



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, December 2, 2009**

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**Speaker: The Honourable Peter Milliken**

## **CONTENTS**

(Table of Contents appears at back of this issue.)

# HOUSE OF COMMONS

Wednesday, December 2, 2009

The House met at 2 p.m.

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*Prayers*

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● (1405)

[English]

**The Speaker:** It being Wednesday, we will now have the singing of the national anthem led by the hon. member for British Columbia Southern Interior.

[Members sang the national anthem]

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## STATEMENTS BY MEMBERS

[English]

### COMMUNITY SPIRIT

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Mr. Speaker, every community has its pioneer families who have contributed to the spirit in the community in which they live.

In the city of Salmon Arm, in the riding of Okanagan—Shuswap, the family I wish to celebrate today is the Askew family. Lloyd and Dorothy Askew founded a meat shop and later expanded it to a supermarket.

Their legacy in the community of Salmon Arm is not only the great business they and their children operate but it is their generous support to every community event and project undertaken to build the great community of Salmon Arm.

Lloyd passed away some time ago and Dorothy died on November 2 of this year, but today, through their children, this legacy still continues.

On behalf of the citizens of Salmon Arm, I thank the Askew family and their staff for all that they have contributed to the community in making it a better place to live. They are truly a shining example to all of us as to the essence of community spirit.

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### SYME 55+ CENTRE

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, I rise today to extend my congratulations to the George S. Syme Seniors' Centre of York, better known today as the Syme 55+ Centre,

as it celebrates 25 years of service to the York South—Weston community.

The Syme 55+ Centre is a charitable, non-profit community-based agency. Since its inception it has been engaged in a mandate where the priority is to improve the lifestyle of seniors by improving their quality of life and by providing opportunities that encourage individuals to achieve their maximum potential.

Throughout the years the centre has continued to bring forward programs and services that have added value to its members, and has shown a dedication and commitment that has changed the lives of many.

I invite the House to join me in honouring the staff and volunteers of the Syme 55+ Centre for 25 years of wonderful service to our community.

\* \* \*

[Translation]

### CLIMATE CHANGE

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, today, the “Make your mark, change the world!” petition, signed by more than 55,000 people, was presented to the Canadian government.

The purpose of this protest campaign is to urge the governments of rich countries to adopt measures to decrease their greenhouse gas emissions and work together to reach an agreement that is fair to developing countries and takes the needs of vulnerable populations into account.

Climate change largely affects the poor in southern countries, and they will increasingly be forced to make changes in their way of life.

The Canadian government must make financial commitments to support initiatives to fight climate change in poor countries, and, before leaving for Copenhagen, the Prime Minister must agree to support a binding agreement on climate change.

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[English]

### NELSON LEESON

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, it is my honour today to rise to pay tribute to the great Nelson Leeson who passed from our presence some time ago.

*Statements by Members*

Nelson was elected president of the Nisga'a Lisims government. He was also the co-chair of the land claims agreement coalition. Nelson was a living symbol of what true leadership and courage in politics looks like. He is a lesson to all of us who seek elected office in speaking on behalf of his people with courage and conviction.

Nelson was a rare man indeed. He had compassion for those who suffered most. He was a bridge always between the first nations and non-first nations of this country. He was always dignified in his actions.

Nelson was also a true friend and mentor to me. He revealed to me the rich and complex culture and history of the Nisga'a people. He guided me through the politics of first nations government and the treaty process.

Nelson Leeson's passing is a true and great loss for his family, for the Nisga'a people, and for the people of this country.

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**BRUNO DASILVA COMMUNITY SERVICE MEMORIAL AWARD**

**Mr. Ed Holder (London West, CPC):** Mr. Speaker, I am pleased to recognize Lindsay Sleeth, a fourth year health sciences student from London's University of Western Ontario.

Each year a student at Western receives the Bruno DaSilva community service memorial award, a major scholarship given to recognize a student who leads and understands what it means to give back while carrying a full academic workload. It was my privilege to make this presentation.

The award is given to honour the memory of a young man who died 13 years ago. Bruno inspired, even at his young age, those around him. He was a leader.

Lindsay Sleeth is amazing. In addition to her studies, she is a student mentor and volunteers at Parkwood Hospital with stroke patients. She also heads the health sciences dream team, a student-run group that raises money for the southwestern Ontario chapter of the Make-A-Wish Foundation.

Congratulations Lindsay. Lindsay embodies the spirit of the Bruno DaSilva award in every way. Bruno's mom, sister and I miss him every day.

\* \* \*

[*Translation*]

**EGYPT**

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, I am pleased to convey my sincere congratulations to the Association des amis Égypte-Canada, a friendship organization, on the success of its fifth Egyptian festival in Canada, which was held in Montreal from November 4 to 15, 2009.

The festival gives Canadians an opportunity to experience the richness of Egyptian art and culture. This year, Reda, an exceptionally talented international folk performance ensemble, wowed the audience.

It goes without saying that organizing this kind of activity involves a lot of work and planning.

The festival organizers, Nancy Youssef and Adel Iskander, spared no effort. The event was a huge success. They received financial support from the Egyptian ministry of culture thanks to minister Farouk Hosni, whose support for Canadian multiculturalism has been unwavering.

What a wonderful example of co-operation. Thank you all, my friends, and I wish you great success in the future.

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● (1410)

[*English*]

**UNITED WAY**

**Mr. Patrick Brown (Barrie, CPC):** Mr. Speaker, today I rise in the House to pay respect to my local United Way branch that is celebrating 50 years in Barrie and Simcoe county. In late 1959, the Barrie united appeal was incorporated into the United Way and from day one it has been an indispensable asset to the greater Simcoe county area.

Dennis Terry and honorary chair Jennifer Robinson have taken the vision and passion from that first campaign in 1960 and inspired a new passion to succeed in our community.

This year, the United Way of greater Simcoe county has funded 22 agencies and will help over 150,000 residents. Community groups such as the David Busby Street Centre, the Big Brothers Big Sisters, and the Elizabeth Fry Society are just a few of the organizations that have tremendously benefited. They will be working with a focus on reducing poverty, ending the cycle of abuse, and living with independence and dignity through healthy and stable communities.

On November 26 our United Way celebrated its 50th anniversary of public service. It gives me great pleasure to honour its service and to express my sincere gratitude to all the volunteers and donors of our United Way chapter.

\* \* \*

[*Translation*]

**DIANE COUËT**

**Ms. Monique Guay (Rivière-du-Nord, BQ):** Mr. Speaker, this December, the Société Nationale des Beaux-Arts will exhibit works by 27 Canadian artists at the Carrousel du Musée du Louvre, and its jury has chosen a work by Quebec artist Diane Couët.

Diane Couët, a professional watercolourist who lives in Prévost in my riding, will exhibit one of her paintings, entitled *Les blues de l'Himalaya* at the Carrousel du Louvre in Paris from December 10 to 13.

*Statements by Members*

After studying plastic arts in the 1970s, she received an attestation of collegial studies in advertising layout a few years later. She publishes her drawings of the Laurentian flora in the Saint-Hippolyte community newspaper, *Le Sentier*. Diane Couët is one of the few Quebec artists who has illustrated French wine bottle labels. In 1991, she received the award of excellence from the Société canadienne de l'aquarelle. Today, her paintings are held in public and private collections in North America and Europe.

I am proud to draw the attention of the House to the outstanding talent of Diane Couët, and I wish her a future as bright as her paintings.

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**ECONOMIC ACTION PLAN**

**Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC):** Mr. Speaker, today the Minister of Finance presented our government's fourth report on the implementation of Canada's economic action plan.

Faced with this unprecedented crisis, Quebecers and Canadians wanted a government that takes action. That is what we have done.

We have helped boost the economy, create jobs and protect Quebecers and Canadians affected by the crisis.

Unlike the Bloc Québécois members who sit on their hands when Quebecers are in need, we are taking action. Our government is determined to see this through. We will continue to work hard to ensure a lasting economic recovery for all Canadians.

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**INTERNATIONAL DAY FOR THE ABOLITION OF SLAVERY**

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, I am proud to point out that today marks the International Day for the Abolition of Slavery.

The abolition of slavery represents more than just freedom for millions of people. It also represents the fight against poverty, illiteracy and violence against women and children.

[English]

Unfortunately, this system of slavery, thought to have been entirely eradicated, still exists in our world today. Slavery continues in Benin, Chad, Ethiopia, Mali, Mauritania, Niger, Nigeria, Sudan and Togo, to name just a few countries.

Today should be a celebration marking the end of oppression, which unfortunately still exists, and the beginning of a new world in which all people can live without fear of discrimination, and with the enjoyment of equal human rights.

\* \* \*

●(1415)

**LIBERAL PARTY OF CANADA**

**Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC):** Mr. Speaker, a year ago we learned that the Liberals would do anything to take power, including forming a coalition that would give a blank cheque to the NDP and a veto on legislation to the Bloc.

When Canadians made it clear they did not support such a blatant lunge for power, the Liberal Party moved to politicize everything.

In the last week alone we have seen the Liberals politicize our soldiers to fundraise and attack a sombre celebration ceremony to promote their gun registry.

Today the Liberals' plan to politicize the Olympics has been discovered. The Liberal member for Vancouver Quadra wrote, "The Liberal Party must capitalize on the positive publicity, excitement and feel-good attitude surrounding the...Games".

Below that, the member encourages her colleagues to raise concerns about the games when asked by the media, noting her office would provide talking points.

We have the only talking points they need. We are proud of our athletes and we wish each and every one of them well.

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**STATUS OF WOMEN**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, today marks the 20th anniversary of the election of the first female leader of a federal party in Canada. On December 2, 1989, Audrey McLaughlin was elected leader of the New Democratic Party.

[Translation]

Audrey inspired women both within and outside our party to believe that they could play an important role in politics.

[English]

Sadly, there has not been enough change since then. Women still only represent 22% of the members of this place.

[Translation]

A great deal of work remains to be done if we want to achieve gender parity in the House of Commons. This is an important goal for advancing women's equality in this country.

[English]

Without parity, issues affecting women time and time again get shunted aside, issues such as child care, pay equity, violence against women.

[Translation]

Women deserve better.

[English]

Today we want to congratulate Audrey McLaughlin on her pioneering achievement, and we simply want to say, we need more leaders like Audrey.

*Oral Questions***FIREARMS REGISTRY**

**Ms. Candice Hooppner (Portage—Lisgar, CPC):** Mr. Speaker, yesterday the opposition members for Laval and Winnipeg South Centre embarrassed themselves by politicizing a sombre non-partisan event. During their shameful smearing of the ceremony that remembered the victims of the December 6 tragedy in 1989, the opposition members chose the politics of the long gun registry over respect and honour.

We will not let the Liberal attack stop us from holding important ceremonies. We will not allow the Liberals' calculated callousness to stop us from being a strong caucus of Conservative women.

How can we tell our sisters, daughters and nieces to get involved in politics when the members opposite wilfully attack a woman MP for attending a ceremony dedicated to stopping violence against women?

My constituents and I believe the ineffective and wasteful Liberal long gun registry must come to an end, but I would never hijack a ceremony of remembrance to promote my view. The opposition should be ashamed for doing just that.

\* \* \*

[Translation]

**CHARTER FOR A WORLD WITHOUT VIOLENCE**

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, today I would like to invite my colleagues to support the Charter for a World without Violence, drafted for those who wish to spread a message of peace and who feel that it is necessary to reach beyond their borders and raise the global social conscience in order to encourage a culture of non-violence.

The charter calls for an end to war, the non proliferation of nuclear weapons, the destruction of stockpiles, respect for the rule of law, the abolishment of all forms of violence—including physical, economic, racial, religious, cultural, sexual and psychological violence—and it implores its adherents to share these ideals.

It is an honour for me to welcome today on the Hill the international delegation of the World March: Pierre Hennico, from Belgium, Emilia Giorgetti, from Italy, and Miguel Angel Fernandez, from Spain, as well as Anne Farrell, from Vaudreuil-Soulanges, who coordinates the francophone section of the World March. Welcome to them all.

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**NATIONAL DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN**

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, I rise today to acknowledge the National Day of Remembrance and Action on Violence Against Women and the 20th anniversary of the massacre at the École polytechnique de Montréal.

[English]

On the 20th anniversary of the Montreal massacre, we remember not only the 14 women who were murdered that day, but also the 500 aboriginal women who are missing or murdered and the tens of

thousands of Canadian women who are victims of domestic violence.

Twenty years ago we watched events unfold in mute horror, but these events have taught us to reaffirm that a crime against women is always a crime against everyone else and that all Canadians must stand against these acts of violence to ensure there is justice and security for all our citizens.

In remembrance of that day of horror and suffering 20 years ago, we all rededicate ourselves to the equality and dignity of women both in Canada and abroad.

● (1420)

[Translation]

We must take immediate action to ensure dignity and security for all our citizens.

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[English]

**THE ECONOMY**

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, today the Prime Minister and the Minister of Finance delivered our government's latest economic report to Canadians.

Canada's economic action plan is a plan to stimulate the economy, create jobs for Canadians and protect those hit hardest by the economic downturn.

Just 10 months into our two-year plan, our government has already committed 97% of our plan, adding up to 12,000 projects across the country. Eight thousand have already begun. Our efforts are having a positive effect and communities across the land are seeing the benefits.

The OECD recently projected that Canada will have the second strongest economic growth among G7 countries in 2010 and the strongest G7 growth in 2011.

While our economy is recovering, it does remain fragile. However, we will stay the course and fully implement Canada's economic action plan. Doing anything else would be reckless and irresponsible.

**ORAL QUESTIONS**

[Translation]

**AFGHANISTAN**

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, President Obama told Americans that there will be intensification of combat in Afghanistan. That will affect our forces and Canada's strategy in the region.

Can the government tell us whether Canada's strategy on the ground will change? When will Canadians be informed?

*Oral Questions*

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, there will be no change, per se, on the ground in Afghanistan. However, what we have seen is an endorsement of the good work being done by the Canadian Forces in this mission.

What we have seen, and the Leader of the Opposition will acknowledge, is an endorsement of the model which has been employed by Canadian Forces and this is confidence in their commanders and in the good work of the Canadian Forces. I know the hon. member will want to join me in congratulating that work.

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, this side of the House will always congratulate the good work done by Canadian Forces. However, there has been a change not only in intensification of combat but an intensification of diplomatic activity. We cannot bring security to Afghanistan without a mixed and balanced approach that combines diplomatic and political activity with military activity.

Given President Obama's new approach, why does the government still refuse to appoint a high-level Canadian envoy to give us leverage in the political—

**The Speaker:** The hon. Minister of National Defence.

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, I know all Canadians and members of the House will applaud the announcement yesterday by President Obama to surge 30,000 additional forces into Afghanistan, predominantly into the south where Canadian Forces are carrying out marvellous work, as are our diplomats and aid workers.

With respect to change, we have been pursuing a whole of government approach that is coupling with our efforts of diplomacy, coupling with the efforts of aid workers, all under the umbrella and rubric of security provided by Canadian Forces and NATO allies. This is the struggle of our time. Canada is pulling its weight. Canada is doing marvellous work in Afghanistan.

• (1425)

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, the government's approach has neglected the crucial importance of political and diplomatic engagement. Other countries have created high-level envoys for the whole region. The United Kingdom, France, the United States, Germany have done this. Canada has earned the right to be at the table and to participate in those efforts.

Could the government explain why, month after month, it has refused to take that step, which will give coordination to our diplomatic and political efforts in the region?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, I know the Leader of the Opposition would model himself after other countries. We are taking a unique Canadian approach. We have an ambassador in Afghanistan. We have a whole of government approach that has in fact been the envy of other countries. We have seen, in General McChrystal's report, an endorsement of the approach that Canada and the Canadian Forces have pursued in Afghanistan.

Guess what? It is working. It is working to great effect in Kandahar city where Canadian Forces again are doing marvellous work. It is working with our CIDA representatives. It is working at the PRT. We are making great progress in many areas, all because of professional, hard-working, dedicated Canadians who can make us proud.

[Translation]

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, yesterday, Parliament passed a motion to hold a public inquiry into the transfer of Afghan detainees from 2001 to 2009. This would not be a partisan inquiry regarding a particular government, but an inquiry presided over by a judge able to shed some light in the interest of national security.

Why does the government refuse to accept such a responsible proposal?

[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, let us be perfectly clear, the Special Committee on the Canadian Mission in Afghanistan with members from all parties in this House is conducting a significant amount of meetings on this issue. The Military Police Complaints Commission is currently looking into the matter.

The issue of transferring Taliban prisoners has been heard not once but twice at the Federal Court here in Ottawa. It has been examined by the Supreme Court, who declined to hear the case. It has been the subject of a Canadian Forces National Investigation Service review. It has been the subject of an RCMP review, and a CF board of inquiry investigation has been conducted.

I should remind the House and the Leader of the Opposition that there have been no proven allegations of abuse of Canadian-transferred prisoners.

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, the government fails to realize that Canadian Forces may face this situation with detainees in the future.

Once and for all, it would be good to have a judge investigate this with national security clearance and access to documents that are uncensored and unredacted, for the benefit of the Canadian Forces and our honour overseas, so we can get to the bottom of this. This is what Parliament proposed yesterday, involving both the previous Liberal government and this one.

I fail to understand why the government cannot accede to the reasonable request of Parliament.

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I will say to the Leader of the Opposition who brings honour and respect to Canada, and that is each and every one of the men and women in uniform, who are doing an absolutely outstanding job.

The speech last night by President Obama and the changes taking place in Kandahar and southern Afghanistan speak volumes to the credibility and trust and confidence that our allies have for the men and women in uniform.

*Oral Questions*

We have always been very, very clear. Whenever this government has gotten credible evidence, we have acted, but we require proven, substantiated and credible evidence to act. That has always been the policy of this government.

\* \* \*

[Translation]

**THE ENVIRONMENT**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Minister of the Environment has told us time and time again that Canada will speak with one voice in Copenhagen. This means that the minister will be contradicting Quebec, which has adopted a real plan to combat climate change, with ambitious greenhouse gas reduction targets, while Canada does not even have a plan.

Does the minister realize that by having Canada speak with one voice in Copenhagen, he will not only be contradicting Quebec, but hurting it?

• (1430)

**Hon. Christian Paradis (Minister of Public Works and Government Services, CPC):** Mr. Speaker, the Minister of the Environment held intensive consultations last summer, and one of the first provinces that was consulted was Quebec, through Premier Jean Charest. We now know that the people appointed by the Government of Quebec will form an integral part of the Canadian delegation.

Quebec is making a significant contribution. We recognize Quebec's support, and I can say that our provincial counterparts are very happy to be an integral part of the Canadian delegation.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, they are so happy that Quebec's environment minister condemned Ottawa this morning. That is complete and utter happiness.

In December 2005, the Prime Minister said: "I am ready to discuss mechanisms to enable the provinces to extend their jurisdictions on the international scene."

How can the Prime Minister, who recognized the Quebec nation and even said he agreed with the idea of having Quebec speak with its own voice on the international scene, go to Copenhagen and present a position that is in total contradiction to Quebec's proposed approach to combatting climate change?

