put a very large mortgage on that condo, I think it was \$200,000, impersonating the real owners. Ultimately this was discovered. The bank took action against the owner. It came out clearly that it was a situation where they had not participated at all in the fraud, but a court in Ontario ruled that in fact the mortgage could be enforced against them.

This ultimately required, I believe, an amendment to the legislation in Ontario retroactively to prevent the consequences of that decision. However, that type of ruling could in fact happen in other provinces, as I understand the situation today.

Bill S-4 does not address that issue at all, as I see it. Again, that is why it is crucial for this to go to committee. Unless I hear opposite from legal experts there, I think this is an area where we need to buttress the bill and put additional provisions in to make it very clear what the penalties will be if that kind of fraud is perpetrated, but also to protect valid legal homeowners and business interests as well.

I have heard from title insurance people in Ontario that there is a current section in the Criminal Code that addresses this in part, but it is way out of date. They are looking for amendments in that regard. It is one of the ones that I think we would have to try to convince the government to support and bring those people in to indicate what the situation is.

I can say that this issue has occupied a significant amount of time of the law societies across all provinces and territories. They have spent, I would say, the better part of the last 10 years trying to get some reasonable controls in place so that type of abuse does not occur.

Lawyers in Ontario, as recently as this past year, have had imposed upon them much greater responsibility to ensure that the person who is sitting at their desk signing legal documents is in fact that person and not pretending to be someone else.

That has taken a great deal of effort by all the law societies. We do not know yet whether it is going to be successful in terms of preventing these types of frauds, but that is what the provinces have done.

Correspondingly, we need to do more at the federal level in the Criminal Code. I think the section of the code that deals with this

area and is not addressed at all in the bill, from what I can see, needs to be strengthened quite significantly.

Once we hear more evidence on this, and I am not sure what happened at the Senate as to whether it addressed this problem, I think we are going to find that the whole issue of impersonation appears not to be dealt with strongly enough. We will probably have to look for some amendments to strengthen the bill there.

I will make one final point. We have heard from the banking system and credit card granting companies that they are very interested in coming forward. I am left with the impression that they think there is additional work that needs to be done on Bill S-4 to strengthen it, to try to prevent these types of crimes from happening. Again, it is very important for this to go to the committee for that purpose.

We will be supporting the bill in principle going to the committee, hopefully to strengthen it there and bring it back for third reading and passage and finally get this into place, in spite of all the delays we have had from the government.

● (1645)

Mrs. Shelly Glover (Parliamentary Secretary for Official Languages, CPC): Mr. Speaker, I want to thank the member opposite for his eloquent speech on this matter.

However, I want to point out very clearly that although I have tremendous respect for lawyers and the job they do, police officers take the brunt of the devastation that many of our victims go through because of identity theft and because of this type of crime.

It is not only about documents. It is really an emotional crime for many of them that they never recover from. Therefore, it is of urgency that we pass the bill so that more of these victims are protected from this devastation. It is devastating. Some of them contemplate suicide because they are so distraught about what has happened to them.

When I talk about urgency, I was very pleased to hear during the speech by the hon. member for Windsor—Tecumseh that he mentioned that the bill should be law now, not in late 2009. We agree on this side of the House.

It is in that context that I ask this question: Will the member then introduce a motion to help us push this through more quickly, a motion in the House that would pass this bill at all stages so that we can get it through immediately?

Mr. Joe Comartin: Mr. Speaker, that has been proposed by the government over this last week several times. Obviously, the member did not pay attention to my speech with regard to the inadequacies of the bill and where the amendments need to, in particular, address the issue of real estate fraud.

I am very conscious of the impact this has on victims. I am very conscious that the impact is most severe when people lose their homes, as opposed to getting an extra \$5,000 they have to pay back on a credit card or having their bank account stripped of all the money. That may be \$5,000, but losing a home is anywhere from a couple of hundred thousand dollars to as much as a million dollars because of this.

Government Orders

The bill does not go far enough. For that reason alone we need to take a look at it. We need to hear from the credit granting agencies in this country because it seems to me they have additional requirements to make. Passing the bill as it is now would not address adequately the problems we are confronted with.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the member did a great service to Canadians at the beginning of his speech when he outlined how he was frustrated at the bill being delayed and how a former justice minister and a couple of other ministers ranted about trying to fight crime. He also outlined very carefully, and scientifically, all the delays not only of this bill, but a number of justice bills that the government introduced.

As an optimist and a person who always looks on the bright side of things, I would like to cheer the member up and say it is probably a good thing that a number of those bills were delayed. As a thoroughly researched member of the justice committee, I would like him to outline how the government not only did not listen to the experts but did not listen to the experts from the Justice Department. This would have been the normal part of policy making. Therefore, it may be good that some of the poorly written bills were delayed with all the manoeuvring by the Conservatives.

● (1650)

Mr. Joe Comartin: Mr. Speaker, I thank my colleague from Yukon who sat on the justice committee for a number of years with me and saw this going on with the government. Let me answer his question by addressing one bill specifically because it is coming back. The Conservatives are trying to rejuvenate it and it is the conditional sentencing bill. In terms of taking advice or researching the background of the bill and the reasons why we have conditional sentences in this country, the Conservatives are trying to make these blunt changes without having any understanding of the consequences, mostly to the provinces, or they are simply not caring about the consequences.

Bill C-9 was the bill introduced early in 2006 shortly after the Conservatives were elected and that bill was going to create a situation where about 5,000 more people were going to spend an extra year in jail than they were currently spending. From the process we went through with the minister in front of the committee, I think we even had the public safety minister take a look at this in terms of responding to a question, neither of those ministers had any idea of what the consequences were going to be.

Their department officials did. I gathered some of the information from them and the rest from the Library of Parliament. The opposition parties came together and took out the abusive part of that legislation. We passed the bill where it did need some amendments and clarification, and we ended up with a decent piece of legislation, but now they are back and they are trying to do it again.

[*Translation*]

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I have a question for my honourable colleague from Windsor—Tecumseh, who understands this bill so well. For a bill like this, can the federal government make its own law without coordinating with the provinces? It seems to me that such collaboration is necessary given that this kind of legislation will affect the provincial governments. I would like my honourable colleague to comment further on that.

Mr. Joe Comartin: Mr. Speaker, my Bloc colleague is right. We cannot fight identity theft unless we work with the provinces. Quebec will do things differently because it uses the Civil Code, whereas the other provinces use common law. I am not convinced that the government has had a satisfactory dialogue with the provinces. That is another thing we will have to figure out in committee.

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, my question for my colleague from Windsor is quite narrow and specific. At the privacy and access to information committee, we learned that there are over three million compromises of one's personal information per year in this country alone.

In other words, it is a far more widespread problem than most people realize. The reason they do not realize it is that there is no obligation to notify a person if their personal identity has been stolen or if their personal information has been compromised. This is a widespread problem. There are 30 million incidents per year in the U.S. and three million incidents per year in Canada, and there is no duty to notify.

Is there anything in this bill that will obligate, for instance, credit card companies or the supermarket chains that hold massive amounts of personal data to notify people if their personal information has been compromised? If not, will he push for that as an amendment in this bill?

Mr. Joe Comartin: Mr. Speaker, the initial answer is no. This bill does not address the issue of notifying.

● (1655)

Mr. Pat Martin: That is a terrible oversight.

Mr. Joe Comartin: I think I have to caution my colleague from Winnipeg, Mr. Speaker, who is very knowledgeable of this, and very enthusiastic and passionate about getting some resolution.

He will recall in my speech that I mentioned the member from Alberta who is currently the chair of the industry committee. He brought forth a bill and addressed that issue. What came out when we were looking at that private member's bill, and we got this from the Department of Justice, was that the provision was more appropriate in an industry bill, or legislation that the industry department is responsible for.

However, and this is much like the question we had from the Bloc, I do not have a sense that the government has done anything about moving forward in that area. It is not just a question of notification. There is the whole issue of privacy and record keeping and how that is protected. There is a need to enhance the ability to protect that from theft. All of that work is really more a consumer-type of bill. That is where it should be. My belief is that the government is not currently addressing that issue at all.

The Deputy Speaker: There is enough time for a very brief question or comment. The hon. member for Mississauga South.

Government Orders

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, it has to do with crime prevention. At the privacy, access and ethics committee, we found that the commissioner has had difficulty establishing legitimacy of a public education mandate. It would seem to me that, if the Privacy Commissioner were to have the support of the government for a public education mandate, Canadians would start to participate in an important aspect of crime and that is crime prevention.

The Deputy Speaker: There are 10 or 15 seconds left for the member for Windsor—Tecumseh.

Mr. Joe Comartin: Mr. Speaker, recognizing that, I certainly agree that a public education campaign is going to have to be funded at the federal level. It would be one of the appropriate ways to move dramatically to prevent these crimes from ever occurring. There is a regulatory function that needs to be in place with regard to the credit-granting agencies as well.

[*Translation*]

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, it is my pleasure to rise on this very important issue of identity theft. Bill S-4, which comes to us from the Senate, is certainly a very important starting point. I should begin by saying the Bloc Québécois supports the principle of this bill.

We are obviously very concerned about identity theft. We are worried about it. The Criminal Code needs to be modernized to take this kind of theft into account.

However, identity theft should be fought through the concerted action of various levels of government. This is actually what we have just seen. It has probably not been done yet or not done well enough. It is important, therefore, to take a look at this bill and send it to committee for study of other aspects than changes to the Criminal Code. These changes are important and we agree with them, but that is not enough.

Governments need to look at other measures, such as public education, to reduce the number of victims. Identity theft and identity abuse could, in many cases, be dealt with through a good, Canada-wide education campaign.

Take the case of older people whose identities are often stolen because they are incredibly naïve when people approach them and when they use their own ID. A very good information campaign targeted at these people in particular would certainly result in less theft and reduced court costs. We should not rely solely on the Criminal Code and we should definitely establish a program to inform people about how their identities are stolen and with which means of communication. People's identities are stolen over the telephone. That too reveals a disarming naivety.

We cannot expect to solve everything just by suppressing theft, and parallel to this legislation, we should also adopt regulations to provide better guidelines for the way companies manage, store and dispose of information. We need regulations outside this bill that would make a major contribution to providing better guidelines. There are also measures to ensure increased security and uniformity of the processes for issuing and verifying people's identity documents.

Often, in the case of real estate fraud, people do not know how to protect their identity documents. We are not talking about credit cards here. Credit cards are important, but I think we talk about them far too much because some very major identity thefts take place through real estate transactions. People even sell houses that do not belong to them. Some people do that on quite a regular basis. Then it gets extremely complex for the victims to get their identity back. This legislation must address thoroughly the question of identity theft as it relates to real estate, because these transactions cost people huge amounts of money. Often these people have their entire lives ruined. Once they have lost their home, a year or three years later they are living somewhere else, but they have lost part of their life's dream.

Coordination with governments is important, therefore, but we must also include real estate fraud more specifically. In some real estate frauds, and I have had cases in my riding, the people are no longer entitled to cross the American border because they are considered to be the ones who committed the fraud themselves. It is a temporary situation, because once that is resolved, everything is put back as it was.

• (1700)

This is therefore very serious and it is much more than a temporary pecuniary loss.

The purpose of the bill is to combat identity theft such as the unauthorized collection and use of personal information for criminal purposes. This is important. People do it in order to steal from other people. It is rare for someone to steal an identity simply to identify themselves as someone else. In general, the bottom line will be crime.

Names, dates of birth, addresses, credit card numbers, social insurance numbers and any other personal identification number can be used to open a bank account, get a credit card, have mail forwarded, subscribe to a cell phone service, lease a vehicle or equipment, or even sell a house one does not own.

Three new basic offences are created by this bill, and that is very good. They are all subject to a maximum term of five years. That is why we believe these three offences should be considered in committee. They must be properly assessed so we know whether they will properly protect the public.

The three offences are: obtaining and possessing identity information with the intent of using it in a misleading, deceitful or fraudulent manner in the commission of a crime; trafficking in identity information, an offence that targets people who transfer or sell information to a third party, knowing or being reckless as to whether the information might be used for criminal purposes; and possession or illegally trafficking in identity documents issued by the government that contain information about another person.

People become someone else and are responsible.

There are also other amendments to the Criminal Code; the new offences of redirecting or causing to be redirected the mail of another person are created.

That may not seem serious, but people regularly take someone else's mail, particularly in the suburbs.

Government Orders

The new offence of possession of a counterfeit Canada Post key will also be created.

That will be in the law and it is very important. Canada Post is installing more and more mailboxes with keys throughout rural communities. People are able to get their neighbours' keys to steal their mail.

Additional forgery offences, such as trafficking in forged documents and possession of forged documents with the intent of using them, will be created.

This is another point addressed by the law that should be thoroughly considered in committee.

There will be the new term for the offence of personation, to be called identity fraud, and the meaning of the expression "personation" is clarified.

Moreover, the addition of a new power would enable the court to order the offender, as part of the penalty, to make restitution to the victim of identity theft or identity fraud for the expenses associated with rehabilitating their identity, including expenses to replace cards and documents and to correct their credit history.

All this does not address thefts in connection with real estate, which cost victims huge sums of money.

• (1705)

This legislation needs to be coordinated with the Civil Code of Quebec so that people can recover their property, whether it is money or something like a boat that was sold by someone it did not belong to. This often happens, because boats are harder to identify than cars. Even a house can be sold fraudulently.

Since this law should have been passed long ago in Canada, it is important to look at what has been done elsewhere, especially in the United States and France. I would like to give an example of what is done in France. Identity theft is not an indictable offence in itself, except in very specific cases, such as using a false identity in an authentic document or an administrative document intended for a public authority. Assuming a false name in order to obtain a police record check is an offence under the French criminal code. These are things we should look at, because the proposed legislation does not cover them.

In France, specific provisions stipulate the following:

A penalty of six months' imprisonment and a fine of € 7,500 [a substantial fine] is incurred by:

1. using a name or part of a name other than that assigned by civil status;
 2. changing, altering or modifying a name or part of a name assigned by civil status,
- in an authentic or public document or in an administrative document drafted for public authority, other than where regulations in force permit the drafting of such documents under an assumed civil status.

It would be a very good idea to refer to civil status for names, as French law does. Earlier, a member said that in Quebec, there are two ways for a person to be identified: by birth record or by government record. The first has been abandoned, and now only the government's birth records are officially valid. That is why it is a good idea to work with other governments to stay on top of how things are changing in the provinces.

Another important thing in France is this:

Identity theft becomes a criminal offence as soon as one "[assumes] the name of another person in circumstances that led or could have led to the initiation of a criminal prosecution". In this case, it is punishable by five years' imprisonment and a fine of € 75,000.

That shows just how heavily the law relies on authorities with respect to civil status. It is interesting to see how other countries do things.

I have one last example, also from France. One article reads as follows:

Assuming the name of another person in circumstances that led or could have led to the initiation of a criminal prosecution against such a person is punished by five years' imprisonment and a fine of € 75,000.

[...]sentences imposed for this misdemeanour are cumulated, and may not run concurrently with any imposed for the offence in the context of which the name was usurped.

The penalties set out under the first paragraph apply to a false statement in respect of the civil status of a person which has led or could have led to the initiation of a criminal prosecution against another person.

That is why I think it is so important for the committee to find out how things are done in other countries and to acknowledge that others already have good identity theft legislation.

• (1710)

The Conservative member mentioned earlier that if we are serious about this bill, we should adopt it immediately without sending it to committee. We believe that, on the contrary, even though we support the bill and it is necessary, there is work to be done in committee. We cannot skip this very important step.

I was saying that the Bloc supports this bill. We wish to send it to committee because identity theft is an issue that we have felt strongly about for a long time. It is important that we realize that identity theft, the issue before us, can happen in various ways. For example, someone could take a social insurance card and use it to obtain housing under a name other than their own. They could build an identity with very few documents.

Mr. Pablo Rodriguez: Come on.

Mr. Christian Ouellet: Absolutely.

In 2004, costs associated with identity theft were in excess of \$50 billion in the United States. That is huge. Identity theft is costly for consumers, banks, business people, and governments as well. The federal government has to initiate legal proceedings while the police must check all complaints. Provincial governments lose money through health card fraud and, eventually, medical insurance. Non-Canadians have fake cards. It is the government, and in the end every one of us, that pays for it all. Health cards are passed among foreigners who are not even Canadian citizens and do not have a Canadian identity. Those people come here to be treated at taxpayers' expense. That is truly unacceptable.

In 2002, the Canadian Council of Better Business Bureaus estimated that consumers, banks, credit card companies, stores and other businesses lost \$2.5 billion as a result of identity theft. Once again, citizens are forced to cover these losses.

Government Orders

In addition to these financial losses, victims of identity theft suffer damaged credit ratings and compromised personal and financial records. As I said earlier, some people cannot cross the Canada-United States border because they have been the victims of identity theft.

According to a very interesting 2006 Ipsos Reid poll, one Canadian adult in four, that is 25%, or about 5.7 million Canadians, reported being a victim of identity theft or knew someone who had been a victim. We can see how common it is, how absolutely necessary this bill is, and how it could be broad enough to stop this. I will say again that this bill is no replacement for a very good education campaign. We absolutely need to have both.

In conclusion, I want to say that the Criminal Code is an unwieldy instrument for fighting identity theft. The rules of evidence are strict but necessary; we agree on that. It is important to harmonize with the civil laws so that, in some cases, the civil law alone can be used to recover lost funds.

Other measures will have to be put in place to effectively fight identity theft and recover lost funds.

* * *

• (1715)

[*English*]

BUSINESS OF THE HOUSE

Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC): Mr. Speaker, there have been consultations among the parties and I believe you will find consent for the following motion:

I move that:

Notwithstanding Standing Order 93(1)(b), the recorded divisions requested for Private Members Motions M-297 and M-295, currently scheduled to take place immediately before the time provided for Private Members' Business on Wednesday, June 17, 2009 instead take place at the conclusion of question period earlier that day; and that if a recorded division is requested on Private Members Bill C-309 later today, that the vote also take place at the conclusion of question period on Wednesday, June 17, 2009.

The Deputy Speaker: Does the hon. Chief Government Whip have the unanimous consent of the House to move this motion?

Some hon. members: Agreed.

The Deputy 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)

* * *

CRIMINAL CODE

The House resumed consideration of the motion that Bill S-4, An Act to amend the Criminal Code (identity theft and related misconduct), be read the second time and referred to a committee.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, like auto theft, identity theft requires a multi-pronged approach. We need strong criminal laws, which we are dealing with in this bill and which are long overdue. We need resourced police investigators. As I indicated before, we have examples in Winnipeg where people

complain about credit card fraud and they are told to take a number with the 30 other people in line and to consider it a civil matter because the police do not have either the resources or the legislative power to deal with it.

The member mentioned that a more alert, more informed consumer is very important. However, we also need to deal with more technology, more secure smart cards. This has been an issue for quite a number of years.

As a matter of fact, the first smart cards were looked at by the Bob Rae government back in 1990, when it was looking at how many Americans—

The Deputy Speaker: I should remind the hon. member that even though the member for Toronto Centre was not a member at that time, he is a member now, so you will have to refer to him by his riding instead of his proper name.

• (1720)

Mr. Jim Maloway: Thank you, Mr. Speaker. I simply mentioned it to illustrate that the changes in technology issue has been a long time coming. Ten years ago, the Conservative Government of Ontario was looking at a smart card proposition. It was going to do that in conjunction with the banks, which were bringing out a smart banking card.

I believe that certainly half the problem is getting rid of the cards we have right now, which are the cause of a lot of the problems.

In any event, I would like to ask the member whether he agrees with that or whether he has any observations about where the smart card program is going to take us.

[*Translation*]

Mr. Christian Ouellet: Mr. Speaker, I thank my hon. colleague for his question, because I feel he is quite right. The technology should first be applied to social insurance cards issued by the federal government, which are still nothing more than little pieces of plastic that can be easily seen and identified by everyone. Why not have a very sophisticated smart card that only certain people would be able to read? Indeed, such a card should not be used to rent a car or buy a cell phone. It should be used when beginning a new job, when going into an employment insurance office or when one needs a permit from the government. Thus, only people with official status should be able to read the card.

We are a long way from the little plastic card with a nine-digit number that has been around for nearly 30 or even 40 years. We have come much further than that. I agree with my colleague 100%. We must embrace technology. This bill will not cover everything. The government must also embrace technology. I agree. I mentioned awareness campaigns several times. They are a crucial and very important complement to the legislation.

Mr. Brian Murphy: Mr. Speaker, the province of Quebec is governed by the Civil Code. I would like to add that I am the deputy chair of the Standing Committee on Justice and Human Rights and that at the meetings of this committee, we frequently talked about the differences between Quebec, with its Civil Code, and the rest of the country, with its common law in French or English.

Business of Supply

Are there any specific things that apply to this bill in the beautiful province of Quebec because of the Civil Code and that would be different in the rest of the country?

Mr. Christian Ouellet: Mr. Speaker, I appreciate my hon. colleague's question very much.

This is not my area of expertise. I am not a lawyer myself, as I was an architect in my professional life. It is difficult for me to say. I do know that the Civil Code has specific provisions that will have to be coordinated and considered for a law like this one, but I do not know what they are. I am sorry.

[*English*]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I appreciate working with my friend and colleague across the way on the environment committee.

This is a very important topic. Identity theft is a serious problem in my riding of Langley. The typical thief is breaking into mailboxes and stealing identity documents through the mail. These individuals are addicted to drugs, usually stay up until all hours, and they work for organized crime. First, is my colleague experiencing a similar problem in his riding?

Second, from his comments it sounded like he was going to support this legislation going to committee, and I want to get confirmation of that.

[*Translation*]

Mr. Christian Ouellet: Mr. Speaker, I will tell my hon. colleague and friend that we will support this bill 100%. However, we would like to make some changes to it with regard to a number of points that I mentioned earlier and that we feel should be fleshed out. The bill that has come to us from the Senate is not complete enough and could be reworked in committee. We will be there to work very hard on this bill.

Yes, I have had some very serious cases of identity theft in my riding. I even had one case where the person almost had to be treated for depression. His identity had been stolen in the United States. He returned to my riding with no identity documents. He had lost everything. As I mentioned earlier, since documents are often made of just paper or cardboard without complex technology, even the government doubted the person who was saying that his identity had been stolen. So we need laws and we must also work with the Americans on this.

• (1725)

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to participate in the questions and comments, but I have missed a couple of opportunities, so I thought I would take this opportunity to express a couple of views about Bill S-4.

We have seen this bill before. As a matter of fact, we have seen the bills on drug trafficking and issues such as auto theft and identity theft. These are all amendments to the Criminal Code, and I have to wonder why the government has not put together an omnibus bill to deal with these.

These are all very similar in terms of the concerns for public safety issues and dealing with organized crime. Many of the witnesses would be the same. The efficiency of this place would be improved substantially if these were in an omnibus bill.

I know what the government is doing. It is basically saying that if it puts the bills out one at a time and milks them through all the stages and the press releases, et cetera, it leaves an impression somehow that it is being tough on crime. Well, if it wants to be tough on crime, it should pass legislation, not just talk about it. That is what is happening here.