**Hon. Christian Paradis (Minister of Public Works and Government Services, CPC):** Mr. Speaker, it is ironic to see the leader of the Bloc Québécois talk about a federalism that works, when we know his goal is to destroy that federalism. We have a solution. The representatives of the Government of Quebec are an integral part of the Canadian delegation. In addition, in 2007, the federal government transferred \$350 million to Quebec, which Premier Charest himself said would help the province meet its targets. We do not need to be lectured. We have shown that we have solutions that work, such as our solution in the case of UNESCO.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, the Quebec minister Line Beauchamp reacted strongly yesterday to the publication of the unfair sharing of the burden of reducing greenhouse gases being proposed by Ottawa: "It is obvious that...Quebec's aspirations must not be used to give other provinces a free ride and increase their own emissions."

Can the Minister of the Environment confirm that the efforts made by Quebec companies to reduce their greenhouse gas emissions will not allow Alberta to shirk its responsibilities and increase its emissions with impunity?

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, I met with Line Beauchamp and we discussed this matter. Our policy is simple, to enter into an agreement with the major emitters in Copenhagen and to harmonize our targets and regulations with our partner, the United States, while establishing a carbon trading system.

President Obama announced a reduction target of 17% below 2005 levels by 2020. We will make the necessary adjustments to have the same target.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, the Minister of the Environment is making a mistake by pitting the economy against the environment. The proof is that Quebec is determined to reconcile the two. In case the minister does not know it, we call that sustainable development.

Does the minister recognize that what is irreconcilable is the economy of Quebec, which has chosen sustainable development and green energy, and Canada's traditional economic interests based on oil and the automobile? That is truly irreconcilable.

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, that is not the case. We have to develop a sustainable economy. Yvo de Boer, of the United Nations, had this to say today about the American target:

[English]

I think that the U.S. target is quite ambitious and President Obama has, of course, to remain within the political realities that he is confronted with.

[Translation]

I would like to remind this House that Canada has the same target as the U.S. If UN leaders consider the American target to be ambitious, ours must be as well.

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[English]

**GOVERNMENT ACCOUNTABILITY**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, the government is now officially standing in the way of the truth. Where is the openness and transparency that we were promised by the government? The House has voted for there to be an inquiry into the scandal involving tortured transferred detainees.

The Prime Minister unveiled his economic platform over Siberia, about as far away from Canadians and the House as he could possibly get. The oft repeated refrain that it is already being implemented is belied by the municipal leaders who say that the money is not flowing. Where is the accountability and the truth?



•(1435)

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I say to my friend the leader of the NDP that this government has done more to bring accountability to Ottawa, to this place, than any government in Canadian history. Gone is the influence of big money in politics. Gone are the big union contributions that the NDP used to love. Gone are the old ways of the past Liberal government.

The Prime Minister has provided great leadership on the economy. He was pleased to release to the media internationally and in Canada the results of our economic action plan, our fourth report to Canadians. The good result is that Canada is poised to be one of the world leaders in the G7 with respect to economic growth this year, next year and the year after.

\* \* \*

[Translation]

#### HARMONIZATION TAX

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, honesty is the best policy. That applies to the HST, even though the Conservatives are blaming the provinces. With the help of the Liberal Party and the Bloc Québécois, the Conservatives are going to raise taxes on heating fuel, which will hurt people in northern Ontario and elsewhere.

How, in good conscience, can those people vote to increase families' heating costs next winter? How can they do that?

[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, getting a lecture from the NDP with respect to taxes is quite something. I never thought I would live this long to hear it.

This is the government that brought forward major tax reductions for Canadian families, major tax reductions for small businesses, major tax reductions with respect to the GST. Every single time the Prime Minister and the Minister of Finance tried to cut taxes, they faced the wholehearted opposition of the NDP and leader of the NDP who wanted to keep the GST at 7%. The only problem the NDP has with the HST is that it is not 2% higher.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, the Conservatives may try to ram through the HST with the help of the Liberals, but the NDP is going to fight them each and every step of the way. The NDP opposed the GST when it was brought forward years ago.

The Conservatives are proposing to add \$30 billion of taxation to families in the next 10 years. We fought it in the 1990s and we are going to fight the new Conservative tax this time around as well.

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, Mike Harris will be very pleased to know that the leader of the NDP has now donned the label of the great tax fighter of Canada. He has never met a tax he did not want to increase. He wanted to keep the GST at 7%. He wanted to keep income taxes higher. He wanted to keep taxes for small business higher. The NDP needs all these taxpayer dollars to fund all its wild social programs.

#### Oral Questions

This government will continue to provide responsible fiscal leadership and will continue to work for economic growth, for job creation, to ensure that every Canadian family can experience the Canadian dream.

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#### AFGHANISTAN

**Hon. Ujjal Dosanjh (Vancouver South, Lib.):** Mr. Speaker, between March 2006 and October 2007, the government continued to assert in this House many times that it had not received any specific and credible allegations of Canadian detainees being tortured in Afghan jails.

Can the Minister of Defence say with complete certainty that in his current position or as the Minister of Foreign Affairs, his office did not receive any specific and credible allegations of Canadian detainees being tortured from May to July 2007, inclusive?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, what the hon. member does not want to accept is that we improved upon the failings of his administration. We improved an enhanced agreement. When it came to transfers, we invested heavily in the Afghan system, its justice system, for training, for mentoring, for monitoring. We have improved the situation dramatically.

The hon. member may have some regrets or some cynicism in mind in asking these questions, but the fact is that two and a half years ago, in fact almost three years ago, we went to work improving the situation in Afghanistan.

**Hon. Ujjal Dosanjh (Vancouver South, Lib.):** Mr. Speaker, I am not surprised by that answer because the government has covered up the details of detainee transfers in Afghanistan from the moment it took office. Even the stoppage of transfers in November 2007 was not shared by the government until it otherwise became public.

Bearing in mind the witnesses appearing before the committee on Afghanistan today, does the Minister of National Defence still maintain that until November 2007 his office received no specific and credible allegations of torture of Canadian detainees?

•(1440)

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, the hon. member may want to cover up his spotty record, but he cannot continue to maintain that the generals who testified, the senior bureaucrat who provided evidence before this committee, have all said they saw no evidence of torture. We of course rely on the information that comes through those senior sources in the public service and the military.

Here is what General Gauthier had to say: "None of us would knowingly have ignored, disregarded, suppressed, covered up or put a cloak of secrecy over anything that we received from the field, especially on something as important as the detainee issue. I say that as dispassionately as I can. I mean it absolutely sincerely".

I will take General Gauthier's word over that—

*Oral Questions*

[Translation]

**Mrs. Lise Zarac (LaSalle—Émard, Lib.):** Mr. Speaker, the documents show that the government knew that detainees were, “whipped with cables, shocked with electricity and/or otherwise ‘hurt’” in Afghan prisons. This corroborates NGO and UN reports describing even more explicit and inhuman abuses.

How can the minister continue to justify his government's indifference to these allegations?

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, every member of this House, every previous and current government, would of course have concerns about human rights violations. Clearly, those allegations are general references to conditions in Afghan jails. There has never been a single, solitary proven allegation of abuse of a detainee, a Taliban prisoner, transferred by Canadian Forces. That is the issue. We will continue to invest and improve the situation in Afghanistan. That is what we are here to do. We can't continue to have these machinations. In the meantime, our professional public servants and soldiers are getting on with the job in Afghanistan.

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, detainees are being beaten with cables, electrocuted and having their fingernails and toenails pulled out. These are all reports from the government's own officials, not just Richard Colvin.

Is the minister in such denial that he cannot even hear what his own officials are telling him? Or did the Conservatives simply request that our former ambassador pre-censor the documents so that they did not have to worry about them?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, let us take it out of this partisan environment. Let us consider the words of an individual like Gail Latouche of the Correctional Service of Canada, who is working in Sarposa prison in Afghanistan as we speak. Ms. Latouche was unequivocal that she and three colleagues from the Correctional Service of Canada who do the same work have seen zero evidence of torture or any abuse.

This is in large part because of the professional efforts being made, because of the new transfer arrangement, because of the eyes-on monitoring that is happening now as a result of this government's investment. That is the work being done. We are proud of that work.

[Translation]

**Ms. Francine Lalonde (La Pointe-de-l'Île, BQ):** Mr. Speaker, the government committed to holding a vote in the House for all troop deployments abroad. However, this morning, RDI reported that the Minister of Foreign Affairs remains open to the possibility of prolonging Canada's military presence in Afghanistan beyond July 2011. That contradicts statements by the Minister of National Defence, who said yesterday that the mission for all Canadian soldiers in Afghanistan will end in 2011.

Can the government clarify its position?

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, for the

211th time, the mission in Afghanistan, as far as the military combat mission is concerned, ends. In 2011, the mission ends.

[Translation]

**Ms. Francine Lalonde (La Pointe-de-l'Île, BQ):** Mr. Speaker, the government promised to be more transparent. It also promised to consult Parliament on the deployment of Canadian troops.

Since the military mission will end by July 2011, can the government commit to working with the opposition starting now to ensure that, in future, Canada's presence in Afghanistan will be for humanitarian purposes only?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, it is clear that the member and the Bloc do not support this mission. Our party and all other parties in the House of Commons support the Canadian Forces, the diplomats and all of the people working on the ground in Afghanistan.

We are very proud of the work that is being done to improve quality of life for all of the Afghan people.

\* \* \*

● (1445)

**EMPLOYMENT INSURANCE**

**Mrs. Josée Beaudin (Saint-Lambert, BQ):** Mr. Speaker, taking advantage of the update to the economic action plan, the Conservative government confirmed that it plans to use the employment insurance fund to pay down the deficit. In addition to the \$54 billion it has already stolen from this fund, the government plans on taking another \$19 billion between now and 2015.

Instead of collecting excessive premiums and making the unemployed pay down the deficit, does the government not think it is time to improve the employment insurance system?

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, how can the member ask us to improve the employment insurance system, when in the past few months, we have implemented five different measures to help the unemployed? Every Bloc Québécois member of Parliament voted against every one of these measures to help the unemployed.

I do not understand the member's question. We offered help five times, and they voted against it five times.

**Mrs. Josée Beaudin (Saint-Lambert, BQ):** Mr. Speaker, self-employed workers in Quebec and the other contributors will be paying too much in EI premiums for the coverage they receive. According to the calculations of the former EI chief actuary, they are being asked to pay three times too much for access to sickness and compassionate care benefits.

When will this government stop diverting employment insurance funds that could be used to improve the EI system?

*Oral Questions*

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, we want to offer benefits, such as sickness and compassionate care benefits, to self-employed workers in Quebec. In the private sector, it would cost 30% of the individual's income to get the same protection we will offer. In fact, self-employed workers will have to contribute \$1.36 for every \$100 of insurable earnings, instead of 25 times more. It will be much less expensive for self-employed workers in Quebec.

Why are they trying to prevent us from offering something that self-employed workers want—benefits when they are sick or when they must take care of a sick child or family member?

\* \* \*

[English]

**INFRASTRUCTURE**

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, the Conservatives love their weasel words.

[Translation]

Today the Conservatives are saying that 97% of infrastructure credits have been implemented. However, according to the Federation of Canadian Municipalities and economist Dale Orr, only a third, or even less, of infrastructure projects have really begun.

What makes the Conservatives think they can fool Canadians by playing with words?

[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, there have been great partnerships. We have put partisan politics aside with every provincial government and every territory.

We particularly worked well with the municipalities. The member opposite quotes the Federation of Canadian Municipalities. Let us look at what Basil Stewart, the president of FCM, said:

[T]hings have worked out well. And they've worked out well in other parts of the country as well. We have no complaints with the way things are going.

We believe that municipalities are up to the challenge of building infrastructure. We do not believe that municipalities need to be micromanaged as they have in the past. We are proud of our partnership. Things are happening in every part of this country and we are awfully proud of it.

\* \* \*

**FINANCE**

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, we all remember that the previous Conservative report card road shows cost taxpayers more than \$100,000 each.

Can the government tell us what it is spending today to fly the finance minister to Winnipeg to release a report that was secretly tabled last night and already unveiled by the Prime Minister while flying 30,000 feet above Siberia? By the way, does this attest to the Prime Minister's commitment to Siberian-style accountability?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, as he was with the first three

reports to Canadians, the Prime Minister was very pleased to release the fourth report. It explains the great success we have with working with provinces and with municipalities.

The Minister of Finance was very proud to travel to Winnipeg. I know there are not a lot of Liberals in Winnipeg any longer. They have a one member caucus in Winnipeg. We believe it is important to work with Canadians in every part of the country. The Minister of Finance was proud to be in Winnipeg, proud to be talking about our accomplishments. We make no apologies for getting out to western Canada.

\* \* \*

**INFRASTRUCTURE**

**Mr. Gerard Kennedy (Parkdale—High Park, Lib.):** Mr. Speaker, today the Minister for Transport, Infrastructure and Communities admitted for the first time that he has failed to create jobs in a timely way. Buried in his fairytale update today on page 71 is a reduction of 36% in spending plans for this year, over \$1 billion less compared to September.

The minister has done such a poor job of getting infrastructure stimulus funds into Canadian towns and cities, his budget has been slashed.

Will the minister now apologize to Canadians, and the families of the unemployed in particular, for having misled them over these many months?

● (1450)

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, we do not apologize for working with the provinces. We do not apologize for making partnerships with municipalities. We do not apologize for the huge number of infrastructure projects that are going on in every part of the country.

Let us look at what one mayor, the mayor of Windsor, Eddie Francis, said:

When you compare this [Conservative] government to the previous government, these guys don't want to just talk about it — they want to get it done.

**Mr. Gerard Kennedy (Parkdale—High Park, Lib.):** Mr. Speaker, the minister has a greater duty than clowning around in this chamber. He has billions of dollars of borrowed taxpayers' funds, taken to supposedly create jobs for Canadians out of work, and he has failed.

His budget has been cut because he could not get his own job done. Thousands of Canadian families are paying the price.

My question is simple. Will the minister come to committee today, be accountable and release all the information he has about the failure of his job creation program, or will he just continue to clown around in this place?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I am not a member of the transport committee. I do look forward to going this afternoon. I hope the member will show up, because he is not a frequent visitor to that committee, despite being a member.

### Oral Questions

We are proud of the partnership with municipalities. We are proud of our partnerships with governments. Every single day, more and more projects begin, more and more jobs are created. We announced a major \$60 million project in the member's own city just yesterday, and jobs are already being started today.

\* \* \*

### OLYMPIC WINTER GAMES

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Mr. Speaker, our government has supported all aspects of the Olympics, from the torch relay to our athletes, but at every turn the Liberal Party has attempted to politicize the games.

Will the Minister of State for Sport please share with the House the Liberals' latest attempts to make the games about them and not about the athletes?

**Hon. Gary Lunn (Minister of State (Sport), CPC):** Mr. Speaker, first of all, I would like to thank the member for his unwavering support for our athletes.

I am holding an email from the official spokesperson for the Liberal Party, intended for its own members. It starts out by saying, "The Liberal Party must capitalize on the positive publicity".

I want to remind the member that this is not about parties. It is not about politics. It is about our athletes who have worked and trained for decades for this golden moment to win that gold medal.

Even worse, the memo goes on to raise a number of what they perceive to be negative talking points. Nowhere does it mention the great work that our athletes are doing, how hard they are training and to get behind them.

This is about Canada. This is about our athletes. Let us all cheer them as they go for gold.

\* \* \*

### TAX HARMONIZATION

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, two weeks ago we learned that the Conservative government will kill the point of sale exemption for first nations.

So, when it comes to introducing the HST, some people get the carrot and some get the stick. The province of Ontario is getting a \$4 billion carrot and first nations in Ontario are getting the short end of the stick, despite their treaty right to tax exemption.

Why is the government abandoning long-established treaty rights just to make a cash grab from some of Canada's poorest and most vulnerable?

**Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, once again this government stands steadfastly behind its provinces and their ability to make their own decisions.

I would encourage the hon. member to speak to her government officials.

Our government believes in lowering taxes, unlike that party opposite. We have cut over 100 taxes despite the fact that the NDP members have voted against every one of those tax cuts.

We cut the GST from 7% to 5%. They voted against that both times. We will take no lessons on taxes from that party.

● (1455)

**Mr. John Rafferty (Thunder Bay—Rainy River, NDP):** Mr. Speaker, for most people in northern Ontario, HST is simply a new gas tax.

In Parry Sound today, gas without HST is 98.9¢ a litre, with HST, \$1.07 a litre; in Sioux Lookout it is \$1.05 without HST and \$1.14 with HST; in New Liskeard it is \$1.04 without HST and \$1.13 with HST.

Why does the government and in fact why do Liberal MPs want to punish their constituents with this new gas tax? Why are they voting to enable HST in Ontario?

**Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, we on this side actually do respect provincial autonomy.

We have some very interesting quotes. I would like to read one from the leader of the New Democratic Party:

Tax cuts...have no basis in terms of moving the economy forward...are not a wise choice....

That is the leader of the official New Democratic Party who stands in the House every day and talks about taxes, but the NDP members continue to fight against any tax cut that we put forward to help Canadians.

\* \* \*

[Translation]

### LABOUR RELATIONS

**Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ):** Mr. Speaker, since an agreement between CN and the Teamsters appears to have just been reached, can the minister confirm this news? Does she plan to go ahead with the back to work legislation?

Also, can she tell us what she plans to do now about the striking museum workers?

[English]

**Hon. Rona Ambrose (Minister of Labour, CPC):** Mr. Speaker, yes, I can confirm that we just received word from CN and Teamsters that they have signed an agreement.

If I do have any time left, I would like to thank the opposition labour critics and the opposition parties who worked very hard with the government to apply pressure to both sides to reach this agreement.

\* \* \*

[Translation]

### INFRASTRUCTURE

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, in its fourth report, the government reiterated that infrastructure projects not approved by January 29, 2010, will not be funded by the infrastructure stimulus fund.

*Oral Questions*

The Fédération québécoise des municipalités and the Union des municipalités du Québec fear that many infrastructure projects in Quebec will not be funded if the federal government insists on maintaining these arbitrary deadlines.

Given that the federal government is partially responsible for the delays, and in order to prevent abuses, does the government plan to show some flexibility?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I am very proud to tell my Bloc Québécois colleague that we are working closely with the Government of Quebec. Of course we are respecting Quebec's laws regarding Quebec's areas of jurisdiction. We accept that as an important part of our work.

We are working closely with the municipalities and with the minister, Laurent Lessard. We will continue working hard to ensure that every dollar invested in Quebec creates jobs in Quebec as quickly as possible.

\* \* \*

**PUBLIC WORKS AND GOVERNMENT SERVICES**

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, Leo Housakos already had access to the Prime Minister's office in August 2006, through press secretary Dimitri Soudas.

Mr. Housakos asked Mr. Soudas to pitch Rosdev to Public Works officials for L'Esplanade Laurier, and Mr. Soudas did that.

The Minister of Public Works and Government Services admitted that an investigation was underway in his department. Is it looking into the interventions by Mr. Soudas and Mr. Housakos involving government buildings?

**Hon. Christian Paradis (Minister of Public Works and Government Services, CPC):** Mr. Speaker, no.

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, when the Prime Minister appointed Leo Housakos to the Senate, he knew that Mr. Housakos had approached Mr. Soudas to promote Rosdev to the public servants. He also knew that Mr. Soudas was, indeed, personally involved.