Many of the issues we talked about today in debate are privacy related. The Privacy Act came in about 25 years ago, when the computer of the day was the Commodore 64. Technology is very important. It is not just about smart cards, it is that the legislation we have to protect the privacy of Canadians is way out of date.

One of the big problems, in my view, is that the Minister of Justice, who is responsible for this act, has said before the Standing Committee on Access to Information, Privacy and Ethics that he is quite happy with the way the act is operating. That is unacceptable.

We had a bill on human pathogens and toxins. That bill prescribed the rules whereby private information on the health of certain Canadians would be shared with offshore jurisdictions and allowed to be passed on to others. The Privacy Commissioner did not even appear before the health committee. Why is that?

I hope that when the issue gets to the Senate the Privacy Commissioner will have an opportunity to express her concerns about this important issue, for which she had asked for a privacy impact assessment two years ago. The government has not taken her up on this. Why?

The House has to understand that when we address crime, it must be a comprehensive approach. It cannot just be punishment. It has to be prevention, remediation. It has to be a whole host of things, and I have not seen it. All I see are little rinky-dink bills for increased penalties or mandatory minimums.

We do not even have the resources for the policing authorities across the country to enforce the laws we pass here. We are not doing the job.

* * *

[*Translation*]

BUSINESS OF SUPPLY

OPPOSITION MOTION—PENSIONS

The House resumed from June 11 consideration of the motion and of the amendment.

The Deputy Speaker: It being 5.30 p.m., pursuant to order made on Thursday, June 11, 2009, the House will now proceed to the taking of the deferred recorded division on the amendment by the hon. member for Vancouver East to the motion of the hon. member for Hamilton East—Stoney Creek relating to the business of supply.

Call in the members.

• (1755)

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

(Division No. 89)

YEAS

Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Welland)	Allen (Tobique—Mactaquac)
Allison	Ambrose
Anders	Anderson
André	Andrews
Angus	Ashfield
Ashton	Asselin
Atamanenko	Bachand
Bagnell	Bains
Baird	Beaudin
Bélangier	Bellavance
Bennett	Benoit
Bernier	Bevilacqua
Bevington	Bezan
Bigras	Blackburn
Blais	Blaney
Block	Bonsant
Bouchard	Boucher
Boughen	Bourgeois
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinoooge
Brunelle	Byrne
Cadman	Calandra
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Cardin	Carrie
Carrier	Casson
Charlton	Chong
Chow	Christopherson
Clarke	Clement
Coady	Coderre
Comartin	Crombie
Crowder	Cullen
Cummins	Cuzner
D'Amours	Davidson
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	DeBellefeuille
Dechert	Del Mastro
Demers	Deschamps
Desnoyers	Devolin
Dewar	Dhaliwal
Dhalla	Dion
Dorion	Dosanjh
Dreeschen	Dryden
Duceppe	Dufour
Duncan (Vancouver Island North)	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dykstra
Easter	Eyking
Faille	Fast
Finley	Flaherty
Fletcher	Folco
Footé	Fry
Gagnon	Galipeau
Gallant	Garneau
Gaudet	Glover
Godin	Goldring
Goodale	Goodyear
Gourde	Gravelle
Grewal	Guarnieri
Guay	Guergis
Guimond (Rimouski-Neigette—Témiscouata—Les Basques)	
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	Harris (St. John's East)
Harris (Cariboo—Prince George)	Hawn
Hiebert	Hill
Hoback	Hoepfner
Holder	Holland
Hughes	Hyer
Jean	Jennings
Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)

Kania	Keddy (South Shore—St. Margaret's)
Kennedy	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Laforest	Laframboise
Lake	Lalonde
Lauzon	Lavallée
Layton	Lebel
LeBlanc	Lee
Lemay	Lemieux
Leslie	Lessard
Lévesque	Lobb
Lukiwski	Lunn
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Malhi	Malo
Malway	Mark
Marston	Martin (Esquimalt—Juan de Fuca)
Martin (Winnipeg Centre)	Martin (Sault Ste. Marie)
Masse	Mathysen
Mayes	McCallum
McColeman	McGuinty
McKay (Scarborough—Guildwood)	McLeod
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Mendes
Menzies	Merrifield
Miller	Minna
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Mulcair	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Murray
Nadeau	Neville
Nicholson	Norlock
O'Connor	O'Neill-Gordon
Obhrai	Oda
Oliphant	Ouellet
Pacetti	Paillet
Paquette	Paradis
Patry	Payne
Pearson	Petit
Plamondon	Poilievre
Pomerleau	Prentice
Preston	Proulx
Rae	Rafferty
Raiitt	Rajotte
Ratansi	Rathgeber
Regan	Reid
Richards	Richardson
Rickford	Ritz
Rodriguez	Rota
Roy	Russell
Savage	Savoie
Saxton	Scarpaleggia
Scheer	Schellenberger
Sgro	Shea
Shipley	Shory
Siksay	Silva
Simms	Simson
Smith	Sorenson
Stanton	Stoffer
Storseth	Strahl
Sweet	Szabo
Thi Lac	Thibeault
Thompson	Tilson
Toews	Tonks
Trost	Trudeau
Tweed	Uppal
Valerioté	Van Kesteren
Van Loan	Vellacott
Verner	Vincent
Wallace	Warawa
Warkentin	Wasylcia-Leis
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	
Wong	Wilfert
Wrzesnewskyj	Woodworth
Young	Yelich
	Zarac — 294

Business of Supply

NAYS

Nil

Business of Supply

PAIRED

Nil

The Speaker: I declare the amendment carried.

[*English*]

The next question is on the main motion, as amended.

Hon. Gordon O'Connor: Mr. Speaker, I believe if you were to seek it, you would find unanimous consent to apply the vote from the previous motion to the current motion, with the Conservatives voting yes.

The Speaker: Is there unanimous consent to proceed in this fashion?

Some hon. members: Agreed.

Mr. Rodger Cuzner: Mr. Speaker, the Liberals will vote in favour as well.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, the members of the Bloc Québécois will be voting in favour of this motion.

Mr. Yvon Godin: Mr. Speaker, the NDP members are certainly in favour of this motion.

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

(Division No. 90)

YEAS

Members

Abbott	Ablonczy	Dewar	Dhaliwal
Aglukkaq	Albrecht	Dhalla	Dion
Allen (Wendland)	Allen (Tobique—Mactaquac)	Dorion	Dosanjh
Allison	Ambrose	Dreeshen	Dryden
Anders	Anderson	Duceppe	Dufour
André	Andrews	Duncan (Vancouver Island North)	Duncan (Etobicoke North)
Angus	Ashfield	Duncan (Edmonton—Strathcona)	Dykstra
Ashton	Asselin	Easter	Eyking
Atamanenko	Bachand	Faille	Fast
Bagnell	Bains	Finley	Flaherty
Baird	Beaudin	Fletcher	Folco
Bélanger	Bellavance	Footé	Fry
Bennett	Benoit	Gagnon	Galipeau
Bernier	Bevilacqua	Gallant	Garneau
Bevington	Bezan	Gaudet	Glover
Bigras	Blackburn	Godin	Goldring
Blais	Blaney	Goodale	Goodyear
Bloch	Bonsant	Gourde	Gravelle
Bouchard	Boucher	Grewal	Guarnieri
Boughen	Bourgeois	Guay	Guergis
Braid	Breitkreuz	Guimond (Rimouski-Neigette—Témiscouata—Les Basques)	
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)	Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Brown (Barrie)	Bruinooge	Hall Findlay	Harris (St. John's East)
Brunelle	Byrne	Harris (Cariboo—Prince George)	Hawn
Cadman	Calandra	Hiebert	Hill
Calkins	Cannan (Kelowna—Lake Country)	Hoback	Hoepfner
Cannis	Cannon (Pontiac)	Holder	Holland
Cardin	Carrie	Hughes	Hyer
Carrier	Casson	Jean	Jennings
Charlton	Chong	Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)
Chow	Christopherson	Kania	Keddy (South Shore—St. Margaret's)
Clarke	Clement	Kennedy	Kenney (Calgary Southeast)
Coady	Coderre	Kent	Kerr
Comartin	Crombie	Komarnicki	Kramp (Prince Edward—Hastings)
Crowder	Cullen	Laforest	Laframboise
Cummins	Cuzner	Lake	Lalonde
D'Amours	Davidson	Lauzon	Lavallée
Davies (Vancouver Kingsway)	Davies (Vancouver East)	Layton	Lebel
Day	DeBellefeuille	LeBlanc	Lee
Dechert	Del Mastro	Lemay	Lemieux
Demers	Deschamps	Leslie	Lessard
Desnoyers	Devolin	Lévesque	Lobb
		Lukiwski	Lunn
		Lunney	MacAulay
		MacKay (Central Nova)	MacKenzie
		Malhi	Malo
		Maloway	Mark
		Marston	Martin (Esquimalt—Juan de Fuca)
		Martin (Winnipeg Centre)	Martin (Sault Ste. Marie)
		Masse	Mathysen
		Mayes	McCallum
		McColeman	McGuinty
		McKay (Scarborough—Guildwood)	McLeod
		McTeague	Ménard (Hochelaga)
		Ménard (Marc-Aurèle-Fortin)	Mendes
		Menzies	Merrifield
		Miller	Minna
		Moore (Port Moody—Westwood—Port Coquitlam)	
		Moore (Fundy Royal)	
		Mulcair	Murphy (Moncton—Riverview—Dieppe)
		Murphy (Charlottetown)	Murray
		Nadeau	Neville
		Nicholson	Norlock
		O'Connor	O'Neill-Gordon
		Obhrai	Oda
		Oliphant	Ouellet
		Pacetti	Paillet
		Paquette	Paradis
		Patry	Payne
		Pearson	Petit
		Plamondon	Poilievre
		Pomerleau	Prentice
		Preston	Proulx
		Rae	Rafferty
		Raitt	Rajotte
		Ratansi	Rathgeber
		Regan	Reid
		Richards	Richardson
		Rickford	Ritz
		Rodriguez	Rota
		Roy	Russell
		Savage	Savoie
		Saxton	Scarpaleggia
		Scheer	Schellenberger

Sgro
Shipley
Siksay
Simms
Smith
Stanton
Storseth
Sweet
Thi Lac
Thompson
Toews
Trost
Tweed
Valeriotte
Van Loan
Verner
Wallace
Warkentin
Watson
Sky Country
Weston (Saint John)
Wong
Wirznewskyj
Young

Shea
Shory
Silva
Simson
Sorenson
Stoffer
Strahl
Szabo
Thibeault
Tilson
Tonks
Trudeau
Uppal
Van Kesteren
Vellacott
Vincent
Warawa
Wasylicia-Leis
Weston (West Vancouver—Sunshine Coast—Sea to
Wilfert
Woodworth
Yelich
Zarac — 294

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried.

OPPOSITION MOTION—SECURITIES REGULATION

The House resumed from June 15 consideration of the motion.

The Speaker: Pursuant to order made on Monday, June 15, 2009, the House will now proceed to the taking of the deferred recorded division on the motion of the hon. member for Saint-Maurice—Champlain relating to the business of supply.

● (1800)

[*English*]

Hon. Gordon O'Connor: Mr. Speaker, I believe if you were to seek it, you would find agreement to apply the vote from the previous motion to the current motion, with the Conservatives voting no.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: There is no consent.

● (1805)

[*Translation*]

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

(Division No. 91)

YEAS

Members

Allen (Welland)
Ashton
Atamanenko
Beaudin
Bigras
Bonsant
Bourgeois

André
Asselin
Bachand
Bellavance
Blais
Bouchard
Brunelle

Cardin
Chow
Crowder
DeBellefeuille
Deschamps
Dewar
Duceppe
Duncan (Edmonton—Strathcona)
Gagnon
Godin
Guay
Basques)
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)
Harris (St. John's East)
Hughes
Laforest
Lalonde
Layton
Leslie
Lévesque
Maloway
Mathysen
Ménard (Marc-Aurèle-Fortin)
Nadeau
Paillé
Plamondon
Rafferty
Siksay
Thibeault
Wasylicia-Leis— 69

Carrier
Comartin
Davies (Vancouver East)
Demers
Desnoyers
Dorion
Dufour
Faille
Gaudet
Gravelle
Guimond (Rimouski-Neigette—Témiscouata—Les
Julian
Laframboise
Lavallée
Lemay
Lessard
Malo
Martin (Sault Ste. Marie)
Ménard (Hochelaga)
Mulcair
Ouellet
Paquette
Pomerleau
Roy
Thi Lac
Vincent

Business of Supply

NAYS

Members

Abbott
Aglukkaq
Allen (Tobique—Mactaquac)
Ambrose
Anderson
Ashfield
Benoit
Bevington
Blackburn
Block
Boughen
Breitkreuz
Brown (Newmarket—Aurora)
Bruinooge
Calandra
Cannan (Kelowna—Lake Country)
Carrie
Charlton
Christopherson
Clement
Cummins
Davies (Vancouver Kingsway)
Dechert
Devolin
Duncan (Vancouver Island North)
Fast
Flaherty
Galipeau
Glover
Goodyear
Grewal
Harris (Cariboo—Prince George)
Hiebert
Hoback
Holder
Jean
Keddy (South Shore—St. Margaret's)
Kent
Komarnicki
Lake
Lebel
Lobb
Lunn
MacKay (Central Nova)
Mark
Martin (Winnipeg Centre)
McColeman
Menzies
Miller

Ablonczy
Albrecht
Allison
Anders
Angus
Baird
Bernier
Bezan
Blaney
Boucher
Braid
Brown (Leeds—Grenville)
Brown (Barrie)
Cadman
Calkins
Cannon (Pontiac)
Casson
Chong
Clarke
Cullen
Davidson
Day
Del Mastro
Dreeshen
Dykstra
Finley
Fletcher
Gallant
Goldring
Gourde
Guergis
Hawn
Hill
Hoepfner
Hyer
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kenney (Calgary Southeast)
Kerr
Kramp (Prince Edward—Hastings)
Lauzon
Lemieux
Lukiwski
Lunney
MacKenzie
Marston
Mayes
McLeod
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)

Private Members' Business

Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill-Gordon	Obhrai
Oda	Paradis
Payne	Petit
Poillievre	Prentice
Preston	Raitt
Rajotte	Rathgeber
Reid	Richards
Richardson	Rickford
Ritz	Saxton
Scheer	Schellenberger
Shea	Shiple
Shory	Smith
Sorenson	Stanton
Stoffer	Storseth
Strahl	Sweet
Thompson	Tilson
Toews	Trost
Tweed	Uppal
Van Kesteren	Van Loan
Vellacott	Verner
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	Woodworth
Weston (Saint John)	Young— 152
Wong	
Yelich	

PAIRED

Nil

The Speaker: I declare the motion lost.

[*English*]

It being 6:08 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

• (1810)

[*Translation*]

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE REGION OF NORTHERN ONTARIO ACT

The House resumed from May 14 consideration of the motion that Bill C-309, An Act establishing the Economic Development Agency of Canada for the Region of Northern Ontario, be read the second time and referred to a committee.

The Deputy Speaker: I am now prepared to rule on the point of order raised on May 14, 2009, by the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons concerning the need for a royal recommendation to accompany Bill C-309, An Act establishing the Economic Development Agency of Canada for the Region of Northern Ontario, a bill standing in the name of the hon. member for Nipissing—Timiskaming.

I would like to thank the parliamentary secretary for having raised this matter, as well as for his detailed submission.

[*English*]

In presenting his case, the parliamentary secretary noted two aspects of the bill which he argued violated the financial prerogative of the Crown.

First, since the bill seeks to establish a new government agency, the economic development agency of Canada for the region of

northern Ontario, he argued that the establishment of a new department or agency entails those operational expenditures necessary for it to function on a day-to-day basis.

Second, he made reference to the fact that the bill provides for the appointment of a variety of officials and other personnel. He indicated that since remuneration or the possibility of remuneration is provided for in the bill, a royal recommendation is therefore required.

I have carefully reviewed Bill C-309 and given particular attention to both the establishment of the new agency and the appointment of various officials and employees proposed in the bill.

[*Translation*]

With regard to the establishment of a new agency, the parliamentary secretary cited a ruling of July 11, 1988. As the parliamentary secretary noted, in that ruling the Chair stated that an amendment to establish a separate government department “undoubtedly would cause a significant charge upon the federal treasury in order for the new department to function on a daily basis.” (*Debates* pages 17366-7) This observation is just as valid when applied to Bill C-309. Accordingly, the Chair believes that the establishment of the Economic Development Agency of Canada for the Region of Northern Ontario, as proposed by Bill C-309, would give rise to new and distinct government expenditures, thus requiring that the bill be accompanied by a royal recommendation.

[*English*]

Bill C-309 also provides for the appointment of members of an advisory committee as well as an agency president, and their remuneration is stipulated in clauses 4 and 9 of the bill. It is well established that such salary provisions constitute a charge on the public treasury.

Furthermore, clause 13 provides for the appointment of officers and employees in accordance with the Public Service Employment Act. Undoubtedly, such appointments would necessarily include remuneration and thus would also involve a new government expenditure.

Clearly, Bill C-309, by providing for both the establishment of a new agency and the appointment of officials, involves the expenditure of funds. Such spending, for a new and distinct purpose would need to be accompanied by a royal recommendation.

Consequently, I will decline to put the question on third reading of the bill in its current form. Today, however, the debate is on the motion for second reading and this motion shall be put to a vote at the close of the second reading debate.

Resuming debate. The hon. Parliamentary Secretary to the Minister of Citizenship and Immigration has five minutes remaining in his time slot.

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, I have been waiting patiently, but certainly looking forward to concluding my remarks on Bill C-309, which proposes, at a significant cost to the taxpayer, to create a new federal agency, with its own deputy minister and bureaucracy, to administer economic development programs exclusively to northern Ontario.

If we are to make these kind of expenditures, I think it should be on the stimulus package and the efforts that have gone forward in this budget to help Canadians versus to build a larger bureaucracy.

Nonetheless, to summarize, in addition to some of the initiatives that I had mentioned previously, the FedNor organization today administers two very important programs that directly benefit northern Ontario: the northern Ontario development program, which is the program that represents the organization's original mandate to serve these areas; as well as the community futures program. These programs serve as a foundation of FedNor's holistic and highly successful approach to community economic development. Unfortunately, the organization's evolution, which I have tried to capture in my comments, has led to confusion about FedNor's role and responsibilities.

Please allow me to clarify.

Because of its original mandate to serve northern Ontario exclusively, some have been led to believe that FedNor funding aimed at northern Ontario is somehow flowing south. Nothing could be further from the truth.

What is important to understand is that what used to be referred to as the FedNor program has now become the northern Ontario development program. Through this program, FedNor, the organization itself, funds economic developments exclusively in northern Ontario. Even though FedNor has grown and some programs have involved delivering provide-wide funding, each of these programs, including the northern Ontario development program, has its own distinct budget.

In fact, the northern Ontario development program and its budget has steadily increased over the years. Today, it is much larger than it was when FedNor started assuming responsibility for the other two programs. This means that funds destined for northern Ontario are not flowing south, contrary to what is being claimed by some members in opposition.

Let me be clear. Even though the organization has received increased responsibilities over the years, these have not detracted from FedNor's focus on northern Ontario. Bill C-309, in essence, aims to create an agency to do what FedNor is doing today through its northern Ontario development program. However, as it stands, the bill would effectively turn back the clock on the progress made by FedNor. The bill, as written, would remove the flexibility that has helped make FedNor so valuable to the people it serves.

Recently the Government of Canada announced Canada's economic action plan, which will provide much needed support for businesses, industry and all Canadians during economic slow-down. As part of that plan, FedNor will be administering northern Ontario's share of the \$1 billion, over two years, allocated to the new nationwide community adjustment fund. FedNor's flexibility to deliver this type of programming is what makes the organization so effective.

I should also note that delivering additional programs like the community futures program and the community adjustment fund actually creates jobs in northern Ontario. By delivering these initiatives through an established organization like FedNor, instead

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of creating new layers of bureaucracy, the Government of Canada and all citizens benefit from important cost savings.

The clients of the community futures program and other FedNor-delivered initiatives also benefit by drawing on FedNor's substantial program delivery expertise and recognized sound management practices. The potential severing of the community futures program, which supports 24 community futures organizations across northern Ontario, would have a particularly negative impact on northern residents. FedNor has established long-term relationships with hundreds of community futures staff and volunteers who serve on these boards. These relationships have been built over many years and have created strong bonds between the federal government and community stakeholders.

Let me illustrate this by making a point. At last year's Ontario Association Community Futures Development Corporations annual conference, prior to the minister's keynote address, the board chair told the 250 delegates in the room that, "Not only does FedNor enable access to the funding which fuels the efforts of our respective organizations, but it's the ongoing management of the program and the advice they give us combine to give us a serious strategic advantage".

● (1815)

In short, Bill C-309 aims to create a new entity to what FedNor already does, through the northern Ontario development program, yet it would limit the capacity of FedNor to contribute to other economic development initiatives in northern and rural Ontario.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP): Mr. Speaker, I am glad to add my voice to the debate tonight.

I would like to acknowledge the member for Nipissing—Timiskaming for introducing Bill C-309, An Act establishing the Economic Development Agency of Canada for the Region of Northern Ontario.

I would thank the member, but I must remind the House that his party had ample time to implement what it is calling for today and chose not to do so. That is the curious case of the Liberal Party. It says in opposition what it dares not do in power. It is entirely predictable really, but it is also a bit sad. We do not know which version to believe, which version to take at face value.

On this issue, we seem to view things in a similar light, and I would like to think the Liberals believe what they say. What I would also like to think is the Liberals will act on their beliefs. I would like to think it, but sadly, history does not back this up.

Recent parliamentary history is full to brimming with tales of Liberal about-face manoeuvres. Issue after issue they have turned coat and run from them. We have come to expect it. We know they like to sound like New Democrats for public consumption and then act like a backroom, Bay Street, old boys' club, charter members when the doors are closed and the real decisions are made.

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We know we cannot count on the Conservatives to support a stand-alone agency from FedNor. That may partially explain the terrible showing they had in northern Ontario in the last federal election. The Conservatives see FedNor as nothing more than an adjunct office for the ministry of industry. They have consistently rebuked calls to have FedNor made into a stand-alone agency.

That pretty much leaves New Democrats to fight for this change. We have the courage of our convictions and remain steadfast in our beliefs. New Democrats see that northern Ontario is a unique region that presents unique economic challenges and requires a stand-alone agency to be able to deliver concrete strategies that will allow this region to bloom.

Northern Ontario is rich in resources. Among many other things, we are miners and foresters, mill workers and farmers. There is a strong tradition of entrepreneurialism that makes for a vibrant society. This needs to be encouraged further. We should be doing all we can to help. We should be scouring the region for every opportunity to grow the economy even more. An independent FedNor would go a long way to helping with this.

If people felt that FedNor was a responsive agency that was in place to help northern Ontario develop opportunities, there would be a stampede to take them up on that. Instead we have an ineffective agency that is defined more by what it is not and those who feel left behind, out in the cold and on their own.