Was an investigation carried out into Mr. Housakos before he was appointed to the Senate, yes or no? If yes, did the Prime Minister take into account the fact that Mr. Housakos represented Rosdev without being registered as a lobbyist?

[*English*]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, the member for Hull—Aylmer is once again on one of his fishing expeditions. He presents a fact-free question.

If he has any specific allegations that he wants to make against the senator in question, I would encourage him to table them before the House or do it outside this place if he has the courage of his convictions.

● (1500)

**TAX HARMONIZATION**

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, why is the Conservative government trying to shut down debate on the HST?

During the provincial election the Liberal government said it would not harmonize the provincial sales tax with the GST, and then months later did just that. Now the Conservative government wants to ram through its HST legislation.

The people of British Columbia are tired of being shut out of the debate on the HST.

If the HST is such a good idea, why is the government trying to limit debate on it? What is it trying to hide?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, this Parliament always has had strong, robust debates on taxes.

Every single time that British Columbians have had a choice, they have always voted for lower taxes not higher taxes. That is why British Columbians understand that if they want members of Parliament who are going to advocate for lower taxes, they will always vote for the Conservative Party. When it comes to lowering the GST, lowering income taxes, lowering the cost of living for seniors, it is always the Conservatives who have stood up for the right side when it comes to consumers.

That member should know better, because after all, when he was a city councillor in Coquitlam he voted time and time again to increase taxes on homeowners.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, what the minister is not saying is that the government is running scared from the HST. In fact, the Prime Minister has flown halfway around the world in order to distance himself from his own legislation.

Just as much as they hate this tax shift, the people of B.C. are also tired of the government playing fast and loose with the HST. They are tired of the procedural games and the ducking of responsibility.

If the government is so certain of the positive effects of the HST, why is it running from this debate?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, we do not run from our record on taxes. We are proud to stand up as the party that always lowers taxes.

This government ran on a very clear and precise platform that we would lower taxes for Canadians, and we have delivered every single time.

There was a time, when we dealt with sales taxes, that the Liberals said they were going to scrap, kill and abolish the GST. We said we would lower the GST, and we delivered.

We were elected because Canadians know that the opposition cannot be trusted on taxes. We were re-elected because we deliver low taxes for Canadians.

*Points of Order***WORLD CONFERENCE AGAINST RACISM**

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Speaker, the Liberal Party continues to mislead Canadians about its disgraceful attendance at the Durban conference in 2001.

I have a letter that the member for Eglinton—Lawrence sent to one of his constituents where he says, “We stayed at the request of the Israeli government”.

Yet Ambassador Alan Baker, who the *National Post* reports led the Israeli delegation at Durban, said:

We tried to get the Canadians to walk out

Would the Parliamentary Secretary to the Prime Minister explain how our government is standing up for Israel?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, the facts are in. Alan Baker confirms that Israel asked Canada to leave Durban, and the Liberals stayed.

The Conservative government has reversed the Liberal policy on the Middle East. The Prime Minister was the first in the world to cut aid to the Hamas regime in Gaza, the first to walk out on the Durban hate-fest, the first to walk out on Ahmadinejad at the UN, and the only one to oppose anti-Israel resolutions at the Francophonie.

The Prime Minister stands for what is right, even if it means standing alone.

\* \* \*

**PICKERING LANDS**

**Mr. Mark Holland (Ajax—Pickering, Lib.):** Mr. Speaker, drive around north Pickering and you will see the government erasing an entire community. On the Pickering airport lands, it conjures reasons to evict people from their homes and board the homes up, waiting for nature to destroy them. The entire community of Brougham has nearly been wiped out, beautiful heritage homes ripped from families living in them for generations and then left to rot.

Even if it builds an unneeded, wasteful airport, this destruction is unnecessary. When will the government reinstate the Liberal moratorium on evictions, stop attacking our heritage, and come clean on its plans for our lands?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, from time to time, some of the government-owned lands and properties are unsafe for humans to live there. There are serious health and safety issues. We take those responsibilities very seriously and have to find alternative accommodation for others.

I can say that this government has no goal or objective to eject anyone from north Pickering. The only objective of those of us on this side of the House is to eject that member from this House.

\* \* \*

• (1505)

[Translation]

**DEMOCRACY**

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, the Prime Minister intends to create a new government

agency to promote democracy in the world. There already is an agency, Rights and Democracy, which was created in 1988 by an act of Parliament with a mandate to “promote, develop and strengthen democratic and human rights institutions and programs”.

Will the Prime Minister agree that his plan is intended to undermine Rights and Democracy and create an agency devoted to spreading his ultra-conservative ideology?

[English]

**Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC):** Mr. Speaker, I am pleased to talk about a non-partisan agency to promote democracy abroad. This is a commitment the government made in its platform. We are looking forward to implementing it.

In regard to human rights, I am glad the member raised it, because it gives me an opportunity to reflect on the fact that it was the Prime Minister who set up the Canadian Museum for Human Rights, including operational expenses in perpetuity. Our government is getting the job done on human rights and democracy.

\* \* \*

[Translation]

**POINT OF ORDER**

## VOTE ON OPPOSITION MOTION—SPEAKER'S RULING

**The Speaker:** After yesterday's deferred recorded division yesterday on the opposition motion, a point of order was raised regarding the vote by the hon. member for Guelph.

[English]

On October 28, 2003, while addressing a similar issue, I stated:

I would urge hon. members that if they want to have their vote count, they must remain in their seats from the time the vote begins until the result of the vote is announced.

The member admitted that he had left his seat during the vote yesterday. Accordingly, the vote cast by the hon. member for Guelph is struck from the record and I have directed the table to correct the *Journals* accordingly.

## STANDING ORDER 31 STATEMENT BY MEMBER

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, in the statements pursuant to Standing Order 31, the member for Portage—Lisgar stood and attempted to mislead the House by suggesting that the Liberals attending the Montreal massacre ceremony yesterday disrupted it. That was nothing more than an attempt to mislead the House and to slur the Liberals. We did not disrupt any ceremony whatsoever yesterday.

Mr. Speaker, you were there and are well aware of that.

The fact that the hon. member for Portage—Lisgar was able to stand there when she was the mover of the motion that dismantled the long gun registry is a shame.

*Points of Order*

**The Speaker:** It sounds like a disagreement on facts. As I have said before, I do not think that constitutes a point of order.

## ECONOMIC UPDATE ANNOUNCEMENT

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, I rise today because I feel that it is totally inappropriate for the Prime Minister to have released to the media, in a plane somewhere over Siberia, at approximately 35,000 feet, the contents of the country's latest report on our collective finances.

While it is true that the Minister of Finance tabled such a report very late yesterday, quietly with our Journals branch, it is unacceptable that the state of our finances would be kept from parliamentarians and through them to Canadians.

I am going to be quoting in a moment one of the Speaker's previous decisions on this matter, because governments used to have lockups and power point presentations and vast security surrounding economic updates so that people could not know about it in any other way.

Mr. Speaker, your rulings have made it made clear that the government should make accessible to members such information before the media are told. The member for Outremont raised the same problem last June of this year when the government had forgotten to even table a report through the back door. So here we are with the Speaker having ruled that the government is under the obligation to present legislation in this place before releasing details to the public. This has been done on several occasions.

Standing Order 32(2) states:

A Minister of the Crown, or a Parliamentary Secretary acting on behalf of a Minister, may, in his or her place in the House, state that he or she proposes to lay upon the Table of the House, any report or other paper dealing with a matter coming within the administrative responsibilities of the government, and, thereupon, the same shall be deemed for all purposes to have been laid before the House.

Mr. Speaker, on May 5, 2005, you ruled that this Standing Order requires that these documents not be tabled by the back door but in the House. This normally takes place during routine proceedings under tabling of documents.

I call on the government to properly table yesterday's economic statement in this House and to immediately stop their insulting practice of releasing information to everybody but members of Parliament. I would ask the Speaker to rule accordingly.

• (1510)

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, if the member would check the *Journals* of yesterday, under the heading, Returns and Reports Deposited with the Clerk of the House, there is an entry that reads:

— by...(Minister of Finance) — Document entitled "Canada's Economic Action Plan — A Fourth Report to Canadians", pursuant to Order made Tuesday, February 3, 2009. — Sessional Paper No. 8525-402-35.

The report was tabled with the clerk at 5:20 p.m. yesterday. The Prime Minister made his statement today at 5:50 a.m. Ottawa time. That is more than 12 hours after the report was tabled with the House.

As a courtesy, the Minister of Finance also sent an email around to all members of Parliament's offices with the document attached early this morning. Obviously, there is no contempt here.

**The Speaker:** I will take that under advisement and come back to the House.

## LABOUR

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, during question period the Minister of Labour confirmed that the industrial dispute between CN and its engineers has been resolved.

I appreciate the acknowledgement by the minister that all sides of the House played a very constructive role in bringing this matter to a successful conclusion. For our part, I would want to particularly acknowledge our transport and labour critics, and especially the member for Beaches—East York, who was particularly active in trying to be helpful.

I wonder if the government House leader would be so kind as to confirm that, in light of these fortunate events, in fact there will be no further requirement for procedures in relation to Bill C-61 this afternoon. I wonder if he could indicate formally for the benefit of all members of the House what the government would intend to call when we get to the matter of orders of the day.

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, as you know, this is not actually a point of order, but I do welcome the opportunity to also congratulate the Minister of Labour and indeed all members of Parliament, perhaps with the exception of a few.

I think we all know the parties that were actively involved in trying to ensure that the back-to-work legislation that was introduced in this House and that I intended to call later today is now unnecessary.

I think that is great news for the country. I congratulate both sides of this dispute for coming to this common sense resolution so that we did not have to occupy the time of the House and the time of members from all parties in a debate in this place.

It would be my intention following routine proceedings to call Bill C-56 for debate this afternoon.

• (1515)

[*Translation*]

## ORAL QUESTIONS

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, during question period, I answered a question about self-employed workers and I gave the wrong percentage. When comparing amounts deducted by the government, \$1.36 per \$100 of earned income, and amounts deducted by the private sector, the latter amount is 19 times greater. It is not the 30% figure that I used.

[*English*]

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, during question period, the member for Kitchener Centre made a reference to a communication that I sent to some of my constituents, wherein he referenced a statement by a representative of the Israeli delegation to Durban I.

*Routine Proceedings*

Today, for example, there is an item in the *National Post* where the reporter contacted Rabbi Melchior, who led that delegation and directed it, with respect to what Canada's role at Durban I might have been, and I quote from that article:

[Rabbi Melchior said] it was important for us that the Canadians led the battle in Durban against any anti-Semitic resolution. "This doesn't seem to square with Alan Baker's version of events?", [asked the reporter, and Rabbi Melchior said.] "I'm not sure. I haven't talked to him but I think he doesn't recall the order of things".

The order of things is that Canada and the Liberal Party at the time, and currently, have always stood up for Israel and against anti-Semitism.

**The Speaker:** Once again, I urge hon. members. We have had a couple of points of order today that I do not think are points of order. They are disputes as to facts and these will happen. Rising on points of order that are not points of order is not helpful to maintaining order in the House.

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## ROUTINE PROCEEDINGS

[English]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 62 petitions.

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### INTERPARLIAMENTARY DELEGATIONS

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the report of the Canadian delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly regarding its participation in the election observation mission of the OSCE Parliamentary Assembly held in Kyrgyzstan from July 21-24, 2009.

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### COMMITTEES OF THE HOUSE

#### CITIZENSHIP AND IMMIGRATION

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the 14th report of the Standing Committee on Citizenship and Immigration in relation to Supplementary Estimates (B) for the fiscal year March 31, 2010, and reports the same.

#### CANADIAN HERITAGE

**Mr. Gary Schellenberger (Perth—Wellington, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Canadian Heritage in relation to a motion adopted at the committee on Thursday, November 26, 2009, on the resolution of the labour dispute at national museums.

[Translation]

#### OFFICIAL LANGUAGES

**Mr. Steven Blaney (Lévis—Bellechasse, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Official Languages entitled: Impact of Approval and Payment Delays on Department of Canadian Heritage Recipient Organizations.

[English]

#### FINANCE

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Finance in relation to Bill C-288, An Act to amend the Income Tax Act (tax credit for new graduates working in designated regions).

• (1520)

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, pursuant to Standing Order 104 and 114, I have the honour to present, in both official languages, the 26th report of the Standing Committee on Procedure and House Affairs regarding membership of committees of the House. If the House gives its consent, I intend to move concurrence in the 26th report later this day.

#### AGRICULTURE AND AGRI-FOOD

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, I have the distinct honour to present, in both official languages, the sixth report of the Standing Committee on Agriculture and Agri-Food in relation to the agriculture flexibility program.

\* \* \*

[Translation]

### TREATIES ACT

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ)** moved for leave to introduce Bill C-486, An Act respecting the negotiation and conclusion of treaties.

He said: Mr. Speaker, I am pleased to present a private member's bill to implement the Gérin Lajoie doctrine. Our bill will give Quebec and the provinces the authority to enter into international agreements in their exclusive jurisdictions.

When a treaty pertains to an area of provincial jurisdiction or affects provincial responsibilities, Ottawa can only act if Quebec or the provinces have empowered it to do so.

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

\* \* \*

[English]

### COMMITTEES OF THE HOUSE

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, if the House gives its consent, I move that the 26th report of the Standing Committee on Procedure and House Affairs presented to the House earlier today be concurred in.



*Routine Proceedings*

**The Speaker:** Does the hon. member for Elgin—Middlesex—London have the unanimous consent of the House to propose this motion?

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

**PETITIONS**

## CANADA POST CORPORATION

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, I am pleased to submit two petitions signed by members of my constituency of Leeds—Grenville and folks from other constituencies across Canada.

The first petition calls upon Parliament to maintain the moratorium on post office closures.

## ANIMAL WELFARE

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, the second petition calls on Parliament to support a universal declaration of animal welfare.

## BURNS BOG

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** Mr. Speaker, I stand today to present an important petition from my constituents of Newton—North Delta. This is the second time I have presented a petition calling for Burns Bog in Delta, British Columbia, to become a UNESCO world heritage site. This recognition of Burns Bog as a cultural and environmental landmark will go a long way to preserving the bog for generations to come.

The government has refused to commit the inclusion of Burns Bog in Canada's next submissions to UNESCO. That is not good enough. I congratulate the Burns Bog Conservation Society and other community leaders for their excellent work toward this goal. I hope the government will hear their message to include this in the next submission to UNESCO.

[*Translation*]

## CANADA POST

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Mr. Speaker, I would like to present a petition signed by more than 1,100 citizens of the town of Sainte-Martine, which states that the post office infrastructure plays a key role in the economic and social life of rural communities. Both communities and businesses need post offices in order to prosper.

They are asking the Government of Canada to continue the moratorium on closing rural post offices.

[*English*]

## CLIMATE CHANGE

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, I am proud to stand in the House and present a petition from residents in my

constituency, namely those from Flin Flon and surrounding communities as well as Creighton, Saskatchewan. These people have signed a petition calling for the government to act when it comes to the disastrous impact of climate change.

We in northern Canada know first-hand the impact of global warming on our communities, on our ecosystems, and quite frankly, on our livelihood. People like Warren Martin have organized many of our people in communities like Flin Flon to get up and say “no” to the continued legacy of inaction of the Conservative government, and say “yes” to passing legislation such as the one we presented and calling for leadership when we go to Copenhagen.

• (1525)

## ASSISTED SUICIDE

**Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC):** Mr. Speaker, I would like to table three petitions, signed by the residents from across my riding, places such as Maxville, Alexandria, Dalkeith, Glen Robertson, Treadwell and Plantagenet. They are opposed to Bill C-384, which proposes to legalize euthanasia and assisted suicide.

The petition states that Bill C-384 contradicts fundamental human values and threatens all Canadians by undermining the inherent and inviolable value of each human life and its dignity. It is a real and growing threat to the sick, depressed, seniors and handicapped.

The petition urges us to vote against Bill C-384. I would also like to mention that this call for positive measures to protect life was highlighted by the presence of over 12,000 people who participated in the March for Life here on the Hill this past spring.

## JUSTICE

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I am pleased to table a petition signed by quite a number of constituents asking for changes under the Criminal Code section for sexual interference with a minor. I might also say that there were quite a number of other names attached that did not meet the requirements, but their effort and initiative was the same.

[*Translation*]

## RURAL POST OFFICES

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, I would like to present five petitions on behalf of the people of Saint-Ours, Notre-Dame-de-Pierreville, Odanak, Baie-du-Febvre and Saint-Zéphirin-de-Courval. They are all calling on the government to maintain the moratorium on rural post office closures. Instead, they want Canada Post to maintain, increase and improve postal services.

[*English*]

## FALUN GONG

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, given the government's travel in China right now, it is important to table this petition. It is signed by about 100 members from the communities of Burnaby and Vancouver in the lower mainland of British Columbia.

*Routine Proceedings*

These petitioners are concerned about the large-scale arrests of Falun Gong adherents in China that started on January 1, 2008. They are concerned about the arrests of two particular Falun Gong practitioners, Su Min Gao and Qian Min Gao, who have been arrested in Guangzhou, China. They are concerned about other practitioners who have been arrested in the province of Guangzhou at the same time.

They are calling on the Canadian government to make a public statement, condemn the government of China for committing these crimes, and urge the Chinese government to end their persecution of Falun Gong and release all Falun Gong practitioners immediately.

[Translation]

RURAL POST OFFICES

**Mr. Steven Blaney (Lévis—Bellechasse, CPC):** Mr. Speaker, pursuant to Standing Order 36, I am pleased to present the attached petition, which has been certified correct as to form and content, on behalf of the citizens of Sainte-Sabine-de-Bellechasse, a beautiful community in Etchemins.

Of course, the petitioners' concern has to do with keeping rural post offices open, considering the vital role they play within their communities. I am presenting this petition here today on their behalf.

[English]

GASOLINE PRICES

**Hon. Dan McTeague (Pickering—Scarborough East, Lib.):** Mr. Speaker, I am pleased to present a petition on behalf of literally hundreds of constituents from the riding of Pickering—Scarborough East and even some outside of that area. They are calling on the government to finally acknowledge that the high price of fuel is damaging the Canadian economy.

They wish and petition Parliament to reinstate the office of petroleum price information, which was abolished by the government in 2006. Very similar to the U.S. energy information administration, it would report weekly on the Canadian energy supply, demand, inventory and storage picture.

They would also like to begin hearings in the energy sector to determine how the government can foster competition, provide transparency to the energy market, and eliminate the monopolistic efficiency defence clause of the Competition Act.

CHILD PORNOGRAPHY

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it is always a great honour to stand in the House and represent the wonderful people of my riding. Today, I am speaking on behalf of people in the Timiskaming regions of Englehart, Earleton, Belle Vallée and Thornloe, which just happened to have been the site of the recent international plowing match. It shows the great spirit of the people in the rural region of Timiskaming.

They are asking parliamentarians of all parties to come together for the protection of children. We in the House are all agreed on the threat posed by child pornography and the need to ensure that there are clear penalties in place to deal with child pornography. They want us to show leadership on this file to ensure that children are protected from sexual exploitation.