Earlier in this debate, we heard from my colleague, the member for Nickel Belt. He had a laundry list of FedNor failures, of opportunities lost or in danger of being lost. Why? Is it because there is not the political will on the other side of the House to help this region? Is it because it is not sexy enough? Is it because there are relatively few seats for the amount of work needed to really hear the residents of northern Ontario? Is it because those members see the north only as a place from where raw resources come? I would really like to know because my constituents will tell us that often it is the way we feel like we are being viewed.

My colleague from Nickel Belt rightfully pointed out that FedNor must be able to adapt to the changing economy and ensure the economic prosperity of the workers of northern Ontario and their families. Its mandate must be drawn up at the local level by the people who live in the region, not by some faceless bureaucrat in the Ottawa offices of Industry Canada.

I would like to address a second point and give an example of the inability of the agency to understand the true nature of northern Ontario.

In northern Ontario a lot of our buildings are multi-purpose structures. Many of these buildings have health care components to them. It could be a clinic or a public health office. I want to make it clear that we are not talking about hospitals here. The problem is because of these health care components in these multi-purpose buildings, everything else in that structure is automatically disqualified from FedNor funding, a classic example of the agency having no real understanding of the true nature of the region it is meant to serve.

● (1820)

If only that were all we had to say about the delivery of services from FedNor. I have seen first-hand how even approved projects take forever to negotiate. In Nairn Centre, a feasibility study for a project that will run water to Baldwin Township has finally been approved after a lengthy application process.

Long delays ignore the fact that smaller centres do not have the budgets to be able to employ an engineer. They bring in consultants. The consultants offer tenders for a project within a given timeframe. When a project incurs long delays, these tenders can expire. Ultimately, when the project is ready to proceed, there may be no engineering consultant in place and tenders need to be resubmitted. The cost can be thrown out of whack if fees increase over these long periods.

I have seen how FedNor has given the town of Hearst the complete runaround in its attempt to help with a proposal to create a green technology centre. It told the town that it should repurpose the initial application and make it a business centre as opposed to the tourist centre that was originally envisioned. Hearst took that advice and re-applied. When it heard back from FedNor next, it was to say the application was not appropriate for FedNor and that it should submit it somewhere else. What a shame.

It makes people shake their heads. It makes them wonder if FedNor is in place to make these small towns burn through all their resources on proposals.

I know that FedNor is not working as well as it could or should. It is a small cog in a larger department and is treated like a poor cousin, just as northern Ontario is often treated. The bill would go a long way to rectifying some of the problems we see with FedNor today. By making it a stand-alone agency, it could be more responsive and flexible.

This is repurposed legislation that was originally drafted by the member for Sault Ste. Marie. I would like to salute him for his tireless work over the years on behalf of the residents of northern Ontario. His vision for FedNor is one to which New Democrats will honour and remain committed. When we make it to that side of the House, we will not forget our commitment.

As we can see, a stand-alone FedNor agency for northern Ontario would be the best way to go. Many of my communities have indicated the need to ensure we have a proper FedNor program in place. They are struggling right now, given the fact that northern Ontario has been hit so hard with job losses.

I encourage the member for Nipissing—Timiskaming to ensure that Liberals will be supportive of this bill. I know they have introduced it, but we need to ensure they will save face and ensure it gets put in place.

Over and over again, my communities have indicated the need for a stronger FedNor program and to ensure it is stand-alone.

Mr. Greg Rickford: Stronger than ever, record investments.

Mrs. Carol Hughes: The member for Kenora can provide all the rhetoric he wants, but we know he does not support these issues. We need to ensure our people are well taken of in the north.

Mr. Greg Rickford: It is working just fine in my riding.

Mrs. Carol Hughes: Although he may be from the north, he does not support the issues that entices the north to come to fruition.

I appreciate that I was able to speak to the bill. I hope there will be a successful vote on it in the near future.

• (1825)

[Translation]

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Mr. Speaker, I am very pleased to speak today to Bill C-309, which was introduced by my colleague, the member for Nipissing—Timiskaming. It is a bill of great importance to me, as the Opposition critic for the Economic Development Agency of Canada for the Regions of Quebec. I find it most curious, however, that the two Conservative members from northern Ontario did not deem it worthwhile to speak on this bill.

Regional development is a key factor in the growth, development and stability of our country. We know that, geographically speaking, Canada is the second largest country in the world. Its sheer size brings with it challenges that we must face in order to provide each region, each corner of the country, and each individual, with suitable opportunities and tools for success and prosperity. That is why regional development is so extremely important. Quebec's needs are different from those of Atlantic Canada, and from those of western Canada. Similarly, northern Ontario has its own challenges.

• (1830)

[English]

Regional development is a tool that the government can utilize to enter these regions of our country and provide funding opportunities geared for these specific geographical areas.

Regional development is much more focused on better understanding what is happening on the ground, and because it is geared to smaller regions, it is able to address very specific needs. It has also proven to be very resourceful in providing program options that are specifically geared to changing circumstances throughout the country.

[Translation]

I must say, given the numerous advantages to regional development, on which I could elaborate here, it is shocking that many hon. members, even certain whole parties, are not in favour of regional development agencies. They do not understand the value of such agencies and unfortunately do not think any further than the political interests of their own party, rather than what is best for our country.

[English]

I can stand here and say great things about regional development and how it is so important to our country, but I think it is important to focus on the substance of Bill C-309 and talk about what it actually proposes and what is asked by this legislation.

The bill wants to change FedNor from a program under Industry Canada and turn it into a federal development agency. What separates FedNor from its counterparts is that each of the agencies has an act of Parliament establishing it as a separate entity and outlining its mandated powers, while FedNor does not. This

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legislation means that the federal government requires the consent of Parliament to change or alter the agency's powers and mandate.

[Translation]

There are already three regional development agencies in place: the Economic Development Agency of Canada for the Regions of Quebec, Western Economic Diversification Canada, and the Atlantic Canada Opportunities Agency. Two more were announced in the 2009 budget: the Southern Ontario Development Agency, and a new regional economic development agency for the north. Each region of the country, with the exception of northern Ontario, will have its regional development agency.

In its last budget, the government acknowledged that it had some degree of interest in regional development agencies by establishing two others. It missed the opportunity, however, to add FedNor to the list of its new agencies. If we look at a map of Canada, we see that northern Ontario—that is regions like Sudbury, Sault Sainte-Marie, Timmins and so on—seems to have been totally forgotten as far as any commitment by this government to provide sufficient long-term assistance for regional development goes.

[English]

Members opposite have provided many different reasons as to why FedNor should not be an agency. Even the member for Parry Sound—Muskoka comes out and says it is going to cost too much, will have too much administration, and we will lose jobs in northern Ontario if FedNor is an agency.

I have to ask my hon. colleague across the way where he gets his numbers. Where does he get this information? I thought the job of the member for Parry Sound—Muskoka was to help promote northern Ontario, not to alienate it from the rest of Canada. On the one hand he says it is going to cost too much, and then on the other hand he decides to invest in two brand new agencies. That means starting from scratch, with new infrastructure such as building space, equipment and staff, and the list goes on. Just to get these two new agencies up and running is going to take time, and with this government it will probably take a lot of time.

[Translation]

Unfortunately, time is not on our side just now. People need funds now. Regional development is more important than ever. Organizations, municipalities, not-for-profit organizations, all are trying to get government assistance in order to survive this economic crisis. I am very pleased that the government has seen the need to establish two additional agencies, but we need results right away.

FedNor is already in place, and it is working. It already has permanent offices in all of northern Ontario. FedNor has competent staff with the proper training already out there on the front line, and already aware of what northern Ontario communities need and what challenges they face. Infrastructure is already in place, the program has been operational for some time, and results have been achieved. What we are asking for now is that it be given some power. The government ought to make FedNor into an agency and show the people of northern Ontario and those in other regions of Canada that the regional development agencies in the different regions of the country can help us get through the current economic crisis.

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[English]

The bill is about more than just turning FedNor into an agency. It is an opportunity for the government to show leadership, to show commitment, to show the importance of regional fairness. The bill goes far beyond the words written on paper. The government, since being elected, has slowly been slashing away at the budgets of all the regional development agencies. However, circumstances that no one saw coming, especially the Conservative government, have to come to light and have changed the playing field.

A global economic crisis was needed for the government to realize the importance of these agencies as a vehicle to get the money out to the people who need it. The government has realized the importance of regional development agencies, and that is why the debate on Bill C-309 is so timely.

• (1835)

[Translation]

Now is not the time to play at one-upmanship. The time for criticism and personal attacks focused on certain things that have been said is long gone. We need to focus on what has to be done to help Canadians in all regions. Regional development spending has to be targeted to promote regional equity, to encourage job creation, and to stimulate local economies, instead of going to favourite projects in order to achieve political gain in Conservative ridings.

This is an opportunity for the House to show its commitment to regional development and regional equity, along with its determination to help Canadians. Bill C-309 must be passed, and regional development agencies must be established from one side of the country to the other, in order to ensure that all regions benefit from responsible and properly targeted spending.

[English]

Mr. Greg Rickford (Kenora, CPC): Mr. Speaker, I appreciate the opportunity to rise in the House today to speak to Bill C-309. This bill proposes, at a significant cost, to create a new federal agency to administer economic development programs exclusively to northern Ontario, which includes the great Kenora riding.

Bill C-309 proposes to duplicate what FedNor, part of Industry Canada, is already doing and doing quite well. Having seen first-hand over the years the benefits to the people of northern Ontario and to its communities and businesses, I recognize and appreciate that this organization has continued to grow and thrive under the Minister of Industry's leadership.

That is something that needs to be emphasized. The Government of Canada is working successfully with individuals, organizations and communities to promote and enhance economic development throughout northern Ontario. The northern Ontario development program and the community futures program are two major programs administered by FedNor under its mandate of regional economic development in northern Ontario.

New programs and measures as part of Canada's economic action plan will have a direct and positive impact on the economy of northern Ontario. FedNor will continue to work closely with communities and industry leaders to ensure that our efforts to meet the specific needs of northern Ontario are taken care of.

Today I would like to focus my remarks on the value of the community futures program administered by FedNor and its impact on northern Ontario. Across the country, the community futures program is delivered by the individual regional development agencies. In the Atlantic region, it is the Atlantic Canada Opportunities Agency. In Quebec, of course, it is the Economic Development Agency of Canada for the Regions of Quebec. In Ontario, and this is important, it is Industry Canada's FedNor, exclusively for northern Ontario. In the western region, it is a much bigger organization, Western Economic Diversification Canada.

In Ontario, community futures programs support 61 community futures development corporations, or CFDCs as they are otherwise known, serving all rural areas of the province. Twenty-four of these serve the needs of northern Ontario.

Community futures development corporations are incorporated, not-for-profit, community-based development organizations. What makes these organizations so effective is that the boards are composed of local volunteers who bring to the community futures development corporations their expertise in a variety of sectors and their intimate knowledge of the communities where they live and work.

Community futures development corporations are true grassroots organizations. Local needs, of course, are always best identified and dealt with locally by those living, working and raising families in the community. The community futures development corporations, or CFDCs, help their communities to grow, work towards economic sustainability, and achieve a brighter economic future, by offering a number of services.

These services include repayable loans to small and medium-sized businesses, business information and planning services, strategic community planning and socio-economic development, and support for community-based projects. This assistance has resulted in improved business practices, increased entrepreneurship, and new, viable business start-ups.

Mr. Speaker, listen to the enthusiasm for the program.

The CFDCs' services also help strengthen and expand existing businesses, leading to further job creation. The CFDCs also help to build community capacity for socio-economic development, an important focus in rural and isolated communities. In 2007-08, community futures development corporations invested more than \$50.6 million in over 1,100 northern and rural Ontario businesses effectively and efficiently.

These investments, in turn, helped to leverage a further \$86 million in investments from other sources. As a result, 8,800 jobs were created or maintained, and thousands of businesses were started or expanded.