I am very proud of the efforts of the people in my region. I am proud to stand here and deliver this petition on their behalf.

• (1530)

ASSISTED SUICIDE

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, it is a pleasure to have the opportunity to rise in the House today to present two petitions from my residents on my riding.

The first petition is signed by residents of the city of Airdrie, mainly parishioners of the St. Paul's Catholic Church. The second petition is signed by residents throughout my riding, from places like Carstairs, Didsbury, Olds, Exshaw and Crossfield, as well as a number of other residents of Alberta and many other provinces.

The petitioners are quite concerned, as I am, about the bill presently before Parliament, which seeks to legalize assisted suicide and euthanasia.

Therefore, the petitioners call upon Parliament to retain section 241 of the Criminal Code, without any changes, in order to ensure that Parliament not sanction or allow the counselling, aiding or abetting of suicide.

PENSIONS

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, again, I would like to present another petition from constituents in my riding of Mississauga South who are Nortel retirees, pensioners or those who receive benefits under that plan for a long-term disability. It is a very serious situation.

The petitioners would like to bring to the attention of Parliament that they wish to amend the Companies' Creditors Arrangement Act and the Bankruptcy and Insolvency Act to protect the rights of all Canadian employees to ensure that employees laid off by a company, who receive a pension or a long-term disability benefit during bankruptcy proceedings, obtain preferred creditor status over other secured creditors. They also ask that the Bankruptcy and Insolvency Act be amended to ensure that employee-related claims are paid from the proceeds of Canadian asset sales before funds are permitted to leave the country.

It is a very serious situation. I hope the government will heed these petitioners.

CANADA-COLOMBIA FREE TRADE AGREEMENT

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, I am honoured to present a petition on behalf of the residents of Trinity—Spadina.

The petitioners ask the Canadian government to conduct an independent, impartial human rights impact study to consider the effect the trade agreement between Canada and Colombia will have, particularly, on vulnerable sectors of the population, like women, subsistence farmers, trade unionists, indigenous people and Afro-descendant communities. They also want the study to look at any negative impacts identified so they will be adequately addressed before proceeding with this free trade agreement.

*Government Orders*

They ask that no trade agreement be advanced without legislated enforceable provisions on corporate social responsibility and reporting mechanisms to monitor the implementation of universal human rights standards by Canadian corporations or other entities investing in Colombia.

The petitioners are concerned that the free trade agreement with Colombia will proceed despite a report from the parliamentary Standing Committee on International Trade, which calls for an independent human rights impact assessment because the human rights violations, including those against trade unionists and communities living in areas of economic interest, are widespread and serious according to Amnesty International.

This is why many citizens in both countries are extremely worried that a free trade deal may make human rights situations in Colombia much worse.

## AIR PASSENGER'S BILL OF RIGHTS

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, my petition is a call to adopt Canada's first air passenger bill of rights.

The petitioners support Bill C-310, which would include compensation for overbooked flights, cancelled flights and unreasonable tarmac delays. The legislation is inspired by a European Union law. In fact, Air Canada already operates under the European laws for its flights to Europe, so why should an Air Canada customer receive better treatment in Europe than in Canada?

The bill would ensure that passengers are kept informed of flight changes, whether they are delays or cancellations. The new rules would be posted at the airports and the airlines must inform passengers of their rights and the process to file for compensation. The bill deals with late and misplaced baggage. It deals with all-inclusive pricing by airline companies in their advertisements.

Bill C-310 is not meant to punish the airlines. If the airlines follow the rules, they would not have to pay a dime in compensation to passengers.

The petitioners call upon the Government of Canada to support Bill C-310, which would introduce Canada's first air passenger's bill of rights.

• (1535)

## HOUSING

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I am proud to present a petition signed by people from across Nova Scotia who support a national housing strategy, one that would ensure secure, adequate, accessible and affordable housing for all Canadians.

The petitioners call for an increased federal role in housing through investments in not-for-profit housing, housing for the homeless, access to housing for those with different needs and sustainable and environmentally sound design standards for new housing.

I look forward to the minister's response.

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## MOTIONS FOR PAPERS

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

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[*Translation*]

## FAIRNESS FOR THE SELF-EMPLOYED ACT

The House proceeded to the consideration of Bill C-56, An Act to amend the Employment Insurance Act and to make consequential amendments to other Acts, as reported (without amendment) from the committee.

**The 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

[*English*]

**Hon. Jay Hill (for the Minister of Human Resources and Skills Development)** moved that the bill, as amended, be concurred in.

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

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Motion agreed to)

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

**Some hon. members:** Agreed.

**Hon. Jay Hill (for the Minister of Human Resources and Skills Development)** moved that the bill be read a third time and passed.

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, it is pleasure to see the bill proceed to this stage.

I am glad to have the opportunity to rise to speak to this important milestone in bringing special benefits under employment insurance to self-employed Canadians. This is one of the most significant enhancements to the EI program in the last decade. It has been a long time coming for self-employed Canadians.

### *Government Orders*

This fulfills a pledge by our Conservative government in 2008 to bring forward EI maternity and parental benefits to self-employed Canadians. A year ago, the Prime Minister said that self-employed Canadians and those who one day hoped to be should not have to choose between starting a family and starting a business because of government policy. They should be able to pursue their dreams both as entrepreneurs and as parents.

In fact, we have surpassed this commitment by also including EI sickness and compassionate care benefits. We do this because self-employed workers deserve to have access to these special benefits. We do this because extending access to special benefits is the fair and the right thing to do.

I think every member of the House recognizes the importance of the self-employment sector in the daily functioning of our economy and of our society.

In over 15% of our labour market self-employed entrepreneurs are a growing influence, not only because of their significant numbers but also because of the wealth of their ideas, innovation and jobs that they generate and create from time to time and year by year.

The self-employed form a diverse group, with widely varying situations and incomes. They include people with small businesses, farmers, construction workers, professionals, tradesmen, those in sales and those who own a home business among many others. Despite their importance, these entrepreneurs do not have the support they need when it comes to the important events of life, such as the birth of a child, adoption, illness and care of a gravely ill family members.

These sorts of events can have a significant impact on the self-employed who have little or no income protection. If they do not work, they do not make any money. Right now, they do not have any of the same EI support measures that Canadians employed by others do.

We are going to change that by implementing a voluntary system. We are following through on our commitment to self-employed Canadians.

It should come as no surprise that our self-employed have long asked for this support. In fact, a large majority of the self-employed want access to these benefits. Recent public opinion research shows that a majority of self-employed Canadians would like to gain access to EI maternity, parental, sickness and compassionate care benefits.

Eighty-six per cent of self-employed Canadians support access to sickness benefits, 84% support access to compassionate care benefits and 64% support access to maternity and parental benefits. The message from self-employed Canadians is clear.

Our Conservative government has listened and we are taking action. We recognize the challenges facing working Canadians as they deal with the dual pressure of holding down jobs and caring for their families. We recognize that nearly a third of all self-employed are women of child bearing age.

Our government knows that families are the foundation of our society. The bill is yet another example of how our government is providing support and choice to Canadian families and people recognize that.

Catherine Swift, president of the Canadian Federation of Independent Business, understands the benefits of this bill. On November 4, she said in the Montreal *Gazette*:

—the initiative fills a “glaring gap” for people running their own business, especially women....We have a lot of women members. They'd like to have a child and yet abandoning your business is not (an option).

We do not want the self-employed to become discouraged about starting families by ever present financial risks associated with running their own business. We certainly do not want their families to suffer because of unequal access to supports that are widely available to most other Canadians.

Given the strength of our country's economy, especially the strength it gets from our self-employed and their businesses as a country, we cannot afford to leave these people out in the cold. Stronger entrepreneurship means a stronger Canada. We need their skills, their experience and their energy and creativity to meet the challenges to come. This is why our government believes these entrepreneurs deserve to have access to EI special benefits.

• (1540)

We also recognize that there is an increasing number of self-employed Canadians who are taking care of elderly parents while also raising young children. The government believes that these entrepreneurs should not have to choose between their business and family responsibilities, whether those responsibilities are for new-borns or parents, the young or the elderly.

By giving our self-employed the option for increased income protection, we are allowing individuals who might otherwise have to leave the workforce to stay fully engaged, to stay productive and to keep contributing to this great country of Canada. Not only does this benefit them but it also means that they can continue to make valuable contributions to their communities and the economy.

We are stimulating entrepreneurship and making self-employment more appealing to all Canadians. That is why we are extending access to EI special benefits for the self-employed and why we firmly believe that it is the fair, responsible and right thing to do.

These benefits are significant. They are as follows: 15 weeks of maternity benefits for a birth mother; 35 weeks of parental benefits for parents to care for their newborn or newly adopted child; up to 15 weeks of benefits for individuals who are unable to work because of sickness, injury or quarantine; and a maximum of six weeks to provide care or support to a terminally ill relative.

Under the proposed legislation, self-employed Canadians would voluntarily opt into the program and pay EI premiums on an ongoing basis for at least one year before receiving benefits. To access EI special benefits, they would need to have earned a minimum of \$6,000 in self-employed earnings over the preceding calendar year.

*Government Orders*

The self-employed could opt out of the program at the end of any taxation year, as long as they have never claimed benefits. If they have claimed benefits, they would have to contribute from their self-employed earnings for as long as they are self-employed.

Self-employed Canadians who opt into the EI program would pay the same premium rate as salaried employees. They would not be required to pay the employer portion of premiums, in recognition of the fact that they would not have access to EI regular benefits.

In Quebec, self-employed residents already have access to maternity and parental benefits through the Quebec parental insurance plan. Now the federal government would provide the self-employed in Quebec with the opportunity to gain access to the sickness and compassionate care benefit under the EI program.

Should they choose to take advantage of the program, they would pay the same EI premium rates as employers in Quebec. Rates there have already been adjusted downward to take into account the existence of a provincial maternity and parental benefit plan.

I would like to bring to light an endorsement from an organization representing an important group of self-employed people, the realtors. Dale Ripplinger is the president of the Canadian Real Estate Association. On November 4 his organization issued a press release that it “applauds the government for taking action to address many of the inequities in the Employment Insurance program faced by self-employed REALTORS”.

The organization went on to say, “This is an important step to level the benefits playing field for self-employed Canadians. We look forward to working with the government to ensure access to EI benefits for REALTORS, which can help balance career and family life”.

I also have a quote from the executive director of the Grain Growers of Canada, Richard Phillips. In a news release on November 3, 2009, he said that the legislation is “very welcome. This has huge potential for quality of life in rural Canada”. He continued, “This could be the difference as whether one member of the family has to seek off farm employment because now families will have a choice. With over 200,000 farms in Canada, if even 10% of them choose to take advantage of these programs, this could help ensure another 20,000 more young families staying on the land”.

It is this kind of thing that allows those who are self-employed and who contribute to our economy to get some benefits that are important to them and their families and ensure that they can continue to pursue their careers and jobs.

This legislation is the most significant enhancement to the EI program in the last decade. It is in keeping with our Conservative government's commitment to make the EI program responsive to the needs of Canadian workers. It is just one of the many enhancements that we have already made to the EI program.

We added five extra weeks of EI regular benefits, helping over 365,000 Canadians while they search for new employment.

● (1545)

We enhanced the work sharing program, protecting the jobs of about 165,000 or more Canadians.

We made unprecedented investments in training to help Canadians receive the skills training they need to enter a new career.

Our government froze EI premiums for two years, which helped employers create more jobs and also kept more money in the pockets of employees.

We added a \$60 million investment in the targeted initiative for older workers to help older workers, who obviously have invaluable knowledge and mentoring potential, to transition into a new job.

We also passed legislation recently to provide five to twenty weeks of additional EI support benefits for long-tenured workers, who have worked hard, have paid premiums and are looking to transition into a new job.

Most recently, of course, we have introduced this program, which has been very well received by many.

Our government is protecting jobs. We are helping people get trained and upgraded for jobs. Now we have made changes that allow more flexibility for employers' recovery plans.

We have had the career transition assistance initiative, which has been providing assistance to long-tenured workers who need training to transition to a new industry or occupation. The support under Bill C-50 for long-tenured workers was certainly something that was well received.

All of these ventures demonstrate that our Conservative government continues to make responsible choices to support Canadians now, to support Canadians when they need it, to support Canadians when they find themselves in a difficult time.

With Bill C-56, we are taking steps to respond quickly to the needs of self-employed workers, so that they will also be protected in times of need.

Our Conservative government knows that families are the foundation of our great country. We believe that self-employed Canadians should not have to choose between their family and business responsibilities. They should not be forced to choose between one or the other.

Let us all support self-employed workers for their dynamism and their contribution to our economy. Let us create a stronger, more entrepreneur friendly and productive country in the process. Let us get behind our self-employed and do what is right. Let us do what they have been asking for for a long time.

I would urge all members in all parties to support this bill and to get it through the House at the earliest opportunity.

● (1550)

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I thank the parliamentary secretary for giving us a refresher on this bill.

*Government Orders*

I know that most hon. members support this bill. I note that very few changes were made at committee. I was hoping that there would be further clarification with regard to the transitioning of workers from full-time employment to self-employment. I can only hope that the system will be sympathetic to those who find themselves transitioning to self-employment by personal choice.

With regard to Quebec, though, there are a couple of different scenarios because of the different benefit availabilities there. I understand that a concern was raised at committee with regard to the calculation of the benefits to be payable. An amendment on that was considered at committee but defeated. I understand there is still some question about whether or not the computation of the benefits available in Quebec is in fact correct in the bill as it stands now.

I wonder if the parliamentary secretary could assure the House that the questions raised with regard to the formula for Quebec benefits has been checked by officials and is indeed correct.

**Mr. Ed Komarnicki:** Mr. Speaker, I should preface anything I say by stating that this bill provides, first of all, that those who are not in Quebec will pay the same amount that other employees are paying, but they will only be entitled to special benefits.

Therefore, we will have to see the take-up rate and those kinds of things to see how the premiums balance out with the benefits. That is the way it works for the various benefits provided, and for those with respect to Quebec as well.

The big point is that the suggested premium rate is much less than the cost of private insurance, which is the only option that Quebecers now have, and thus it provides them with a more affordable option. This bill recognizes that Quebec already provides maternity and parental benefits. Quebecers who chose to opt in will only pay a premium of \$1.36, instead of the \$1.73 the rest of Canada will pay.

Therefore, provision and allowance has been made for those in Quebec, and, of course, it is an opt-in program. It is a strictly voluntary program throughout. For those who want to opt in, they will.

Those are the premium rates that have been set for simplicity of administration, for simplicity of operation, and they are consistent with general principles. That is how they are meant to apply. I think the bill, as it is, is exactly what it was intended to be.

I would urge this member and all members to get behind the bill. I might say that we have received the support of one member from the hon. member's party in ensuring that the bill proceeded as we now see it before the House.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I have often commented that the Conservative Party has not arrived in the 20th century let alone the 19th century.

However, with this bill, I think there is a recognition that the realities of work have changed fundamentally. So many people I know, and people who are younger than me, have never paid into EI because they are self-employed. Nowhere is this more noticed than in the artistic sector, where we have organizations like ACTRA that have been pushing for this for years.

To me, the need to address this massive discrepancy is so obvious, particularly for people who are working in the artistic sector who have been self-employed, who have been asking for action. They asked for action from Liberal government and they got nowhere. They are asking for action from the current government, and we have been pushing for this.

I think this is a bill that everybody should be supporting. What surprised me when I spoke with people from the artistic community was that they were telling me that the Liberal Party seemed to be very offside on this and did not think it was a good idea. I was certainly surprised there would be people within the Liberal Party who were not supporting a motion on extending benefits to the self-employed.

I would like to ask my hon. colleague, has the government been speaking with the artistic community and groups like ACTRA to ensure that their views are heard so that we can move forward with some very progressive legislation?

• (1555)

**Mr. Ed Komarnicki:** Mr. Speaker, just to address the comments of the member, I know that the Liberal Party opposed the extension of EI benefits by five to twenty weeks for long-tenured workers. That was on the basis, I suppose, that they wanted to force an election that no Canadian wanted.

Having surmounted that part of it and forgetting their own self-interest in trying to generate an election, and I assuming they are past that point, I would certainly hope that notwithstanding the fact they voted against providing support for about 190,000 long-tenured workers, they would actually now have a look at what we are doing by way of providing benefits to the self-employed and disregard their own self-interest and get behind this bill and support it as quickly as possible to ensure that the self-employed will get the benefits.

With respect to ACTRA and the points they have made, they actually testified before the committee and gave their points of view. They thought, as I recall, that this was a very good first step and a movement in the right direction with respect to providing benefits for the self-employed, of which their members certainly compose a large number.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I have a question for the minister that involves telling us what the projections are as to the number of self-employed people who would participate in the program and whether he has any charts, studies and projections that would give us some of those numbers.

The way the system is set up right now, people have to pay into the system for at least a year before they can collect. Then if they do collect any benefits under the program, they have to stay in the program for the full length of time the business is in existence. If we were to have a situation where a person planned on making one claim over a period of 20 years, it is unlikely the person would sign onto the program.

I get the impression that it is a self-financing program, but then there is an indication that if the demand is not high enough, it may not be self-financing. On that basis, there would be a cross-subsidization from the other parts of the program.

*Government Orders*

Could the minister fill us in a bit about the projections for the program, how many people he sees would get into it and would it be self-financing from the beginning?

**Mr. Ed Komarnicki:** Mr. Speaker, there is no question it would be a novel principle if one could pay a premium to get a significant benefit, then after the benefit period expired, decide not to participate in the program. The question has to be looked at on a long-term basis. Do people wish to participate or not? If they do, and claim benefits, they must continue to pay the premium because that is how the premium-benefit ratio is set up.

By and large, the underpinning of the principle is, to the extent possible with the amount that other employees pay, that one would like to see the premiums have some direct correlation with the benefits. It will depend upon the take-up rate. It will depend upon a number of factors. The early projections are that in the initial part of the program, there will be perhaps a surplus and then there will be some deficit. However, after a period of time, when we know what the trends are and the uptake rate is, we will see what the differences will be.

However, by and large, the program has been designed to ensure that the premiums paid are the same as other employees pay and to ensure there is ease in administration, that it is not overly complex and is easy to understand. The way it has been set up, people have some time to decide whether they want to opt in or not. If they do, then they must stay in the program.

• (1600)

**Hon. Maria Minna (Beaches—East York, Lib.):** Mr. Speaker, I am very pleased to rise today to debate Bill C-56, especially since we were able to avoid a strike with CN. I am very proud to have played some role in that and I am glad to see that things were dealt with amicably.

At the outset, the Liberal Party supports the bill.

I want to talk about a number of issues in the bill that I think could be improved and need to be identified. However, I want to start off by talking a bit about who we are talking about in terms of the self-employed. It is a bit of a nebulous picture. A lot of people think of people who may be working out of their house, doing part-time or contract work, et cetera.

I asked the department to do a bit of an analysis for the committee on who these people were, especially when looking at it from the perspective of gender-based analysis for women. According to the figures for 2008, the majority of self-employed workers are male, or approximately 65% of them. Males represent approximately half of the salaried workers in that area.

Self-employed workers tend to be older and about one-third of them are women of childbearing age. This is also an interesting difference between males and females in this area. We know in the part-time worker area, the vast majority are women and a smaller number of them are males. In the self-employed area, it is the other way around.

It is also important to note that 64% of self-employed people are married, but few of them have a spouse with non-wage benefits. That is an interesting thing to look at as well. Again, it is interesting to note that, of the self-employed, women tend to earn less than men

do. On average, women earn about \$38,000 and men earn about \$64,000. There is a big disparity in terms of what they do.

When we look at the kind of work they tend to do, it is interesting because women tend to be involved in self-employed work that has more to do with social and community issues, whereas men tend to do things that have more to do with industry, et cetera. That does not mean to say that women do not do that, but this is a bit of a different breakdown and it may account for some of the difference in income.

Also important to note is that more women than men tend to work out of the house. More men tend to work outside of their homes, which means they have offices and possibly staff and are spending a great deal more time running their self-employment like a small company. Women are probably mixing, looking after their children, caregiving for children or family and working out of their home, thereby earning considerably less.

These are interesting differences to note as we look at this legislation and how it will perform in the long run. It is very important to ensure that it benefits all people who need benefits under this program.

For quite some time now, the National Liberal Women's Caucus has advocated for covering the self-employed in the area of parental leave, compassionate leave, sick leave and so on. For the last three pink books, as we call them, or our policy on action plans for economic security for women, this has been recommended consistently.

In addition, the Standing Committee on the Status of Women has done a study on the self-employed. I will come to that in a moment when I talk about the impact on women and this structure versus any other. I will get to that a bit later. At this point, I want to clarify some other things with respect to the differences between self-employed men and self-employed women.

There is quite a difference in the kind of work they do, the number of hours they spend at work outside of the home and their income levels. Women tend to earn a lower income than men do. It is quite a considerable gap. I think that will have a great deal of impact on how this works.

• (1605)

With regard to the actuarial work that was done on this bill, it is my understanding that the chief actuary really did not do direct work on it, at least that is what I understood when I talked to him. This was the information we received.

Under the bill, participation would not be compulsory. It would be self-selecting or, in other words, entirely voluntary. People could actually opt out after one year if they had not collected any money. They could opt in to stay in, but that would not be mandatory.

The Standing Committee on Status of Women did a study. All the experts who presented at standing committee said that if it were not mandatory, it would not work actuarially, that it would not be self-sustaining or self-sufficient.

*Government Orders*

We posed those questions at committee. Officials told us that this was doable and workable. However, I do not think the chief actuary was quite so unequivocal on his statements when we spoke.

Since it would be totally voluntary, it is more than likely that people who would use it would be women who were expecting children, or where members of a family were not well and caregiving was needed. They may be more likely to opt in but others may not do so. I asked the actuary if this would not be a problem as there may not be enough people and this would result in the fund not being self-sufficient.

We must keep in mind that the premiums paid by those individuals who opt in will cover only their own premiums and not those of the employer, meaning the employer portion would be covered by the EI fund. When I raised this issue, an official admitted there could be a shortfall as a result of this but it would be monitored. My concern with that is a shortfall would obviously be subsidized by the EI premiums, not by the government's central fund. These premiums would be contributed by working people.

This brings me to another aspect and it is the fact that the majority of people who work part-time are women. A lot of these women pay into EI all the time. They cannot access parental leave benefits and so on, but they have children and they have to work to make a living to keep their home stable, et cetera. They in effect would be subsidizing the self-employed without ever being able to benefit from the fund. That is a bit of a concern.

Teachers who do not work during the summer are not able to accumulate the required 600 hours under the plan. I received a letter from a constituent a couple of days ago indicating that she was unable to access the fund. She asked why this was the case.

The bill is necessary and we will support it. I would like the government to take a look at this area. Our party has taken the stand for quite some time that accessibility to EI needs to be 360 hours. That is where it would become really accessible to all those who really need it, especially when we look at the gender issue. The fund would then become accessible to part-time workers, most of whom are women, and also professionals like teachers and others who would have difficulty otherwise.

Under this structure, the minimum requirement would be earnings of \$6,000 in a year. I am not quibbling with that, but as I pointed out earlier, men who are self-employed tend to earn a great deal more than women so they would probably reach the \$6,000 within a month or two of work in a year. Meanwhile, women would have to work longer, and that is fine, but some women would be left out.

• (1610)

I asked the department to do a gender-based analysis on this particular bill, as I did with regard to the previous EI bill, the extended weeks of pay legislation. If there were a proper, thorough, gender-based analysis done on the EI system to enable us to see what is truly the impact on women in this country of all demographics and using proper desegregated data that is available from Statistics Canada, that would take us a long way to having legislation that truly reflects the needs and does not leave people out. This is a whole area that is extremely important that we discussed at committee. I have

raised this many times before, and I raise it again because it is of great importance to women in this country.

With respect to the actuarial cost and the strength of that, it is important that the government have the chief actuary do a proper actuarial analysis of the bill to see what shortcomings and shortfalls they expect to have. Whatever shortfall there is should probably be funded through the central government, as opposed to the EI fund.

The other part that is very important to note is on the premiums that will be paid by self-employed Canadians. I am not suggesting or impugning any negative or wrongdoing. I think probably it was quite inadvertent, but certainly there is a mistake with the legislation with respect to the premiums that would have to be paid by citizens of Quebec in this area. It looks as though they will end up paying a great deal more.

The former chief actuary in fact came to committee to point that out to us. We unfortunately found this out at the end, when we were doing clause-by-clause. So it was not possible to try to amend the bill at committee, but I would encourage the government to amend the bill and fix that problem prior to the bill leaving the House. I would love to see that happen, because I think it is very important that it be done. It would be unfair and it is an error that needs to be fixed, and I would hope that the government would do that.

As I said, I am not suggesting that this was intentional. This was probably an error. It is simply an error that needs to be fixed. I would like to see that happen and I hope the government will do that very quickly.

At this point I just want to go back to the amount of money and the amount of time and the opting in and out. I know that people can opt out of self-employment if they have not used it at the end of the year. I am not sure how much instability this will create and to what extent, and also paperwork. For people who are in or out of the system at different times and then having to wait and maintain all of that, I think that would cause some instability.

I feel that the program would be much more stable and much stronger if it were a mandatory program. We had experts at the Standing Committee on the Status of Women. It was very clear that they felt that the program would not be viable or stable if it were not made a compulsory program, because some people would benefit and others would not.

It is important that the government, once the bill is passed, do a thorough evaluation of the bill, probably within a year or so of the bill being in place, and ensure that the potential weaknesses that it might have are fixed earlier rather than later. I would not want us to find, a year or two or three from now, that we have been carrying a deficit and that it is not a self-sustaining program in terms of finances and in terms of who is benefiting.



As well, it would be interesting to see how it works out with the information that I discussed earlier with respect to self-employed women versus self-employed men, because again, there is a disparity and a difference that needs to be watched very closely to ensure that all self-employed people who obviously need this program benefit. There has been a great deal of interest, a great deal of pressure, and a great deal of debate for some time now.

• (1615)

As I said earlier, the National Liberal Women's Caucus has for some time advocated for this. We are glad to see that in fact it is now before the House.

As I said earlier, we support the bill but there are some areas that I believe need to be looked at and addressed, because without that we do not have a bill that is as good as it can be. I would also like to see the bill be self-financing, self-sustaining, and the only way that can happen is if that kind of analysis is done long before it goes forward.

Just before I finish, I would reiterate that the \$6,000 that is the minimum is not an area I am quibbling with; it is not an area that is of concern. That equates to about 600 hours. I am not quite sure how they came to that particular number. At about \$10 an hour, 600 hours of work is \$6,000. I understand that it would be difficult to be able to monitor hours, to some degree. It would be difficult for someone to be able to ensure that the self-employed are not in any way, shape or form hiding hours or what have you.

The \$6,000, in and of itself, is not the only parameter that I would like to see. I would like the government to take a look at the hours of entrance as opposed to just the money, the income. The \$6,000 is something that I suppose some self-employed men and women could earn very quickly and the 600 hours could take longer. However, I am focusing on the hours because, for me, it is very important for accessibility. As I said, there are part-time people who are paying EI all the time but cannot access any of the programs that we are now talking about in this House and bringing forth for others.

There are teachers who do not work through the summer but do not build up 600 hours easily and therefore are also not eligible. The case that I received in my office is an adoption case where the parent cannot access benefits for that very reason.

Therefore, I would encourage the government that once this bill is passed, and if they amend it earlier that would be great, to really, truly look at the accessibility of it and look at the 360 hours for accessibility, because that in fact would allow part-time workers, most of whom are women, to access it.

Employment insurance is not a luxury. It is not something that we receive as a top-up on some other income. For most families in this country, it is keeping body and soul together. It is keeping a roof over their heads. It is paying their rent and keeping food on the table for their children. It is very critical that employment insurance not only be a strong system but also that it does not leave people out.

Unfortunately, poverty in our country is still very strong, especially now with the downturn in the economy. While the economy is picking up, the reality is that it is a jobless recovery. Whether we like it or not, no matter which way we look at it, that is the reality. In Toronto, my city, the unemployment rate is the highest

### *Government Orders*

I have ever seen. Probably, realistically, it is somewhere around 15%, maybe even a bit more. It is very high.

For people who are struggling to survive, to pay rent and to get their jobs and their training, EI is a huge piece of our safety net. A strong EI gives people a chance to be able to rebuild their lives, which then gives them access to training, and so on.

The other thing, before I finish, that is very important and most people forget is that 80% of caregiving in our country is done by women. This talks about parental leave and compassionate leave, but women do 80% of the compassionate leave and they are subsidizing all the rest of the economy. This is why it is very important to me that the government review that aspect of the bill.

We support this bill, and I would hope that the government, in partnership with us, will actually look at some of those areas that need to be addressed.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, New Democrats have long been a party that championed comprehensive social security programs such as employment insurance that have become so important to Canadians to keep them secure in times of economic difficulty, and this act goes some way in helping in that regard.

It proposes to give self-employed Canadians access to EI benefits in very important areas: maternity, parental, sickness and compassionate care. What is really important about this bill is that it will help certain target groups that historically have had difficulty in these areas, primarily women, artists, graphic designers and independent contractors in many different fields.

I worked for a trade union prior to being elected, where we had many truck drivers who were independent contractors and who were not deemed to be employees for purposes of this legislation. This is the kind of legislation that will really assist them so that they can do the same things that all Canadians do, which is to be present to help raise their children when they are first born or to help take care of gravely ill family members. These are values that I think every member of this House can join together on and support.

My question for the member opposite is this. She and her party had three successive majority governments in this country in times of great surplus. I wonder if she can tell us why her government never brought in such legislation when it had the chance to do so.

• (1620)

**Hon. Maria Minna:** Mr. Speaker, actually we did do a great deal. Parental leave is a program that was brought in while we were in power. Compassionate leave is a program that was brought in while we were there.

*Government Orders*

With respect to the self-employed, that was something that we were actually working on, and then of course we lost the government and another party came in. Of course, we are doing it now, but we started all of this.

The compassionate leave was our work. The extension of parental leave was also our work, and a great many other programs for women. Gender-based analysis was something that we were doing and have been doing for some time, and this is an extension of that. It is fine and it is good, and all I am saying is that we support the bill but we would also like to see covered some of the other things that I mentioned earlier.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, I have a very specific question for the hon. member.

First of all, I congratulate her on her speech, and I would also like to zero in on the issue of gender study and do a gender analysis on this particular bill, which she has called for on several other bills as well.

One of the issues, changing gears to another specific part of our economy, would be the part-time workers and just how elements of the EI system could be changed to include things such as a 360-hour requirement, which would reduce that threshold and make it much more beneficial for women who are part-time workers or in other professions, not just those who are self-employed.

**Hon. Maria Minna:** Mr. Speaker, as I said earlier, women in this country do 80% of the caregiving, and the majority of Canadians doing part-time work are women. The majority of people who are self-employed are men. There are self-employed women, of course, no question, but again there is a disparity in the incomes there.

Therefore, what is very important, if we are looking at this with a gender lens, in order to ensure that women are covered is to lower the threshold, because the 600-hour threshold is too high. None of the part-time workers, most of whom are women, can access the program or get any benefits such as parental leave or sick leave, all of this. They do not get the parental leave and compassionate leave, so they cannot access it.

There are a lot of part-time workers in this country, and more so in this economy. They are paying EI premiums because they are obliged to, but they do not get benefits out of it. They all have children. They all have caregiving for members of the family who are ill, and so on. If we would lower that to 360 hours, as we on this side of the House have been saying for some time, it would include those people and it would certainly make the system much more equitable.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I asked the government minister a question about projections or numbers of people who would be taking part in the uptake of the program and any studies that it had taken. He certainly did not answer that question at all. I assume the member heard what he had to say.

I think the member does have a point about the mandatory issue here and perhaps the Chief Actuary probably has a point on that, too. I think it is still important for us to proceed with the legislation and get the pilot project started.

However, for the government to say that it is going to be self-financing and not have any statistics available whatsoever to justify that, that people have to be members of the program for a year and then can opt out after a year if they never collected on the program, basically what that boils down to is we are going to have selection against a system. In the insurance business, it is called selection against the company. Basically, when people know they are going to make a claim, they will join in the system.

For it to work properly, it really is going to have to evolve over time into a mandatory system. On that basis, then, it can be a self-financing program.

Nevertheless, it is a good idea. It is something we should proceed with. However, I do think the member is onto what the real story is here.

• (1625)

**Hon. Maria Minna:** Mr. Speaker, the government did tell us at committee, and members will recall, that there was supposed to be a task force set up to look at this before it was brought to the House. The task force was actually never set up and the government, I think, got to doing it in the fall. The Chief Actuary told us that he only just got involved in September. And even then, he was ill. I do not think that he was all that involved. So, these issues were not threshed out properly.

As the hon. member said, I do support the bill. We need to support the bill and we need to move on it, obviously. However, we do need to also do the other work to ensure that the problems, that I expect will crop up because of it being a voluntary program, are addressed earlier rather than later, so that they do not become entrenched.

[*Translation*]

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, my question is for the hon. member for Beaches—East York.

[*English*]

I have been listening to the member. She said the program takes away the rights of women to qualify for EI because 80% of the women work. According to a Statistics Canada study, about 32% of women qualified for EI. I agree with her.

She has been a member of the House for a long time. She said the Liberals did good things when they were in government. However, they were the government that cut employment insurance in 1996 and put the number of hours to qualify for sick leave at 700 hours. Finally, it went down to 600 hours.

For the new person coming in, it was 910 hours. That is the reason why at one point in time over 70% of people, men and women, working people, who wanted to qualify for EI used to get it. However, the Liberal government cut employment insurance and brought up the number of hours they needed to qualify. I would like to hear her comments on that.

Personally, I introduced a bill in the House for 360 hours, and the Liberals voted against it.

*Government Orders*

**Hon. Maria Minna:** Mr. Speaker, we can always have this mirror if we like, but the reality is that in good economic times when unemployment was down to 6% it was a totally different environment than when we are looking at unemployment rates of 8.9% across the country, nearly 15% in my city. It was a totally different situation for people and so, we are talking about different times.

Also, maybe we did not get everything we wanted, but parental leave was established under our watch. The compassionate leave was established under our watch. What I said earlier, just to correct the hon. member, was that 80% of compassionate care is done by women in this country, and this is why I am talking about this particular part.

It is important to remember that EI is a system that has been there for some time and has been changed over time to accommodate different things, but it is critical that at this time it addresses the current economic situation and not that of the past.

[Translation]

**Mr. Jean-Claude D'Amours:** Mr. Speaker, I seek the unanimous consent of the House to move the following motion:

That the House of Commons urge the Minister of Finance to take every measure necessary for an immediate amendment to the Bankruptcy and Insolvency Act, in an effort to help those facing financial difficulties with respect to their company pension plan by providing them with the appropriate protection in the event an employer becomes insolvent, and to take every measure necessary to introduce a comprehensive piece of legislation that would create a pension protection agency.

• (1630)

[English]

**The Acting Speaker (Mr. Barry Devolin):** Does the hon. member have the unanimous consent of the House to move the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**Mr. Scott Simms:** Mr. Speaker, I rise on a point of order. I am absolutely disgusted by the fact that the government has gone across this country, has provided information, has taken—

**The Acting Speaker (Mr. Barry Devolin):** Order. order. This is not a point of order.

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 Madawaska—Restigouche, Employment Insurance; the hon. member for Etobicoke North, Health.

Questions and comments, the hon. member for Timmins—James Bay.

**Mr. Charlie Angus:** Mr. Speaker, I listened with interest to my—

**The Acting Speaker (Mr. Barry Devolin):** Order. My apologies.

Resuming debate, the hon. member for Saint-Lambert.

[Translation]

**Mrs. Josée Beaudin (Saint-Lambert, BQ):** Mr. Speaker, I am very pleased to have this opportunity today to speak to Bill C-56, the Fairness for the Self-Employed Act.

I should say at the outset that the Bloc Québécois is opposed to this bill. I do not think that will surprise anyone, in light of the questions I have been asking the past few days. Although we were absolutely in favour of the principle originally behind this bill, we cannot support it, because it would be blatantly unfair for self-employed workers in Quebec. The Liberals and the New Democrats can see this unfairness, but have not bothered to speak out against it. On the contrary, they have endorsed it.

Let us have a look at some of the aspects of Bill C-56. This bill would allow self-employed workers to be eligible for special EI benefits: maternity benefits, to a maximum of 15 weeks; parental or adoption benefits, to a maximum of 35 weeks; sickness benefits, to a maximum of 15 weeks; and compassionate care benefits, to a maximum of 6 weeks.

Contrary to what the Bloc Québécois called for, this bill does not enable self-employed workers to have access to regular employment insurance benefits, but only special benefits. That is important. I believe that self-employed workers themselves understand what this bill means for them. This bill will be implemented on a voluntary basis. Self-employed workers will voluntarily enrol and contribute. They will have to earn a minimum of \$6,000 in the calendar year preceding their claim to be entitled to 55% of their income. They will have to enrol when they file their income tax return for 2009 in order to have access to benefits the following year. Consequently, a self-employed worker will have to have contributed for a whole year before he or she can access these benefits.

We cannot support the bill because of the contribution rate that has been set for self-employed workers in Quebec: \$1.36 per \$100 of earnings. Allow me to explain. Bill C-56 proposes to allow self-employed workers to contribute voluntarily to the employment insurance system. However, unlike salaried workers, they would be entitled only to so-called special benefits, which, as I said earlier, include maternity and parental benefits, sickness benefits and compassionate care benefits.

Since Quebec already has a mandatory parental insurance plan for both salaried and self-employed workers, it goes without saying that Quebec must receive some sort of compensation to reflect the fact that self-employed workers there cannot receive the same benefits as Canadian workers. Moreover, salaried workers in Quebec already pay lower EI premiums because they also pay into Quebec's parental insurance plan.

*Government Orders*

To come up with the reduced contribution rate, the chief actuary of the employment insurance commission makes a relatively simple calculation that he publishes each year in his annual report on the break-even contribution rate and the maximum insurable earnings for EI. This calculation is as follows: the actuary calculates the portion of expenditures that pertains to parental insurance leave. This portion is then subtracted from the contributions Quebec workers are required to make.