It is quieter now, Mr. Speaker. These are impressive results. They are just as impressive as the vision of community futures development corporations from across northern Ontario, which have formed investment pools to promote larger economic development initiatives.

Operated independently in the northeast and the northwest, these collaborative investment pools allow members of CFDCs to offer loans of up to \$500,000 to support worthwhile local projects.

• (1840)

The CFDCs' investments are contributing to a regional economy where businesses can grow and people can prosper.

Here is an example that illustrates the important role of economic development performed by the community futures program and FedNor's northern Ontario development program.

In 2002 both FedNor and the South Temiscaming CFDC saw the economic development potential being offered by a small regional food festival, la Foire gourmande. Recognizing that this festival provides an excellent showcase for the offerings of agri-food producers from across the Temiscaming region, FedNor and the local CFDC provided la Foire gourmande with support to expand.

The result is that in 2007 a record 35,000 food enthusiasts from across Ontario, Quebec and as far away as the east coast descended on la Foire gourmande, making it northern Ontario's gastronomic event of the year. Each summer regional farmers, food producers and area restaurant and hotel operators have seen a tremendous boost to their bottom line.

The success of this project and many others can be attributed to the role that FedNor, the regional economic development organization for northern Ontario, plays in supporting the growth and prosperity of communities and businesses in northern Ontario.

FedNor administers various programs, including the northern Ontario development program, the community futures program, the eastern Ontario development program, and other Government of Canada initiatives.

Our government has positioned FedNor well to implement our economic action plan. It is an economic action plan that will strengthen northern Ontario communities, and in fact already has and will continue to, while making investments to promote long-term growth.

FedNor's enhanced budget, including the portion of the community adjustment fund for northern Ontario communities, has already had an immediate impact on the lives of northern Ontario residents.

FedNor's effectiveness as the regional and community development organization for northern Ontario has remained constant, even as it has grown to deliver more programming and special funding initiatives over the years.

It will continue to be an effective regional economic development organization as it works with northern Ontario communities and businesses to help protect the jobs of today and create the jobs of tomorrow.

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We need only speak to mayors, community leaders and other stakeholders in northern Ontario for confirmation. They will tell us that FedNor support has been there for northern Ontarians throughout the years and that it is working very well in its current form. It will continue to do so.

One of the issues related to Bill C-309 is the suggestion that regional development can only be properly delivered through an agency.

For nearly 20 years now, FedNor has proven that the form is not important; the strategies and the design of the programs meeting the needs of the communities and businesses are what is important.

There is also the perception that a full-fledged agency would have superior status instead of being located within Industry Canada, that there is a danger that FedNor could be shut down tomorrow, and that the program is not safe because it is not an agency. Nothing could be further from the truth.

This government was the first to provide FedNor's northern Ontario development program, thanks in large part to Leo Bernier, with guaranteed base funding for a five year period. No other government had previously put the northern Ontario development program on such a solid footing.

FedNor can deliver a number of Government of Canada initiatives designed to target a specific need, and at present, it is well positioned to do so.

FedNor is a flexible organization that has administered focused initiatives, including the softwood industry community economic adjustment initiative and funding for the economic development of official language minority communities in Ontario. It will continue to deliver portions of the community adjustment fund in northern Ontario.

As I said earlier, these added responsibilities do not reduce FedNor's northern Ontario specific budget or detract at all from its focus on the north. To the contrary, what they will do is allow FedNor to grow as needed, depending on the Government of Canada's program needs, in its rightful place in Industry Canada.

This ensures that when the government needs to deliver new programming, it will do so in an efficient and cost effective manner using the tried and true vehicle we know and love as FedNor. My colleagues and I are confident that when we need to call on FedNor in these instances, it will deliver.

In short, FedNor's location within Industry Canada is beneficial to all, but especially to the communities and businesses that need it and depend on its services, like those in the great riding of Kenora.

• (1845)

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I appreciate the opportunity to speak to this important initiative for northern Ontario.

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I want to say right off the top that given that I was the member who introduced this bill initially about two years ago, it was never intended in any way, shape or form to be a criticism of FedNor as it now exists, the good people who work for FedNor and its programs, nor was it intended in any way to be a criticism of the Community Futures Development Corporations. We know the good work they do across northern Ontario and in other parts of Canada.

However, this bill was initiated out of a concern that a number of us had based on what we heard and read, both from the Conservatives and from the Liberals at that point in time. Before I get into that, I want to say how much I appreciate that the member from North Bay has picked up the bill and tabled it in this Parliament, and has been able to get it before the House so that we can stand here today and debate it.

I give credit, as well, to my colleague from Nickel Belt who has gotten behind this issue. He has worked very hard with me and the rest of the northern Ontario caucus of seven New Democrat members to make sure that whatever we do is in the best possible interest of northern Ontario, and that we put all our energy and resources behind it so that at the end of the day it is in keeping with what we know is needed in northern Ontario.

I also want to say to the member for Kenora, as he chirps away over there and continues to make noise in this debate, that he is right in that FedNor was brought forward initially by Mr. Bernier and Mr. Mulroney. At that time it was a Conservative initiative to try to help northern Ontario. They recognized the very cyclical nature of the resource base of the economy of that wonderful part of our country.

What stimulated me, in partnership with my colleagues in the NDP caucus, to move this bill forward in the first place was discussion, dialogue and debate that we heard in a number of elections that a Conservative government, if it were given a chance to have a majority government, would do away with regional development agencies altogether. That would be devastating for northern Ontario and for FedNor.

In 2004 we heard discussion from the minority Liberal government that the Liberals wanted to expand FedNor to become FedOntario, and to dilute the little bit of money that we get as it is and to spread it over that large part of this province that is highly populated and in fact has all kinds of resources at its disposal that we do not have access to in northern Ontario. We felt that was wrong and that we needed to do something.

We continued to see a bleed-off of some of the resources that FedNor initially had on northern Ontario by way of the new offices that began to pop up in places like Barrie, London and Ottawa under the banner of FedNor. One can argue what one likes about the budget and how it is still focused and targeted on northern Ontario, but when offices are set up under the rubric of FedNor in other places in Ontario that obviously are not in northern Ontario, we know that resources are being bled off and the focus is going someplace else. We need all of the focus, attention and resources that we can get and garner in northern Ontario.

Over the last couple of years in the House, I have watched the development of the Quebec regional development agency. It became

a stand-alone agency with all the bells and whistles that goes with that kind of organization to serve the province of Quebec.

I had the pleasure of attending a meeting in Halifax with the Atlantic development agency. I saw the budget, the number of people who worked for that agency, and the way that agency is engaged in a comprehensive and all-involved way with provincial and municipal agencies, and giving leadership down in that part of our country. That agency is well respected and effective.

• (1850)

I thought that we deserved something similar in northern Ontario, for the very resource-based, cyclical economy that is there to make sure that it stabilizes and indeed grows and that we take advantage of some of the tremendous opportunities in northern Ontario. It is an area of the country that has unique and exciting advantages and opportunities, but it is also challenged in many ways, when it comes to its geography and the distances involved. Certainly the weather and transportation are huge issues up our way.

I decided once I tabled the bill two years ago that I should consult with the people of northern Ontario. I went into seven communities across northern Ontario. I went to Kenora, the community where the member who just spoke is from. I even went to Bracebridge which some might debate whether or not it belongs in northern Ontario. One of the questions I asked was, do we need a full-fledged regional development agency for northern Ontario? I met with community leaders, business people and people from other organizations in those communities. Because there was some sense of a bleed-off from northern Ontario into other parts of the province, if we were going to set up a full-fledged regional development agency with all of the resources that it would require, I asked them if we needed to be very clear about what exactly formed northern Ontario.

I put out the suggestion initially that we should go back to the original boundary for northern Ontario which was known by many, particularly trappers, miners and others who worked in northern Ontario as the French and Mattawa rivers. That was the dividing line. When I began to talk about that and challenged the folks in northern Ontario to work with me to see if that was the dividing line, it was then that the Liberal member from North Bay tabled his bill. He was getting a bit of heat from that part of the province. It was suggested he was supporting that dividing line when in fact he was not. I was the one who was putting that question out there.

I talked to people in Bracebridge, in the Parry Sound—Muskoka area to see what they thought about it as well. What I heard across the north and into the Parry Sound—Muskoka area was that we need a renewed and better resourced regional development agency. People overwhelmingly sent that message. That is what I heard in consultations with people in Kenora, Thunder Bay, Fort Frances, Sault Ste. Marie, Sudbury, Espanola and Bracebridge.

When I asked the question about the boundary though, there was not quite the same concern about that because they felt that if we had a full-fledged regional development agency with all the resources that come with it, we could probably serve an area as big as one that would include the area of Parry Sound—Muskoka.

I then approached the minister responsible for FedNor who was the member of Parliament for that area and suggested to him that if he would work with me and with the member from North Bay to implement this new regional development agency for northern Ontario, I would have no difficulty including Parry Sound—Muskoka in that territory. When I went to Parry Sound—Muskoka, those folks made it very clear that they felt a great attachment to northern Ontario. They felt that their area resembled in many ways the north of the province as opposed to southern Ontario.

We moved forward and decided that it was a good idea and that we had the support of the north. It is why today I stand in the House with my colleagues from the NDP and particularly the seven members of Parliament from northern Ontario to say that we will support this bill and the member for Nipissing—Timiskaming as he moves the bill through the House.

● (1855)

The Acting Speaker (Mr. Barry Devolin): Resuming debate. The hon. member for Malpeque will have seven minutes.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am indeed pleased to speak to Bill C-309 and support my colleague from Nipissing—Timiskaming.

He is right when he states that the residents of northern Ontario deserve the same privileges, services and powers that full-fledged agencies, such as the Atlantic Canada Opportunities Agency, Canada Economic Development for Quebec Regions and Western Economic Diversification Canada, in fact, do have.

However, although I am a strong supporter of regional development and ACOA in Atlantic Canada, I have to admit that the services of that agency have really deteriorated substantially since the current Conservative government came to power. A lot of that deterioration is due, at least in part, with ACOA now, in Prince Edward Island, being allowed to be used basically as patronage heaven, right from its vice-president within the province, to some of the contracts it feeds out, to how it operates in terms of almost supporting a research department for the official opposition in Prince Edward Island.

That is not why ACOA was set up in the beginning. It was set up to be an agency, to create programs, to do business development, not to be a slush fund for a government that had claimed that it was against patronage when it came to power. Most sadly of all is that the president of ACOA, whose office is in Moncton, New Brunswick, has failed to stand up against the Prime Minister in terms of doing her job and prevent that kind of political patronage from happening. That should not happen within a regional development agency.

So I say that at the beginning, as a word of caution, that these agencies have a job to do. They are important, but they have to be staffed in such a way so as to do their job and not be allowed to be used for patronage purposes.

I could elaborate at length on that, but I really want to get back to the key point that my colleague is making on the need for a northern development agency rather than a program.

It is important that the Government of Canada be committed to ensuring that the people of northern Ontario are given every opportunity to develop and maintain a strong regional economy, as

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well as diversify and strengthen their employment base. The whole purpose of this bill to ensure that this indeed does happen.

Since the Conservative government took office in 2006, the FedNor budget has been slashed by nearly \$7 million a year for a region that needs development. This bill is designed to ensure that FedNor would not be subject to further cuts.

The government has failed to give due recognition to the fact that the regions where it failed to get members elected, places like northern Ontario, merit fair consideration with respect to regional and rural development.

We did see, and we do not disagree with it, in the last budget two new agencies created. One is the southern Ontario development agency, with \$1 billion over five years, that is if the Conservatives ever spend it. We know they are good at making announcements, as we heard in the House during question period today from the President of the Treasury Board. He rolls out the numbers, but there is no substance to the facts that he talks about.