The reduction is direct and based on a calculation, which means that the compensation accurately reflects the portion of expenditures that pertains to maternity and paternity benefits. This is a fair and equitable way to set the contribution rate for Quebec workers.

But in the case of Bill C-56, the government is completely ignoring this logic and proposing a totally excessive and abusive contribution rate for self-employed workers in Quebec.

For some reason, the government has decided to ask self-employed workers to pay exactly the same premium as salaried workers, even though they are not entitled to the same benefits. In other words—and I think all my colleagues here know it—salaried workers receive compassionate care and sick leave benefits, but also regular employment insurance benefits. However, self-employed workers, as I was just saying, will only get special benefits. They will not receive regular benefits, but they are being asked to pay the same premium.

• (1635)

Salaried employees and self-employed workers will pay into the same fund. That seems illogical for the reasons I just mentioned.

That means that Canadian self-employed workers will pay \$1.73 in premiums, which would allow them to receive the three so-called special benefits. Self-employed workers in Quebec will have to pay \$1.36, but those premiums will allow them to receive just two of the three special benefits. It just so happens that those two benefits are by far the least expensive. If I am not mistaken, the compassionate care and sick leave special benefits represent roughly 25% of the cost, whereas parental leave benefits represent 75%.

It took the working group some time to get answers to its questions on Bill C-56. Nonetheless, according to the estimates that were finally forwarded to us by the Department of Human Resources and Skills Development, maternity leave benefits will probably represent 70% of the cost of this new plan for the employment insurance system. You do not need a math degree to know that by paying \$1.36, or 79% of what Canadian self-employed workers will pay, Quebecers are being had.

In other words, Quebecers are being asked to provide 19% of the funding for the plan, but, according to the department's numbers, they will collect only 6% of the benefits. That is scandalous.

We all agree that it makes sense for insurance plans to spread the risk. That is a basic principle of insurance. Insurance of all kinds is a risk-sharing endeavour that requires all beneficiaries to assume a portion of the risk because they cannot predict what events might cause them to lose their income for one reason or another. What we take issue with, however, is the disparity between how self-employed Canadian workers are treated and how self-employed Quebec workers are treated. The Canadian portion of the plan will

result in a huge deficit at a contribution rate of \$1.73, while the Quebec portion will produce a huge surplus at a contribution rate of \$1.36.

It is expected that the Quebec portion of the sickness and compassionate care benefits, the only benefits to which self-employed Quebec workers will be entitled, will cost some \$22 million in 2014, whereas premiums collected from Quebec will amount to \$45 million. In contrast, in Canada, also in 2014, benefit payouts will be on the order of \$280 million and premiums, \$178 million. In other words, the government is asking self-employed Quebec workers to absorb the deficit for self-employed Canadian workers.

Of course we believe that is unfair. And we are not the only ones. We asked Michel Bédard, who was the departmental chief actuary for over 12 years, to provide an estimate of what he considered to be a fair contribution rate for self-employed Quebec workers. As it turned out, Mr. Bédard confirmed our initial suspicions. The contribution rate to be imposed on Quebecers will be outrageously high, and the return they get will be ridiculously low.

That is why the Bloc Québécois cannot support this bill.

We know that, generally speaking, this government's employment insurance measures in no way meet the needs of Quebecers. I said so yesterday and I will say it again: the program for long-tenured workers does not apply to Quebec forestry workers. The additional five weeks are a temporary measure. Self-employed workers in Quebec already had access to parental leave, and the contribution rate for compassionate care and sickness benefits is three times what the rest of Canada will pay. So there is a serious problem regarding employment insurance.

• (1640)

We now realize that it is Quebecers who are always paying for others, although improving the employment insurance system, as the Bloc Québécois has been proposing for several years now, would be a good way to help all workers. We therefore cannot support this bill for the reasons I have just given.

I encourage our NDP and Liberal colleagues, especially those from Quebec, to ask themselves some serious questions and examine this issue closely, because it is very clear that self-employed workers in Quebec will be the ones to foot the bill for everyone else when it comes to this employment insurance fund.

*Government Orders*

[English]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, the fact of the matter is that the number of self-employed people has mushroomed over the years. In fact, people in many cases are being forced into self-employment. They are having to go back to work for their previous employers in a self-employed capacity. Computer companies replace their repair people. The real estate industry has gone largely to a self-employed system over the last 15 years. Companies contract their own cleaning services.

There is a huge number of people who need this type of program, and the number is increasing. While we can argue that the government has not given us the information that we have asked for in terms of the uptake and the studies on how many people will be taking part in this, it is important to get the program started.

Even though the government says it is going to be self-financing, we think that it probably will not be in the first couple of years because it will be selected against. It will be a couple of years before the system becomes mandatory and the premium rates that the Bloc member is talking about will be adjusted so that there will not be the imbalance that she sees.

I think the member is projecting too far ahead. I think she should give the program a chance and then work out the problems as we go along.

[Translation]

**Mrs. Josée Beaudin:** Mr. Speaker, I thank my colleague for his question. The department's former chief actuary has confirmed that the cost to Quebec is much too high. In fact, self-employed Quebecers should pay 41¢ for every \$100 earned in order for it to be fair.

Calculations are based on 2014, because the government will be re-evaluating this bill in five years. I believe that we should use specific years to evaluate all the ramifications.

We cannot have Quebecers assume the cost of a program that is designed for all of Canada's self-employed.

\* \* \*

● (1645)

[English]

**BUSINESS OF THE HOUSE**

**Mr. Kevin Sorenson (Crowfoot, CPC):** Mr. Speaker, I think there is agreement for the following motion.

That, notwithstanding any Standing Order or usual practice of the House, on Thursday, December 3, 2009, Statements by Ministers, pursuant to Standing Order 33, shall be taken up at 3:00 p.m.

**The Acting Speaker (Mr. Barry Devolin):** Does the member for Crowfoot have unanimous consent to move this motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Barry Devolin):** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Barry Devolin):** I declare the motion carried.

(Motion agreed to)

\* \* \*

**FAIRNESS FOR THE SELF-EMPLOYED ACT**

The House resumed consideration of the motion that Bill C-56, An Act to amend the Employment Insurance Act and to make consequential amendments to other Acts, be read the third time and passed.

**Mr. Ben Lobb (Huron—Bruce, CPC):** Mr. Speaker, I would like to read a quote from the hon. member for Saint-Lambert. She said in March, "I think offering self-employed workers the opportunity to contribute to employment insurance on a voluntary basis is long overdue". That is what this government did.

I wonder how the hon. member reconciles with her constituents, the people she represents, that that party has voted against all the measures that we have brought in on employment insurance? How is she able to go back to her constituents and say that she is trying to help those who are unemployed?

The member voted against the five extra weeks. She is voting against this bill. She is voting against up to 20 weeks for long-tenured workers who need the support the most and freezing EI rates at \$1.73 for this year and next. All these measures the member has voted against but at the same time she is saying she is working for the interests of those who have lost their jobs. She voted against the infrastructure stimulus funds and all the community adjustment funding. Yet the member stands in the House and says that she is working for those who are unemployed.

[Translation]

**Mrs. Josée Beaudin:** Mr. Speaker, I thank my committee colleague for his question.

In fact, the Bloc Québécois has always voted in the interests of Quebecers. I repeat, the government's employment insurance measures do not meet the needs of Quebecers. The program for long-tenured workers does not apply to Quebec forestry workers but is designed primarily for workers in the automotive sector.

The five additional weeks are only temporary and are not a permanent measure. Self-employed workers in Quebec already have access to parental leave. They now have access to compassionate care and sickness benefits. They will be paying three times too much. I do not believe that these self-employed workers, even if the program is voluntary, are interested in covering the entire cost of this project across Canada. It will take a much lower amount, a fairer amount, say 41¢, for them to be interested in signing up for employment insurance benefits for the self-employed. In fact, I am not sure that our Quebec workers are interested in paying for all other workers.

[English]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, earlier I had asked a question of the parliamentary secretary with regard to the Quebec rates. The parliamentary secretary's response concerned me a little bit. He indicated that it was set at a rate that was lower than private rates available in Quebec.

*Government Orders*

Considering the range of benefits that are being provided under this bill, I would think it would be extremely difficult to do a very accurate assessment of what a group rate might be. I also understand there were questions about the rate at committee, yet I notice there have been no changes to the legislation to speak of.

If this matter is serious enough, should there not be an undertaking by the government to do an immediate review of the proposed rates to determine whether or not there is a necessity to bring forward an amendment, either in the Senate or subsequently given review of other aspects of the bill?

• (1650)

[*Translation*]

**Mrs. Josée Beaudin:** Mr. Speaker, I thank my colleague for his interesting question.

At the last committee meeting, we indicated that we wanted to meet with the former chief actuary, and the Conservatives refused this request. We wanted to hear what figures the former chief actuary could give us to justify and explain why Quebecers will be paying far too much. I do believe that we will be meeting with him next week.

We also proposed an amendment before voting on this bill, an amendment that did not receive a majority vote, that would have also called for the government to review the amount paid by Quebec compared to the rest of Canada. When the bill is sent to the Senate, we will have to propose an amendment to look at the calculations of these costs to ensure they are fair.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I have a question for the member for Saint-Lambert.

I understand the position that the Bloc Québécois is taking. The Bloc Québécois is saying that the way the premiums will be paid is not right. A member talked about what would happen, but I will not repeat what was said.

But this is a voluntary program. So she is saying that the Bloc Québécois is making this decision for the people of Quebec, but they are not required to contribute. They say that they already have a program. Why prevent other Canadians from having access? Why prevent Quebecers from making a decision for themselves? Why prevent a hairdresser or an artist from making a decision regarding sickness or compassionate care benefits? Why make that decision here, and not let the people of Quebec decide for themselves?

**Mrs. Josée Beaudin:** Mr. Speaker, in fact, we already have the Quebec parental insurance plan.

We agreed with the principle of this bill. I do not see why workers in Quebec should not have access to special benefits. But can we hope to have a plan that is fair to Quebec as well? Why should we accept a bill that asks Quebecers to pay three times what they should?

We can review these costs, especially since the former chief actuary has stated the costs and confirms what we are saying: Quebecers will be paying three times what they should.

As a government, we must review the calculation so that it is fair to Quebec as well.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, it is my pleasure to speak to Bill C-56, An Act to amend the Employment Insurance Act and to make consequential amendments to other Acts, concerning self-employed workers.

I would like to begin by saying, as I have said during other speeches on the subject, that I toured the country to meet with workers across Canada. I went to Gaspé, to Montreal, and to Rivière-aux-Renards. I should mention to the member for Saint-Lambert that her riding is a very beautiful place. I visited all of the provinces—Newfoundland and Labrador, New Brunswick, Nova Scotia and so on—and I went all the way to Vancouver.

That was back in 1999. The Liberals were elected in 1997. I want to emphasize that because earlier, the Liberal member said that the Liberals were the ones who worked on the self-employed workers file. In 1999, I made a proposal to the House of Commons. I would like to read from the record:

The EI program, as it exists, does not take market realities into account. More workers are described as “self-employed”, which is not quite the case. A growing number of businesses are laying off people and then hiring them as self-employed workers in order to avoid having to contribute to EI or to a pension plan. Self-employed workers are not entitled to EI and are practically without social protection. We must take a closer look at what is really happening on the new labour market and explore ways to help so-called self-employed workers contribute to and benefit from the system.

I gave that speech quite a while ago. The NDP will support the bill currently before the House of Commons. In my opinion, it is time to support our self-employed workers, such as artists in Canada and Quebec, hairdressers in Canada and Quebec, and massage therapists, to name but a few. There are countless other categories of self-employed workers who need our help too.

Consider for example parental leave or sick leave. A hairdresser from my riding came to my office and asked how she could take advantage of the employment insurance system. She is a young woman who would like to start a family, but since she is self-employed, she will not receive anything. She does not have the financial resources to start a family.

Finally, a bill has been introduced here in the House of Commons today. This bill aims to support people who need maternity leave or parental leave.

I applaud Quebec, which has had a program like this for several years now. It is time for the rest of Canada to have the same thing, through the employment insurance program. This is what people want. Some of the witnesses we heard from in committee even suggested having a separate fund, apart from employment insurance. We heard various proposals in committee.

The unfortunate thing is that the Conservative government introduced a bill for long-tenured workers without allowing us to make any amendments. It is all or nothing, which is unfortunate. Why bother having a Parliament and parliamentary committees and examining bills if the government refuses to be open to amendments and refuses to listen to the people?

*Government Orders*

This is how Parliament normally works. The government introduces a bill, which is studied in a parliamentary committee. For example, the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities would study the bill. The parliamentary committees' *raison d'être* is to allow Canadians and Quebecers the opportunity to testify before the committee and share ideas that could inspire changes in order to create a better bill.

•(1655)

But the Conservative government arrived with an all or nothing proposal. Can we call that democracy? The government will say yes to avoid saying no. If we say no, we are saying no to all those workers who would have had a chance to have a program to help them.

I find that a bit sad. That is their business. The Bloc Québécois wants to vote against this bill. The Bloc members will do what they want, but I am sad for the workers in Quebec, the hairdressers and massage therapists and all those people.

Artists, whom we defended so ardently in the last election, will not be able to decide themselves whether they want to contribute. This is a voluntary program. We have to give other Canadians the opportunity to have it. We can do this together. People should exert pressure. I am sure that the Government of Quebec would know how to tell the Government of Canada that its premiums are too high and should be reduced, as they have been in the case of parental and maternity benefits. It is true that they pay lower premiums than others because part of the program already exists in Quebec.

I sympathize with what members are saying today, but I believe that the bill should be passed.

The government has also truly closed its mind to any change. The reality is that this program is going to cost money. According to the figures we have, there will be a \$48 million surplus in 2010. I do not know whether it is million or billion, but it makes no difference, it is still money. We are talking about \$57 billion. There will be a \$48 million surplus with this program, because in the first year, 2010, people will pay into the system, but will not get any money in return, because they will not be entitled to receive benefits until 2011.

In 2011, a \$24 million deficit is anticipated. In 2012, the deficit will be \$39 million. In 2013, it will be \$56 million, and in 2014, \$78 million. These are the figures we have been given.

That is why we proposed that within six months of the coming into force of this part, the minister appoint a group of experts to study the effect and application of this part, or this act. Every year for a period of five years, the group of experts would consult the Canadian public and present to the House of Commons and the Senate a report of its findings and recommendations.

We are not asking for the world. We are just saying there is a new program, we are willing to vote in favour of it, but we just want to be sure there is follow-up to see if we are on the right track. This was supported by the Canadian Labour Congress. It was refused by the government. The Conservatives completely rejected this proposal. They said we needed royal assent. The answer therefore was no.

We asked for something else. I think this should be addressed. They say they want to help self-employed workers. That is what the government was saying earlier. I was listening carefully to the parliamentary secretary, who was saying that her government wanted to help self-employed workers. If that is the case, we had another proposal for being fair to those workers and supporting them.

I was saying earlier that the labour market has changed and that today there are more self-employed workers than ever. There are even more today than there were in 1999.

We made another proposal. Self-employed workers are not entitled to regular benefits. They are not entitled to receive regular employment insurance benefits. That is what it says in the act. Let us say that for more than a year, the worker earned 95% of his income from just one client.

•(1700)

An employee who is fired because his employer wants to avoid paying him benefits, and who is subsequently retained as a self-employed worker, should be recognized as a regular worker for the purposes of employment insurance, and be entitled to benefits, if he has worked 95% of the time for that employer. In this case, the commission would consider it to be equivalent to an employer-employee relationship.

Once again, the Conservatives said no. And yet they claim they want to help the self-employed.

There are two things that would have truly helped the self-employed. The latter are asking that a task force, in the next five years, report to both Houses given that the cost will increase. Even self-employed workers stated that they were not aware it would be so costly. It will cost them \$78 million in the next five years. They would like to be given the facts and hear what we have to recommend.

We wanted to amend the bill in order to allow a self-employed worker who worked 95% of the time for a single client to be considered a regular worker. We are not talking about 50% or 25% of the time. If he were to lose his job, he should be entitled to employment insurance benefits.

Once again the Conservatives said no. I find that unfortunate. We have to adapt to the new labour market.

That is clear in the government report. It states that, in 2008, 2.6 million Canadians declared they were self-employed. For a vast majority, it is their sole source of income. That is a large number of people. It means that 2.6 million Canadians and Quebecers do not have a safety net if they lose their employment, even during an economic crisis such as the current one.

The Conservative government would like Canadians and also Quebecers to believe that the program they are presenting is the best in the world. It has overlooked a fair number of things. We must do more.

Earlier the Liberals were bragging about the fact that they were trying to help self-employed workers. They were in power for 13 years. From 1999 to 2005, they had enough time to implement a program, but they did not.

*Government Orders*

When a bill was introduced in the House of Commons to consider the best 12 weeks for workers, the Liberals, while they were in power, voted against that measure. Now that they form the opposition, they are saying that the 80% of women in the workforce benefit the least from employment insurance when they are the ones who need it the most.

Only 32% of women are eligible for employment insurance because the Liberals made major cuts to the program in 1996, when they were in power. That is when they decided that to be eligible for employment insurance, a person needed to have 910 hours of employment. They are the ones who have prevented a great number of women from being eligible for employment insurance.

The Liberal member said that, at the time, the economy was doing well and that only about 6% of the workforce was receiving employment insurance benefits. If the economy was doing well, then why did they make cuts to the employment insurance program?

When they made those cuts, the economy may have been doing well in Toronto, but it was not doing well in Atlantic Canada. Fish plants were closing and there were other closures in the forestry industry. There were closures everywhere. That is when the loggers had to leave the forest.

• (1705)

Back in the days of Liberal spending cuts, the unemployment rate out east was around 20%. They could not have cared less about people in the Atlantic provinces.

Better yet, a former Liberal minister—my predecessor, as it happens—told the *Globe and Mail* that the government would tame Atlantic Canadians. He called them shiftless and lazy. The Conservative member from Nova Scotia said something similar a few weeks ago—or was it last week—when he said that lazy, no-good bastards in Halifax do not want to work. That was almost the same thing. The Conservatives and the Liberals have the same attitude toward workers.

Today, the government said that it would freeze employment insurance contributions until 2011. But look out, because in 2011, rates will go up. In 2011, there will still be a \$57 billion surplus in the employment insurance fund, a surplus that was stolen by the Liberals and the Conservatives. There is money in the employment insurance fund. It is not as though it is empty.

Why will premiums have to go up in 2011 despite the surplus in the employment insurance fund? It is funny to hear them talk. The Liberals dipped into the fund and spent the money over a series of budgets. The government paid off \$92 billion of the national debt, but \$57 billion of that was taken from workers who lost their jobs.

The Conservatives say that the Liberals were the ones who did it. But they cannot lay all of the blame at the Liberals' feet, because they have been in power since 2006. Who passed the bill in the House of Commons? There is a new commission, but it is only getting \$2 billion. The Conservatives passed the bill, but the Liberals were the ones who supported it.