The fact is the government makes announcements but fails to deliver. Hopefully, it will deliver to the southern Ontario development agency the moneys it promised. As well, there is a new regional economic development agency for the north, with \$50 million over five years.

● (1900)

It is important that fair consideration be given with respect to regional and rural development in places like northern Ontario. The same of course applies to the Atlantic region and the unique concerns of our rural communities.

Some no doubt will be wondering why the legislation was not introduced sooner than today or why it is being introduced by a Liberal member as opposed to the minister responsible for FedNor.

The answer to both these questions is quite simple. Regional development programs, such as FedNor, were never in jeopardy under the previous Liberal government. Since taking office, the Conservatives have made it abundantly clear that they do not believe in the effectiveness of regional development as we in fact do.

We target specific programs through agencies into areas with specific objectives, whether it is developing the infrastructure within the region, whether it is developing the base for businesses to operate, or whether it is assisting in terms of studies so businesses can develop business plans which they can then commercialize and create regional economic development and jobs in their area.

The bottom line is that the bill would promote economic development, economic diversification and job creation in communities throughout northern Ontario. A FedNor agency will demand greater accountability and would be required to report to Parliament on a regular basis.

For all those reasons, I support my colleague in proposing Bill C-309. I know the Speaker made a ruling earlier, but I would hope that FedNor would come to pass as a true operational agency as we believe it should be.

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Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, I rise today with a real sense of pride in Bill C-309 that has been presented to the House. I look around and see that there is support from three parties but not from one. It is the same party that recommended to the Speaker that this bill not receive a royal recommendation.

As everyone can imagine, I rise today with a sense of pride but also a heavy heart. I listened to what was said by the members of the Conservative Party and, in particular, the member for Kenora. He said this bill is looking to duplicate FedNor. Nothing could be further from the truth. FedNor is a program. Liberals want it to be an agency. Why? So that we could be on equal footing with everyone else and the people of northern Ontario would not be second class citizens. That is all we are asking for.

We are looking at FedNor and saying we have a program, but we want an agency like everyone else. I do not think that is an unfair request. To say that it is a duplicate shows that the member does not understand what this bill is about. I am hoping that he will revisit it and understand what Bill C-309 would do.

The other issue that has come up is the cost of bureaucracy and the extra cost that a FedNor agency would require. Let me explain the difference in bureaucratic or corporate services that are required between a program and an agency.

A separate agency generally requires its own corporate services and communications divisions to provide human resources and public relations support. FedNor already has its own corporate services and communications divisions. If it were turned into a separate agency, creating these divisions would not be an issue. FedNor currently employs 140 civil servants throughout northern Ontario.

Conservatives say a program is just as good. A program is not just as good as an agency. The difference between an agency and a program is that a program is part of Industry Canada, it is buried in it. Whereas, an agency reports to a minister and Parliament. Any change in its mandate has to come through Parliament. If any major change needs to be made or if it has to be eliminated, it has to be voted on by all members of Parliament, not just the minister who decides on a whim to get rid of a program which would really hurt northern Ontario.

When I compare a program and an agency, I wonder why the Atlantic Canada Opportunities Agency is an agency. Canada Economic Development for Quebec Regions is an agency. Western Economic Diversification Canada is an agency. Two new agencies were just created. If the government thinks a program is just as good as an agency, why were there not simply two new programs put in place?

There was talk about money going south. We know the CFDCs are administered through FedNor in northern Ontario. There is no change in that. There is no danger of that going anywhere else under an agency. In fact, it will be stronger and better administered.

When I hear these misleading statements coming from the Conservatives, I am hoping they will be able to look at the bill objectively, change their minds, and maybe withdraw their request

that the royal recommendation not be given. Really, it is a sleight against all the people in northern Ontario.

In closing, this is not about extra cost. It is not about extra bureaucracy. It is about providing security throughout northern Ontario with regional economic development, something that the people of northern Ontario deserve and should have in the form of an agency.

It is not about fighting about what one area or another should have. It is about being equal right across the country. Right now, the people of northern Ontario are not as equal as everyone else. We feel like second class citizens in our own country and I really do not think that is the Canadian way to live.

• (1905)

[*Translation*]

The Acting Speaker (Mr. Barry Devolin): It being 7:08 p.m., the time provided for debate has expired. Accordingly, the question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion, the yeas have it.

And five or more members having risen:

[*English*]

The Acting Speaker (Mr. Barry Devolin): Pursuant to an order made earlier today, the division stands deferred until Wednesday, June 17, at the expiry of the time provided for oral questions.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

CANADIAN BROADCASTING CORPORATION

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, on March 25, 2009, I asked a question about the CBC in this House.

Mr. Speaker, today the government's failure to come to the assistance of the CBC has led to the elimination of 800 full-time jobs. By refusing to provide the corporation with financial flexibility, the minister has contributed to this disastrous situation.

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In these hard times, will the minister [of Canadian Heritage] not agree that his role consists in providing public institutions with the resources needed to retain jobs rather than helping, through his insensitivity, to abolish them?

The Minister of Canadian Heritage and Official Languages gave me an odd answer:

—year after year our government has increased the CBC budget, that is from early 2006 to the present. We have raised the CBC budget.

That is not at all the truth. The CBC's budget has not increased since the Conservatives came to power. The organization Friends of Canadian Broadcasting has a great table that shows how the budget has decreased since the Conservatives came to power in 2006.

According to this table, when the Conservatives were elected, the CBC budget was \$1.1 billion. In 2006-07 it was exactly \$1,171,700,000.

Today, it is \$1,052,600,000, a decrease of approximately \$100 million.

If I had unanimous consent, I could table this table titled “Change in Parliamentary Appropriation to CBC (in 2009 dollars)”.

I have another quote from the Minister of Canadian Heritage in reply to the same question on March 25.

The Bloc Québécois is talking about the 2009-10 budget, our budget for this year. We again increased the CBC budget. The Bloc Québécois voted against it. We made campaign promises and we kept those promises. We are delivering the goods to the CBC.

I find that this is the scariest argument the minister could give. When he refers to maintaining CBC budgets as a campaign promise, I always sense regret on his part: we did it because we promised we would, but we would not have done so otherwise. That is the feeling one gets when one hears that argument, which he keeps serving up to us over and over during question period.

What is more, I always get the impression that the minister is saying this to his own people, telling them that he is obliged to state publicly that he is in favour of good budgets for the CBC because it was a campaign promise, but will not be promised next time. That scares me.

I have seen and heard it here in this House: the Conservatives applauding when reference was made to the disappearance of the CBC.

I wondered whether we should see this unrelenting attack on the CBC as more fallout from his reform ideology?

The other argument they keep trotting out, year after year, is that the Bloc voted against it. Those are not my words; the Minister of Canadian Heritage says that, year after year, the Bloc Québécois votes against it. On March 27, 2007, the Bloc Québécois voted in favour of it. I could not pull dates like that out of a hat.

People will understand that, when so many arguments are false, the rest is not very credible.

• (1910)

[*English*]

Mrs. Shelly Glover (Parliamentary Secretary for Official Languages, CPC): Mr. Speaker, let me begin by saying that this

government is investing more in culture than any other government in Canadian history.

We understand the importance of culture for our communities, identity and economy. The fact is that this government is providing more than \$1.1 billion annually in public funding to CBC/Radio-Canada. This shows that we are more than willing to work with the CBC, contrary to the misleading statements made by the member opposite.

Canada has built a broadcasting system that works, and it stands as one of the great achievements of our nation. Since it was first established by the Conservatives in 1936, CBC/Radio-Canada has been a core public institution and a unique component of the Canadian broadcasting system. Canadians expect their national public broadcaster to be a source for news, information and entertainment.

CBC/Radio-Canada is a unique provider of Canadian content, providing services in French, English and eight aboriginal languages. This being said, I must reiterate that this government provides over \$1.1 billion annually to the corporation so that it can fulfill its mandate. Moreover, this government has confirmed an additional \$60 million for Canadian programming, and it is prepared to collaborate with CBC/Radio-Canada in its efforts to respond to these difficult times.

We are working closely with the corporation. We expect CBC/Radio-Canada to continue to be creative in finding ways to protect its core services and the level of service that Canadians expect. However, let me be clear. This government campaigned on maintaining or increasing funding for the CBC, and that is exactly what we have done every year since 2006, regardless of what that member has to say. Formulas can be spewed out by any organization one wants to find to negate this.

The facts and numbers speak for themselves. The \$1.1 billion for the national broadcaster this year is something that the Bloc member voted against. When it comes to maintaining our election promises, by increasing funds to the CBC, we have set ourselves apart from the Liberals of the 1990s, who were responsible for over \$400 million worth of severe cuts to the CBC budget that forced our beloved national broadcaster to make over 4,000 layoffs.

We have made significant improvements. Speaking in current terms, I would also like to point out that Richard Stursberg, executive vice-president of English services, admitted a number of weeks ago that had the government come forward with any proposed bridge financing the jobs still would have been lost. This is why our government is working with CBC/Radio-Canada to find positive solutions that will fix the long-term structural problems it is currently facing.

• (1915)

[*Translation*]

Mrs. Carole Lavallée: Mr. Speaker, I have to contradict the member. Under the Mulroney government, the CBC received \$1,589,700,000, and now it is getting just \$1,052,000,000. Therefore, the member cannot say that this Conservative government has given more money to the CBC than any other.

Adjournment Proceedings

I would like her to tell us again whether she agrees with the recommendations made by the Standing Committee on Canadian Heritage last year. The committee said that the CBC should not be privatized, and that it should receive stable, predictable, multi-year funding with a 7-year memorandum of understanding and \$40 per person. It also recommended adding the \$60 million in supplementary funding to the broadcaster's core funding instead of making it beg for the money every year. The committee also recommended maintaining some distance with respect to the financial management of the crown corporation, which reports to Parliament, not to the minister, by not requiring the 5% from the strategic program review to be reimbursed and used for other purposes.

Mrs. Shelly Glover: Mr. Speaker, once again, I repeat that the Liberals are the ones who cut the CBC's funding by over \$400 million in the 1990s. Some 4,000 jobs were lost. The NDP has voted against every Conservative budget, each of which included funding provisions for CBC. Moreover, the Bloc's recent economic recovery program did not even mention CBC, arts and culture or any plan to help them get through these tough economic times.

On June 7, we saw that the Liberal-Bloc-NDP coalition is still alive. Together, they drafted an opinion piece on the CBC that included illogical information far removed from the truth. We have done our best by the CBC and we will continue to do so.

[English]

EMPLOYMENT INSURANCE

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, each member of this Chamber is charged with the responsibility of coming to the House and sharing the importance of various issues from the ridings they represent with other decision-makers. Certainly the people in Cape Breton—Canso have charged me with the responsibility of bringing what is going on in the region to this Chamber.

With the difficulty we are facing in the lobster industry and the entire fishery, many families, many Canadians, are facing hardships they have never experienced before.

When we speak with fishermen at the end of the wharf, whether it is in Torbay, Glace Bay, Grand Digue, Grand Etang, Wadden's Cove or Baxters Cove, the fishery is in a great deal of peril. The fishermen are concerned about the lack of interest on the part of the government and the lack of investment. The recent investment of \$65 million does very little to impact on their personal situation. The fishermen are also concerned about the helpers who work on the boats with them and whether they are going to qualify for employment insurance following this meagre season.

When the revenues are down, the catch is down, the price is down, fishermen have to cut back on their expenses. Sometimes the first one to go is the helper on the boat and they have to do more by themselves.

These people are certainly going to be challenged in the weeks ahead, as they are faced with the reality of not having enough to qualify for employment insurance.