In the end, both parties stole the \$57 billion because they legalized the theft. That is what happened. In last year's budget, \$2 billion was deposited in the employment insurance fund. Now they say that it

will not be enough come 2011. They say that they will have to raise contribution rates and make workers pay yet again for the debt acquired by the two parties that were in power.

They could do something else to help workers in Quebec and Canada. For example, the employment insurance calculation could be changed to be based on the 12 best weeks. Better yet, it should not even have a divisor, because under the EI regulations individuals already receive only 55% of their income in benefits. Even if an individual earned \$1,000 a week, the 55% calculation would not be based on the \$1,000, but on an amount of approximately \$750. So the individual would only receive 55% of that amount.

A motion was moved in the House of Commons regarding the 12 best weeks, but once again, the Liberals and Conservatives voted against this motion, just as they voted against a bill for a 360 hour threshold when it was introduced.

Maybe one day workers—if there are any watching us at home—will realize that the Liberals and Conservatives are not their friends. Maybe one day they will realize. They will say that they are not receiving EI benefits because the Liberals and Conservatives made cuts.

They would have us believe that someone who goes to the employment insurance office to receive EI benefits does not want to work. I think that is shameful and unacceptable in our society.

In France, employment insurance recipients receive 75% of their income. The Government of France says that it pays that percentage because it is the workers' employment insurance program, and it injects money into the economy and the community. It does not label those people as lazy slackers, as the Conservatives and Liberals do. It does not do that.

The NDP will support this bill, but we believe it does not go far enough. Other changes need to be made to EI, and the \$57 billion must be handed back over to the workers who have lost their jobs. It should not go to paying down the government's deficit.

• (1710)

[English]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, the member is quite right with regard to the surplus that was accumulated under the EI system. Indeed, it still is owed to workers and to employers. In fact, under the rules guiding it, it has to be disposed of by either lowering premiums or by expanding benefits, and the member is well aware of that.

Does the member realize that under the last budget, the government will set up a separate commission where it will get \$2 billion as seed money and then subsequent to that, all premiums will go into the separate commission and all benefits will come out, but the balance of the \$50 billion will never be accounted for ever again. This is where the stealing is happening.



*Government Orders*

Why did the auditor general tell the Government of Canada, Brian Mulroney of the day, to put the EI operations in the government as an indication of its operations, but the current government has not done that and has put it outside again so it can seize the surplus moneys?

• (1715)

**Mr. Yvon Godin:** Mr. Speaker, the only thing the member has to realize is this. The reason the budget went through was because the Liberals voted with the Conservatives. The member asked me why the government did that. It did it through a budget for which the Liberals voted.

Many times I hear Conservatives say that members of the NDP is against the employment insurance because they voted against the EI bill. What we voted against was them taking the \$55 billion and putting it in a new account. When the train came through Ottawa, they jumped on it, took the money and put it against the deficit, and the Liberals were part of it.

I think the member did not think about the question he asked me. He has to remember that was in the budget and the Liberals voted for it. He asked why the Mulroney government took the money and put it in the general fund. The Liberals had 13 years to take it out of the general fund and give it back to the workers, but they did not do that.

[*Translation*]

**Mrs. Josée Beaudin (Saint-Lambert, BQ):** Mr. Speaker, I would like to ask my colleague a question since he spoke earlier of unfairness and injustice. I would like to ask him the question he asked me. Is the wrong made right because this is a voluntary program? That is my question for him.

Earlier, the member said that because the bill is voluntary we should let self-employed Quebecers make that decision. I will ask him the following question. Is the wrong made right because this is a voluntary program? Is it not the job of parliamentarians to ensure that a bill is just and fair for everyone?

In my opinion, this bill needs work to do just that. It is not the Bloc Québécois that should bear the blame but the government because it did not support the amendment proposed by the committee members. The amendment only proposed making this a just and fair bill.

**Mr. Yvon Godin:** Mr. Speaker, let us talk about the Government of Quebec. I commend that government for creating a program granting maternity leave and parental leave for self-employed workers. A certain amount of money was taken from the employment insurance fund in order to make that possible. The other workers never had that. It was not fair for them. Personally, I do not think we should turn a blind eye when a self-employed worker does not have the resources to start a family. We cannot ignore things like that.

I can understand the member who said that her party's only concern is Quebec. However, there is more to Canada than just Quebec. I have no doubt that Quebec will find a way to negotiate with the government to obtain its fair share. The Government of Quebec is very good at that. In the meantime, can we prevent self-employed workers from receiving the benefits they have so long been seeking? I do not think we should do that. If the Bloc wants to

vote against the bill, that is their decision and I respect that. However, the Bloc members will have to say to the hairdressers and barbers and artists of Quebec that, if they get sick, it was the Bloc Québécois that did not give them the chance to make their own decision. That is what it comes down to.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the member for Acadie—Bathurst said that it was the work the NDP did that led to this bill. I would like him to tell us exactly why the NDP fought for this change that is going to help workers.

• (1720)

**Mr. Yvon Godin:** Mr. Speaker, the reason is simple. When I said earlier that I had made a national tour, that is what I did. I was elected to the House of Commons because the people in my riding decided to send me here to speak for them. We had the biggest demonstrations about employment insurance. That was in Campbellton, where the four nations met. When I say the four nations, I am referring to Quebecers, aboriginal people, Acadians and anglophones. The four nations stood together to say that there needed to be changes to employment insurance.

When I did my tour and I arrived in Parliament—I went everywhere—self-employed workers were saying that they wanted to be part of the EI program in order to have the same protection and assistance as other workers. Some say that becoming a self-employed worker is an individual choice. But that is not true, because some people did not choose to become self-employed workers. They had no other work and had to create their own job. Often, I heard them say that they were forced to do so because they had been cast aside. Today, we can give these people an opportunity to receive the same benefits as other workers, or some of the same benefits.

[*English*]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I think the member hit the nail right on the head when he pointed out that we are looking at 2.6 million Canadians in the self-employed category: hairdressers, artists, real estate agents. For the Bloc to deny them the opportunity to participate in this program is a big mistake on their part, because as the member has pointed out over and over again, this is a voluntary program. Once it is in operation, it can be fine-tuned.

I have asked the government for information and studies and projections on how many people will participate in the program. The government has not been able to provide those. The government says that the program will be voluntary. There is evidence to show that a compulsory program may be the only way it will become self-sufficient. However, that will not stop us from supporting the bill. We want to see the bill passed and see the system put in place, and then we will improve it over time.

[*Translation*]

**Mr. Yvon Godin:** Mr. Speaker, the question was in fact directed to the Bloc Québécois. Why is it voting that way? The Bloc Québécois also voted against Bill C-50, which gave long tenured workers access to EI.

*Private Members' Business*

For a party that wants to champion employment insurance, the Bloc Québécois has quite often voted against legislation in that area. A decision will have to be made. It will be up to the people of Quebec to judge the Bloc's actions. Bloc members argued in their defence that EI for long tenured workers applied only to Ontario workers and auto workers. I am sure that the economy did not fare much better in Quebec. Quebec was hit by the economic crisis like everyone else. Yet, the Bloc members wanted to prevent these workers from having access to EI benefits.

I am glad that the NDP voted in favour of the bill. If that could have helped the people of New Brunswick, I would have also liked our cousins in Quebec to help us. They decided against it. They are adults. They are the ones who will have to go back home and, in taking part in the political life there, explain why they failed to help long tenured workers. They are not helping either the self-employed workers who would like to be covered by the EI program when they are sick or need special support.

At any rate, as I said, we are all adults here. Let them make their decisions. We will make our own.

**Ms. Raymonde Folco (Laval—Les Îles, Lib.):** Mr. Speaker, since I do not have much time, I would like to get straight to the point regarding Bill C-56 to amend the Employment Insurance Act, to establish a scheme to provide for the payment of special benefits to self-employed persons who are not currently entitled to receive them. This includes maternity, sickness, and compassionate care benefits, and parental or adoptive benefits.

It is clear to us on this side of the House that this bill is extremely important for a large part of the population, especially for women who work. For example, we know that many women have to work several jobs, even if they are self employed, and we know they face serious problems, such as a lack of income support during periods of unemployment or an economic downturn. We know that self-employed female workers are often forced to quit their jobs when they are sick, and therefore have no income.

We also know—and I am skipping many parts of my speech—that it is women who traditionally care for children, although many men now help, and it is also women who care for their aging parents. This bill, which aims to help self-employed workers by providing sickness benefits and compassionate care benefits, should therefore provide some welcome relief. However, I would like to remind the House that last week, at the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, we came up against a very important fiscal problem. We learned that this creates a very serious problem for Quebec. I will explain.

Self-employed workers in Quebec already have access to Government of Quebec benefits for parental leave, sick leave and compassionate leave to care for family. This means that, naturally, in the government's calculations for this bill, self-employed workers in Quebec should not have to pay the same premiums as other Canadians, because they already receive part of those benefits, not from the Government of Canada, but from the Government of Quebec. So it seems clear to us that the calculation that was reported to us in committee was incorrect.

Since I do not have much time left, I will simply ask the government to review the situation based on the actuarial forecasts, to look at the contribution rates for Quebecers under Bill C-56, particularly for sickness benefits, and to have a serious look at the figures. The Liberals will vote in favour of Bill C-56, but I want to be clear: we are urging the government to check its figures and to fix them if necessary.

• (1725)

[*English*]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, the member has raised a point that has come up several times during debate concerning the determination of premiums for Quebec residents who, under the Quebec system, have substitutes for some of the benefits that are being provided. The parliamentary secretary had indicated that the rate has been set lower than the private insurance rates that would otherwise be available.

This seems like a sloppy way to do it. Indeed, it seems to me that in a number of ways the committee did not have the opportunity to look at the calculations and to receive the information from the proper officials. I wonder if the member would care to comment on whether or not she feels strongly enough that there should be a total review and reassessment of the prescribed rates.

[*Translation*]

**Ms. Raymonde Folco:** Mr. Speaker, my colleague posed an extremely important and difficult question. Outside the committee, we had a very hard time getting real figures in response to the questions we asked. The answers were not very clear. It took us a long time to come to the conclusion I just spoke about in the House.

The whole bill does not necessarily have to be reviewed, because it is a fundamentally good bill that will give benefits to people who definitely need them and are asking for them. What needs to be reviewed are the figures regarding the benefits that will be paid to Quebecers, to Canadians who live in Quebec. The government or someone else could still review the figures and come back to us with more concrete, real and correct figures.

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## PRIVATE MEMBERS' BUSINESS

• (1730)

[*Translation*]

### CANADIAN NORTHWEST PASSAGE

The House resumed from November 25, consideration of the motion.

**The Acting Speaker (Mr. Barry Devolin):** It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment of the hon. member for Newmarket—Aurora to motion M-387, under private members' business.

Call in the members.

• (1755)

[*English*]

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

*(Division No. 140)*

## YEAS

## Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Welland)	Allen (Tobique—Mactaquac)
Ambrose	Anders
Anderson	Andrews
Angus	Armstrong
Arthur	Ashfield
Ashton	Atamanenko
Bachand	Bagnell
Bains	Baird
Beaudin	Bélanger
Bennett	Benoit
Bernier	Bevilacqua
Bevington	Bezan
Bigras	Blackburn
Blais	Blaney
Block	Bonsant
Bouchard	Boucher
Boughen	Bourgeois
Braid	Breitkreuz
Brison	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Brunelle
Byrne	Calandra
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cardin
Carrie	Casson
Charlton	Chow
Christopherson	Clarke
Clement	Coady
Comartin	Cotler
Crombie	Crowder
Cullen	Cummins
Cuzner	D'Amours
Davidson	Davies (Vancouver Kingsway)
Davies (Vancouver East)	DeBellefeuille
Del Mastro	Deschamps
Desnoyers	Devolin
Dewar	Dhaliwal
Dhalla	Dion
Donnelly	Dorion
Dosanjh	Dreeshen
Dryden	Duceppe
Dufour	Duncan (Vancouver Island North)
Duncan (Edmonton—Strathcona)	Dykstra
Easter	Eyking
Faille	Fast
Finley	Flaherty
Fletcher	Folco
Foote	Freeman
Fry	Gagnon
Galipeau	Gallant
Garneau	Gaudet
Généreux	Glover
Godin	Goldring
Goodale	Goodyear
Gourde	Gravelle
Grewal	Guarnieri
Guay	Guergis
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
Kennedy (Calgary Southeast)	Kerr
Komarnicki	Laforest
Laframboise	Lake
Lalonde	Lauzon
Lavallée	Layton
Lebel	LeBlanc
Lee	Lemay
Lemieux	Leslie

*Private Members' Business*

Lévesque	Lobb
Lukiwski	Lunn
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Malhi	Malo
Maloway	Mark
Marston	Martin (Esquimalt—Juan de Fuca)
Martin (Winnipeg Centre)	Masse
Mathysen	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	McTeague
Ménard	Mendes
Menzies	Merrifield
Miller	Minna
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Mourani	Mulcair
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Nadeau	Neville
Nicholson	Norlock
O'Connor	O'Neill-Gordon
Obhrai	Oda
Ouellet	Pacetti
Pailé (Hochelaga)	Paquette
Patry	Payne
Pearson	Petit
Plamondon	Poilievre
Pomerleau	Prentice
Preston	Proulx
Rae	Rafferty
Raitt	Rajotte
Ratansi	Rathgeber
Regan	Reid
Richards	Richardson
Rickford	Rodriguez
Rota	Roy
Russell	Savoie
Scarpaleggia	Schellenberger
Sgro	Shea
Shiple	Shory
Siksay	Silva
Simms	Simson
Smith	Sorenson
St-Cyr	Stanton
Storseth	Strahl
Sweet	Szabo
Tilson	Toews
Tonks	Trost
Trudeau	Tweed
Uppal	Valeriotte
Van Kesteren	Van Loan
Vellacott	Vincent
Volpe	Wallace
Warawa	Warkentin
Wasylycia-Leis	Watson
Weston (Saint John)	Wilfert
Woodworth	Wrzesnewskyj
Yelich	Young
Zarac — 271	

## NAYS

Nil

## PAIRED

Nil

**The Deputy Speaker:** I declare the amendment carried.

The next question is on the main motion, as amended.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it, you will find agreement to pass this motion we are considering now based on the vote on the amendment.

**The Deputy Speaker:** Is there unanimous consent to proceed in this manner?

**Some hon. members:** Agreed.

*Private Members' Business*

● (1800)

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

*(Division No. 141)*

## YEAS

## Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Welland)	Allen (Tobique—Mactaquac)
Ambrose	Anders
Anderson	Andrews
Angus	Armstrong
Arthur	Ashfield
Ashton	Atamanenko
Bachand	Bagnell
Bains	Baird
Beaudin	Bélanger
Bennett	Benoit
Bernier	Bevilacqua
Bevington	Bezan
Bigras	Blackburn
Blais	Blaney
Block	Bonsant
Bouchard	Boucher
Boughen	Bourgeois
Braid	Breitkreuz
Brisson	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Brunelle
Byrne	Calandra
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cardin
Carrie	Casson
Charlton	Chow
Christopherson	Clarke
Clement	Coady
Comartin	Cotler
Crombie	Crowder
Cullen	Cummins
Cuzner	D'Amours
Davidson	Davies (Vancouver Kingsway)
Davies (Vancouver East)	DeBellefeuille
Del Mastro	Deschamps
Desnoyers	Devolin
Dewar	Dhaliwal
Dhalla	Dion
Donnelly	Dorion
Dosanji	Dreeshen
Dryden	Duceppe
Dufour	Duncan (Vancouver Island North)
Duncan (Edmonton—Strathcona)	Dykstra
Easter	Eyking
Faille	Fast
Finley	Flaherty
Fletcher	Folco
Foote	Freeman
Fry	Gagnon
Galipeau	Gallant
Garneau	Gaudet
Généreux	Glover
Godin	Goldring
Goodale	Goodyear
Gourde	Gravelle
Grewal	Guarnieri
Guay	Guergis
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	
Harris (St. John's East)	Harris (Cariboo—Prince George)
Hawn	Hiebert
Hill	Hoback
Hoeppner	Holder
Holland	Hughes
Hyer	Jean
Jennings	Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)	Kania
Keddy (South Shore—St. Margaret's)	Kennedy
Kenney (Calgary Southeast)	Kerr
Komarnicki	Laforest

Laframboise	Lake
Lalonde	Lauzon
Lavallée	Layton
Lebel	LeBlanc
Lee	Lemay
Lemieux	Leslie
Lévesque	Lobb
Lukiwski	Lunn
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Malhi	Malo
Maloway	Mark
Marston	Martin (Esquimalt—Juan de Fuca)
Martin (Winnipeg Centre)	Masse
Mathysen	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	McTeague
Ménard	Mendes
Menzies	Merrifield
Miller	Minna
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Mourani	Mulcair
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Nadeau	Neville
Nicholson	Norlock
O'Connor	O'Neill-Gordon
Obhrai	Oda
Ouellet	Pacetti
Pailé (Hochelaga)	Paquette
Patry	Payne
Pearson	Petit
Plamondon	Poilievre
Pomerleau	Prentice
Preston	Proulx
Rae	Rafferty
Raiitt	Rajotte
Ratansi	Rathgeber
Regan	Reid
Richards	Richardson
Rickford	Rodriguez
Rota	Roy
Russell	Savoie
Scarpaleggia	Schellenberger
Sgro	Shea
Shiple	Shory
Siksay	Silva
Simms	Simson
Smith	Sorenson
St-Cyr	Stanton
Storseth	Strahl
Sweet	Szabo
Tilson	Toews
Tonks	Trost
Trudeau	Tweed
Uppal	Valeriote
Van Kesteren	Van Loan
Vellacott	Vincent
Volpe	Wallace
Warawa	Warkentin
Wasylycia-Leis	Watson
Weston (Saint John)	Wilfert
Woodworth	Wizesnewschyj
Yelich	Young
Zarac — 271	

NAYS

PAIRED

Nil

Nil

**The Deputy Speaker: I declare the motion carried.**

\* \* \*

## PATENT ACT

The House resumed from November 27 consideration of the motion that Bill C-393, An Act to amend the Patent Act (drugs for international humanitarian purposes) and to make a consequential amendment to another Act, be read the second time and referred to a committee.

**The Deputy Speaker:** The House will now proceed to the taking of the deferred recorded division of the motion at second reading stage of Bill C-393 under private members' business.