I have spoken with people in the industry. I spoke with Sandy Evans today. He is a great champion for workers within the fishery and the industry. I have spoken with Judy Smith and Patsy Jamieson

from the Canso area, who I do not really agree with sometimes, but we have had some very clear and frank discussions. However, one thing we can agree on unanimously is that people are going to be hurting this year. People are going to face hardship this year if actions are not taken, even if there are interim actions to address the current situation within the fishery.

If the government does not move, if the government does not take some type of action, people are going to be hurting.

The position of this party has been clear. Our leader has articulated this very clearly to the government. It was something we put forward and we would have hoped the government would have been able to act on it. A uniform national standard of 360 hours is something we continue to advocate for. We think this would be a great stimulus to put money in the hands of those who most need it.

These people are facing peril in very challenging times. I know that the parliamentary secretary is a good, decent honourable man. What is his government going to tell these people when they are up against it, when they cannot put food in fridge when they do not qualify for employment insurance? What is the response of this government going to be to those people?

● (1920)

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I responded to the member's question in question period. Our government is absolutely committed to helping Canadians who are going through difficult times through no fault of their own. We are always concerned when people lose their job. This is why we have already taken unprecedented steps to ensure Canadians in need get the help they deserve when they need it.

The reality is the current employment insurance program automatically adjusts to the downturn in the economy and allows for increased access to EI, while providing longer benefits. In fact, 41 of the 58 EI regions now have easier access to EI than in October 2008. This translates to over 85% of Canadians having easier access to EI now compared to October of last year. To this extent, the system is working. It is designed to work that way. It is working just as the previous Liberal government designed it to work.

As to how the EI critic from that member's party wants it to work, or at least how he wanted it to work last year in committee, the member for Dartmouth—Cole Harbour said the following, "when you reduce to the flat rate of 360 hours", as suggested by the member, "the cost is pretty significant". He said, "keep the regional rates. This is to protect those people in high unemployment areas". The Liberal EI critic was not in favour of this national standard idea, this coalition 45-day work year idea. He acknowledged the high cost. He said that we should keep the regional rates because they helped protect Canadians in areas that had historic or chronic high unemployment.

Adjournment Proceedings

The Liberal EI critic thought this was a bad idea just last year. It is not just a bad idea but an irresponsible one. The fact is this 45-day work year scheme will cost untold billions. How would the Liberals pay for it? With job-killing payroll taxes on hard-working employers, employees and businesses.

That is not something our government will do. It is not the way to go. Higher taxes are not what Canadians need right now, but that is exactly what the Liberals want to give to them. In fact, the Liberal leader promised to raise taxes.

On this side of the House, through our Conservative government's economic action plan, we have lowered taxes. We have made unprecedented investments to help vulnerable and unemployed Canadians. We have added five weeks to EI benefits, taking the pilot project national. We have increased EI's maximum duration to 50 weeks. We are preserving over 130,000 jobs through better work-sharing. We have added significant funds to help speed up processing. We are investing heavily in skills training for Canadians so they can get the jobs of the future. We will continue to evaluate the effectiveness of these measures. We will be introducing further changes to EI later this year.

The Liberal opposition should get behind our government's efforts, support effective and responsible help for Canadians and ensure that its designs on power does not end up hurting Canadians just as our economy is showing some signs of renewed strength.

• (1925)

Mr. Rodger Cuzner: Mr. Speaker, if the government is looking at some economic stimulus, if it is looking at a bit of job creation, maybe one place it could start is with the Conservative research bureau. It should tell it to get off its duff and maybe try to actually answer a question.

That is shameful. He gave the same answer last night to my colleague, the member for Nipissing—Timiskaming on a question about EI.

The people in my riding, the people across the country want to know what the government will do when they do not qualify for EI. I am not alone on this. Premiers Brad Wall from Saskatchewan, Gordon Campbell from B.C., even Dalton McGuinty from Ontario are all on the same page with this.

The government has to do something to provide for these people who are exposed right now, not just come back and regurgitate the same answers. Please, what is the government going to do to help these people?

Mr. Ed Komarnicki: Mr. Speaker, the member can put all the rhetoric together he wants, but the fact is the ill-conceived, ill-advised 45-day work year is not something that will wash with Canadians. It only will result in increasing taxes, job-killing payroll taxes, something Canadians do not want, something Canadians do not need. In fact, it will kill jobs. As the Liberal member from Kings—Hants suggested, it is a bad way to go.

We have done a number of things such as increasing the benefits by five weeks and ensuring the maximum goes from 45 weeks to 50 weeks. We have taken steps to preserve jobs to ensure that they continue. For those who do not qualify for EI, we have ensured that

they have the ability to receive job training, skills upgrading, something the member should get behind and support.

Rather than trying to realign the system on the back of an envelope in two or three days, the Liberals should get behind a reasoned approach to EI.

SRI LANKA

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, on April 20 of this year, I raised a question of the government's commitment to providing aid to the victims of the conflict in Sri Lanka, which has waged for over two decades.

As everyone in the House knows, violence escalated tremendously this past year. It was not until the third week of May that the government of Sri Lanka claimed victory over the LTTE, which in turn conceded defeat the next day.

This violent civil war has left a path of destruction. In addition to the tens of thousands of people, mostly Tamil civilians, who have been killed, there are reports of as many as 300,000 internally displaced persons living in temporary shelters.

While it is still difficult to get independent accounts, there are credible reports from NGOs of malnutrition, the lack of potable water, untreated injuries and continued violence against civilians, including the rape of women and girls. The war may have ended, but the violence continues.

On February 4, just as the opposition was calling for an emergency debate on the situation, the Minister of International Cooperation announced \$3 million in aid. This was significantly less than many of our Commonwealth partners. During the emergency debate, I expressed my disappointment both to the House and to the minister personally. Since then, on February 23, the minister pledged an additional \$1.5 million. Then on May 4, after her visit to Sri Lanka, she added an additional \$3 million.

I commend the minister for moving the aid in the right direction, but I want to challenge her to keep up the pressure on her colleagues to further our collective commitment to the people of this war-torn country. Canadians need to know that our government has heard the pleas of the people of Sri Lanka and will increase funding to a much more substantial level, not only pledge the money but ensure that it gets to the people who need it the most.

With respect to the amount of money pledged, the government's commitment still represents only about 25¢ per Canadian. Think about this. It is not only embarrassing, but I would suggest it is immoral. We pay our taxes to ensure that those who have much less than we have can share in a fraction of our wealth. Canadians are a generous people and want to hear that their government is reflecting this same generosity.

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Canadians of Tamil descent have repeatedly told us the stories of their families and their friends who have been caught in this conflict. They are living this tragedy daily and want to be sure that all Canadians, regardless of our country of origin, our language, our religion, our colour, share in the challenge of feeding and healing that country. The task is quite simple. We need to increase our aid to a much more reasonable level.

However, it is not only the amount of aid that concerns me, it is also about whether the aid is actually getting delivered. I understand the government has chosen four highly reputable agencies to deliver the aid. While I trust these agencies, I have doubts that the Sri Lankan government has a willingness or a capacity to ensure that it is delivered.

Last week, we were all horrified that one of the members of the House, the hon. member for Toronto Centre, was denied entry to Sri Lanka. I was pleased that the government expressed at least some outrage about this affront to all Canadians. The hon. member's expulsion is a stern reminder of the fact that we are dealing with a regime that simply does not understand its obligations and, at the very least, it appears that it has something to hide. Witnesses are critical in a crisis like this. Independent ears and eyes and voices are necessary.

How much more aid can the government give and will it give to that country and how can it ensure that it gets to the people who need it the most?

● (1930)

Hon. Jim Abbott (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, I would like to thank the member for his very thoughtful presentation this evening. I think he will find that he and the government are on the same page. I am proud to say that Canada has a strong history of listening to people around the world and answering calls for help.

In the case of Sri Lanka, as the member knows, the Government of Canada has done exactly that. The government has been continually monitoring the situation in Sri Lanka and we have deep concern for the violence that has swept through the country and the impact this has had on the people of Sri Lanka.

Both the Minister of Foreign Affairs and the Minister of International Cooperation, in addition to myself, remain engaged and committed to helping those in need. It is important to recognize that the last few years have been particularly challenging for the Sri Lankans, which is why Canada has been integral in providing support for those in need.

As the member noted, the Minister of International Cooperation has committed a total of \$7.5 million in support for those caught in the crisis in Sri Lanka. In addition, he would know that the minister also travelled to Sri Lanka and met with the prime minister and members of the government to deliver a clear message to the Government of Sri Lanka.

The minister called at that time for an immediate ceasefire and for those in need to be able to receive much needed international aid.

Thanks to the strong leadership that we have shown today, international aid workers continue to do necessary work in the region

with the support of our Canadian government. Canada is continuing to monitor the situation in Sri Lanka closely, as we have in the past, offering much-needed support.

As the member noted, in 2008, Canada supported the people of Sri Lanka with almost \$3 million in humanitarian assistance, including \$1.5 million for food aid through the World Food Programme. The announced support of \$7.5 million helps to support Sri Lankans with emergency medical supplies, food, water and other necessities.

Canada remains a proud partner with organizations such as the Red Cross, CARE Canada, Doctors Without Borders, World Vision and the World Food Programme that are working hard to alleviate the suffering of the people affected in the region.

Access to basic needs, food, water, shelter and medical care continue to be a challenge, which is why Canada is working to ensure our aid reaches the people who need it most and that those self-sacrificing aid workers are safe to return to their homes when the necessary help they are providing has been delivered.

I am also proud to say that the government is engaged with the members of the Tamil community in Canada. An important dialogue has been opened with concerned members of the community.

In working toward a positive and peaceful future in Sri Lanka, the government will continue to work with all parties in this situation, including citizens, international bodies and other government.

The government has called on all parties in the conflict in Sri Lanka to respect international law and for the Government of Sri Lanka to ensure the safety of its citizens. I would agree with the member that the turning away of the member for Toronto Centre was deeply regrettable, as was the fact that the Government of Sri Lanka declined a visa for the Parliamentary Secretary to the Minister of Foreign Affairs.

Now that the conflict in Sri Lanka has dissipated, we can help the citizens of Sri Lanka return to their normal lives and begin a process of reconciliation and rebuilding, and we will continue to monitor the situation closely.

Canadian development experts are working with other humanitarian agencies in Sri Lanka to ensure an effective and coordinated overall response.

● (1935)

Mr. Robert Oliphant: Mr. Speaker, I want to thank the hon. Parliamentary Secretary to the Minister of International Cooperation for his response, which I think is fair, honourable and displays a sincerity. I want to thank him very genuinely.

The aid is something that is a concern on both sides of this House and I appreciate that the government is taking steps. I want to push a little further, though, because there are a couple of other things we can do. We can provide more aid. We can keep the monitoring situation going. However, there is also the issue of the loan from the International Monetary Fund.

Adjournment Proceedings

There is a \$1.7 billion loan coming up for negotiation and I would like it if the government began to express some concerns about delivering that money to Sri Lanka until its government has met certain conditions. Some of those conditions can be about humanitarian access to aid, about keeping channels open, and about international co-operation from a number of partners.

So I would like to have the government consider that option as well.

Hon. Jim Abbott: Mr. Speaker, again, I find the member's comments very helpful. I would suggest that one of the difficulties that there is in any of these situations is to ensure that the aid in fact is getting through or that in fact the IMF dollars that the member is talking about will actually achieve their intended objective.

One of the difficulties is that if we end up cutting back, there is the difficulty for the people on the ground for whom this assistance is destined. We have to be sure that whatever we are doing is going to be helpful. We owe it to the Canadian taxpayer even as much as we owe it to the Tamils and the people in the Sri Lankan community.

The Acting Speaker (Mr. Barry Devolin): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

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

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