• (1805)

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

*(Division No. 142)*

## YEAS

## Members

Albrecht	Allen (Welland)
Allen (Tobique—Mactaquac)	Andrews
Angus	Ashton
Atamanenko	Bachand
Bagnell	Beaudin
Bélanger	Bennett
Bevilacqua	Bevington
Bezan	Bigras
Blais	Bonsant
Bouchard	Bourgeois
Brunelle	Byrne
Cannis	Cardin
Charlton	Chow
Christopherson	Coady
Comartin	Cotler
Crombie	Crowder
Cullen	D'Amours
Davies (Vancouver Kingsway)	Davies (Vancouver East)
DeBellefeuille	Deschamps
Desnoyers	Devolin
Dewar	Dhaliwal
Dhalla	Donnelly
Dorion	Dosanjh
Dryden	Duceppe
Dufour	Duncan (Edmonton—Strathcona)
Easter	Eyking
Faille	Folco
Foote	Freeman
Fry	Gagnon
Gaudet	Godin
Goodale	Gravelle
Guarnieri	Guay
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	
Harris (St. John's East)	Holland
Hughes	Hyer
Julian	Kania
Kennedy	Laforest
Laframboise	Lalonde
Lavallée	Layton
LeBlanc	Lee
Lemay	Leslie
Lévesque	MacAulay
Malhi	Malo
Maloway	Marston
Martin (Winnipeg Centre)	Masse
Mathysen	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	McTeague
Ménard	Mendes
Minna	Mourani
Mulcair	Murphy (Moncton—Riverview—Dieppe)

Murphy (Charlottetown)  
Nadeau  
Norlock  
Pacetti  
Paquette  
Pomerleau  
Rae  
Ratansi  
Rodriguez  
Roy  
Scarpaleggia  
Siksay  
Simms  
St-Cyr  
Szabo  
Valeriotte  
Vincent  
Wallace  
Wilfert  
Young— 143

*Private Members' Business*

Murray  
Neville  
Ouellet  
Paillé (Hochelaga)  
Plamondon  
Proulx  
Rafferty  
Regan  
Rota  
Savoie  
Sgro  
Silva  
Simson  
Sweet  
Trudeau  
Vellacott  
Volpe  
Wasylycia-Leis  
Wrzesnewskij

## NAYS

## Members

Abbott	Ablonczy
Aglukkaq	Ambrose
Anders	Anderson
Armstrong	Arthur
Ashfield	Bains
Baird	Benoit
Bernier	Blackburn
Blaney	Block
Boucher	Boughen
Braid	Breitkreuz
Brison	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Calandra	Calkins
Cannan (Kelowna—Lake Country)	Carrie
Casson	Clarke
Clement	Cummins
Cuzner	Davidson
Del Mastro	Dion
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fast
Finley	Flaherty
Fletcher	Galipeau
Gallant	Gameau
Généreux	Glover
Goldring	Goodyear
Gourde	Grewal
Guergis	Hawn
Hiebert	Hill
Hoback	Hoepfner
Holder	Jean
Jennings	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kerr	Komarnicki
Lake	Lauzon
Lebel	Lemieux
Lobb	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Mark	Martin (Esquimalt—Juan de Fuca)
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
O'Connor	O'Neill-Gordon
Obhrai	Oda
Patry	Payne
Pearson	Petit
Poilievre	Prentice
Preston	Raitt
Rajotte	Rathgeber
Reid	Richards
Richardson	Rickford
Russell	Schellenberger
Shea	Shipley
Shory	Smith
Sorenson	Stanton
Storseth	Strahl
Tilson	Toews
Tonks	Trost
Tweed	Uppal

*Private Members' Business*

Van Kesteren  
Warawa  
Watson  
Woodworth  
Zarac— 127

Van Loan  
Warkentin  
Weston (Saint John)  
Yelich

## PAIRED

Nil

**The Deputy Speaker:** I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Industry, Science and Technology.

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

• (1810)

**The Deputy Speaker:** It being 6:10 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

\* \* \*

**IMMIGRATION AND REFUGEE PROTECTION ACT**

The House resumed from November 19 consideration of the motion that C-291, An Act to amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171), be read the third time and passed.

**Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.):** Mr. Speaker, other than our indigenous peoples, our first nations, all the rest of us in Canada are recent arrivals. We either arrived ourselves or are the descendants, the sons and daughters of wave after wave of arrivals to Canada's shores over the last few centuries.

The assumption is that all of these arrivals to Canada were immigrants, when in fact, especially during the latter part of the 20th century, a large proportion of those who arrived on Canada's shores were refugees, those who were seeking sanctuary.

I am the son and grandson of refugees. In the years after World War II, my father and my grandparents on my father's side were in a displaced persons camp in Italy. On my mother's side, they were in a displaced persons camp in Germany. In the years after the war, Canadian government officials arrived in those camps, they took notes, reviewed documents and my parents and grandparents were among the lucky few who received travel documents to come to Canada.

They came across the Atlantic and arrived on freedom's shores, Canada, where they could live in freedom and democracy, work hard and build a new life.

Unfortunately not everyone was so lucky. Many of those who found themselves in those displaced persons camps, the refugee camps, were sent back to the Soviet Union, except they never arrived home. They ended up mostly in Siberia and most ended up dead.

Canada has a tremendous legacy of welcoming and accepting refugees, whether it was post-World War II in 1956 from Hungary or more recently Vietnamese refugees from the Philippines and Burmese refugees from camps in Thailand.

However, over the past half century it has become a little more difficult to figure out who in fact are bona fide refugees. It is no longer the case that we have officials who go to refugee camps and those are the sole source of refugees to Canada. Today, anyone, anywhere on the planet from any country can buy a plane ticket,

arrive at a Canadian airport and claim refugee status or they can arrive in Canada, stay here for a while, check things out and then decide to make a refugee claim.

The system is not working, especially over the past couple of years where our backlog has increased by some 18 months and we have ended up with a backlog of approximately 8 years and over 60,000 refugee claimants.

There is a huge cost to this dysfunction in the system of approximately \$30,000 for every refugee claimant. At the same time, statistics show that about half of those claims are bogus. That is a cost to the Canadian taxpayer of some \$900 million, \$100 million per year over the next eight years. That is a huge cost.

There is another cost to the current dysfunction. Real claimants, those who are seeking refuge from totalitarian regimes, dictatorships, those individuals and their families have to wait years in anguish not knowing whether they will be sent back to a country where they could be tortured or worse. The system has to be fixed. That is why I will be supporting Bill C-291.

• (1815)

The bill would provide greater efficiency in our refugee system. The refugee appeals division would be a specialized appeal division as opposed to the federal court. It would increase the efficiency of the system, while still ensuring the humane treatment of those in need of protection. It would enhance the reputation of our system. The implementation of an appeal division would improve public perception of the Immigration and Refugee Board.

As well, the federal court, where appeals go today, does not specialize in refugee matters. Advocates for the RAD system would have expertise in refugee determination. There would be greater consistency in decision-making. The creation of a specialized RAD would allow for consistency when reviewing the facts of decisions.

The judicial review of an IRB decision is more limited in scope than an appeal contemplated in the RAD. The court cannot replace a decision by the IRB with its own judgment.

We cannot continue with the system that we have in place today, up to eight years to finalize a claim. We are in a cycle. People note that it takes this tremendous length of time, so frivolous claims are made so they can extend their stays in Canada year after year.

The bill envisions reforms that would provide three new pillars to our refugee system. First, it would start with a good first decision. Second, it would allow for a reliable appeal. Third, it would allow for the prompt removal of failed claimants. As well, tribunal members would be appointed solely on merit.

*Private Members' Business*

By creating a strong system, the pre-removal risk assessment and back end humanitarian compassionate applications we see so often today and their associated judicial reviews could be removed from the system. Under the proposal, refugee claims would be decided in approximately six months, reviewed most likely in the subsequent four months and removals, should they be necessary, within three months after a negative appeal decision.

We are dealing with an immigration system in Canada that currently is broken. Canadians want us to enact a fulsome package of reforms. Unfortunately, the government has not come forward with such a fulsome package.

However, in the lack of the aforementioned, we have an opportunity to address one aspect of this broken immigration system, the broken refugee system. We must have a system that is just, that respects and meets Canada's international obligations to protect refugees and that re-establishes the confidence of Canadians in our system.

Canadians are a people who above all believe in fairness. They would like to see a refugee system that is fair. We deserve to have a refugee system that works, a system that respects due process, ensures avenues of equal opportunity and provides safety for individuals who are in need of protection.

That is why, as a son and as a grandson of refugees, I will be supporting Bill C-291.

• (1820)

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, I am pleased to have this opportunity to join the debate on Bill C-291, An Act to amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171).

I want to thank the member for Jeanne-Le Ber for bringing forward this piece of legislation. It is similar to legislation that was brought forward in the last Parliament by the member for Laval, with the support of the member for Vaudreuil-Soulanges. It is something that I and the member for Trinity—Spadina, the NDP's citizenship and immigration critic, have strongly supported over many years.

The irony is that this is a bill that calls on Parliament and the government to implement legislation that is already in place. It is a bill to implement an act. Could anything be more ridiculous? Why should that be necessary in our system? It is absolutely ridiculous. It is absolutely unfortunate.

It is absolutely disrespectful of the current Conservative government and the previous Liberal government which refused to enact provisions of the Immigration and Refugee Protection Act, legislation that was fully debated in this chamber and in the other place back in 2001. It was passed by this chamber and the other place back in 2001. It has been largely implemented by governments in the meantime, except for the provisions in the sections I mentioned earlier. Those sections are the ones that pertain to the refugee appeal division.

There is a history behind the bill we are debating today and the failure by governments to implement the refugee appeal division. I want to go back to that debate that happened before the adoption of the Immigration and Refugee Protection Act, IRPA, back in 2001.

There was an extensive debate, a long debate about that legislation, because it is very important legislation to Canadians, to our place in the world, to what happens on the issues of immigration and refugee policy in Canada. That new legislation was very thoroughly debated.

Over the course of that debate, the government put forward a recommendation to reduce the IRB panels that hear refugee determination claims from two people to one person, and there was a lot of concern about that proposal. There was concern that a one-person panel that sits in judgment of these very important refugee claims could make mistakes. There was no one else to counter the decision and the process of decision that the one-person board would go through, and there was no appeal in the process as it was standing.

Over the course of the development and the debate on that legislation, a compromise was reached. Opposition members and government members agreed to go forward with the proposal that there be a one-person board if there was an appeal process implemented, and that was the refugee appeal division.

This compromise meant that a one-person board could go ahead. Hopefully that would make the process more efficient, but there would be a backup appeal, an appeal on the merits of the case where any errors that were made by that one-person board could be corrected. That was made part of the legislation in the sections that we are talking about in the bill today.

It is perfectly reasonable work, good work by parliamentarians to discuss the process thoroughly, and the benefits and the problems of that process, to reach a compromise and to suggest a new process that would be workable and that would protect people in that system. It would protect refugees from an arbitrary decision by a one-person board and give them a significant opportunity for an appeal on the merits of their case. That passed the House of Commons and the other place and it became law.

However, the Liberal government of the day and the current Conservative government have always refused to implement the sections regarding the refugee appeal division, so in fact we do not have that appeal. We have the one-person board, but we do not have the effective appeal of that decision.

If we ask anyone who has an association with the refugee determination process in Canada, he or she will tell us that it is very important. If we ask international observers of Canada's refugee process, they will tell us that appeal is an absolute necessity. Yet we still have not implemented it. It is in the law, but it has not been implemented. That is an absolutely despicable situation. It means that we have a bill, like the one we have today, which is legislation to call on the government to implement legislation that is already in place. It is an absolutely ridiculous situation.

Lest one thinks that the refugee appeal division is some cumbersome mechanism that will further delay the immigration process, which is what we often hear, it is not. It is a paper appeal. It is not one that would involve a lengthy court proceeding. It is a paper appeal of the merits of the case, an essential paper appeal, but a paper appeal.

*Private Members' Business*

● (1825)

Other people have said that it is too expensive and that the immigration and refugee system already takes up too much money. That is not the case either. I remember when I was on the standing committee in the 37th Parliament. The government at the time estimated that it would cost \$8 million to set it up and \$2 million a year to run the system. That is not a significant amount of money by any stretch of the imagination when one considers the importance of having a just and fair immigration and refugee system in Canada.

This was a very concise and precise appeal. It was not a costly appeal and yet governments have refused to move on it. As I say, it is a very simple and necessary step that could be taken tomorrow if there was the political will to ensure fairness in our system.

As I mentioned earlier, there are many organizations in Canada. The Canadian Council for Refugees, which is the coalition of almost every refugee and immigrant serving group in Canada, has strongly supported the implementation of the refugee appeal division, the RAD, and they have been strong supporters of Bill C-291. They know and appreciate the value of this kind of appeal to people who have made refugee claims in Canada. They know it is a measure of fairness to the system, where there is only one person sitting in judgment of the life and death situation of a refugee claimant in Canada. They also point out that international organizations have criticized Canada for not having this kind of appeal in our refugee system.

The Inter-American Commission on Human Rights has said:

Given that even the best decision-makers may err in passing judgment, and given the potential risk to life which may result from such an error, an appeal on the merits of a negative determination constitutes a necessary element of international protection.

The United Nations High Commissioner for Refugees wrote to the Canadian government to express its concern about non-implementation of the refugee appeal division. It considers an appeal procedure to be a fundamental, necessary part of any refugee status determination process.

The UN Committee Against Torture, hearing a complaint from a rejected refugee claimant, found that the Canadian refugee determination system had been unable to correct a wrong decision in his case. What an outrageous condemnation of our system, that a refugee claimant could not correct an error in his case that went against him and the United Nations Committee Against Torture had to point that out to the Canadian government.

In fact, despite our incredible record on refugee matters and despite the fact that we won the Nansen medal from the United Nations in the 1980s for our refugee policies, there is this huge gap in our refugee process. It is a gap that our law anticipates but that our governments refuse to correct. That is an absolutely outrageous situation. In fact, Canada is one of the few countries in the world that fails to give refugee claimants an appeal on the merits of their case. We need to change that immediately.

This is not rocket science. This is not a huge process. This is the result of good work and political compromise here in the House of Commons. All the parties who were looking at the Immigration and

Refugee Protection Act came together and decided on a direction we could take that accomplishes the goals of everybody in this place.

What has happened? The previous Liberal government and the current Conservative government have turned their backs on that process. They have shown disrespect to Parliament and to the many committees that debated this legislation at other times by not moving to implement these provisions which already exist in the immigration and refugee protection law.

It is about time we got on with this. Needless to say, New Democrats will strongly be supporting this legislation. We believe it is high time that this measure of fairness was implemented in Canada. Refugees who make a claim here in Canada deserve an appeal on a negative decision on the merits of their case.

The refugee appeal division provides that appeal. It should be implemented tomorrow. We should not have to wait for this bill to proceed all the way through the House and the other place to have that measure of fairness in our immigration and refugee determination law.

● (1830)

[*Translation*]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, I am very happy to speak today to Bill C-291, which was introduced by my colleague from Jeanne-Le Ber, whom I thank. Essentially, this bill would ensure that a real refugee appeal procedure is put in place.

Those of us who represent urban ridings are aware of the injustice created by the refugee system. When we meet with people in our ridings, we realize that more and more people are seeking asylum. The Canadian system creates real human dramas, and that is why my colleague introduced this bill, in order to restore some justice to the processing of claims to the Immigration and Refugee Board.

It is a bit paradoxical that we are having to debate my colleague's bill today, because the Immigration and Refugee Protection Act, which came into effect in 2002, included a number of sections that provided for the implementation of the refugee appeal division. Sections 110, 111 and 171 of the 2002 act provided that, if a person was not recognized by the Immigration and Refugee Board as a refugee under the United Nations Convention relating to the Status of Refugees, he or she should have an opportunity to appeal.

Today, the paradox is that these sections of the 2002 act have not yet come into force. It is time to honour the spirit of the legislation this Parliament passed in 2002 and implement these sections.



*Private Members' Business*

Restoring justice is fundamental. We must remember that as a result of certain decisions, the number of members on the Immigration and Refugee Board of Canada has gone from two to one. The implementation of the refugee appeal division was to restore justice and to compensate, to a certain extent, for the reduction of the number of board members. Today, there is only one member who sits on the Immigration and Refugee Board and the appeal division has yet to be established. It is the worst possible situation for a refugee claimant.

In the past, this government as well as the previous Liberal government indicated that there were a number of safety nets. In 2006, the government claimed that people could apply for refugee status when they crossed the Canadian border. Of course they could not be returned to their country of origin provided that a proper application had been made to the commission. We agree that they should have been protected by the Charter of Rights and Freedoms.

The minister told us that there were safety nets, including pre-removal risk assessment, known as PRRA. People can also apply for permanent residency under certain conditions and on compassionate grounds, known at the time as the 114.(2). The government said that everything needed was in place in order for claimants to appeal. The government considered these two mechanisms to be appeals. In reality, that is not the case.

I will take a few minutes to remind the House of what the Minister of Citizenship and Immigration said in 2006.

People already have endless possibilities when it comes to a judicial review before the Federal Court or applying for permanent residency on compassionate grounds. We must look at the (immigration) system as a whole before deciding whether or not to establish an appeal division.

• (1835)

Let us go further and examine this immigration system to see whether, indeed, these two provisions, these two chances people have to appeal, according to the minister, actually work. What is the reality? The reality is that as far as the pre-removal risk assessment reviews are concerned, claimants can ask the Federal Court to review their file. What is the reality? Just because a claimant asks the Federal Court to review their file does not necessarily mean that their file will be reviewed. The Federal Court has agreed to review a file in only 4% of cases. Let us be clear: the Federal Court does not examine the merits of the case. Some new evidence may be added, but the court will never examine the merits of the case.

What does that mean? It means that the vast majority of claims are denied. In very few cases have decisions been changed. Rarely has a decision of the Immigration and Refugee Board been overturned. In about 30% of cases, claims have changed, but in the vast majority of cases, the decision has been maintained.

The minister should have realized back in 2006 that his appeal system, which he claims offers unlimited opportunities to request a review, does not work in this case.

Let us look at the second option for refugees, permanent residency for humanitarian reasons. Once again, when it comes to what the minister called his second safety net, the numbers tell us that 28% of cases are approved. Consequently, 28% of those whose claims have been denied by the Immigration and Refugee Board have then submitted applications for permanent residency within Canada for

humanitarian reasons, and in about 28% of cases, these people have been admitted for humanitarian reasons under section 114.2.

Clearly, the system is not working. That is why, in 2004, the House Standing Committee on Citizenship and Immigration passed a motion calling on the Liberal government of the day to change the system and ensure that these three sections on the appeal division would be implemented. Parliament took the initial step of passing a motion in committee, but the Liberals did not listen and refused to follow through on the motion.

The second important element is a bill that was introduced by the Bloc and passed in October 2007. It went through the whole parliamentary process, but unfortunately, did not receive royal assent because of the 2008 election.

What I am trying to say is that, basically, the purpose of my colleague's bill is to restore justice and ensure that a bill passed in 2002 is implemented in full. International organizations, such as Amnesty International, the Canadian Council for Refugees, and the UN High Commissioner for Refugees, have all told us that we have to implement the appeal division

That is why I urge all parliamentarians to vote for the bill introduced by my colleague from Jeanne-Le Ber.

• (1840)

[English]

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, I am pleased to have this opportunity to speak on Bill C-291.

Hon. members of this House are well aware that this government is a strong advocate and supporter of the humanitarian dimension of our immigration program. I think every member of this Parliament meets with constituents or advocates for refugees who are working to assist people with a legitimate need for asylum on our shores, and we hear some very sad stories. I regularly give thanks that I was born in Canada.

*Private Members' Business*

Every year we welcome almost a quarter of a million permanent new residents, who embrace our values of freedom, democracy, human rights and the rule of law. This government has welcomed the highest number of people to Canada ever in our history, including refugees and students. Among them are thousands of refugees attracted by our values and a chance to start a new life. Most of these refugees will become citizens and enjoy, for the first time, freedom of speech, the freedom to vote and run for public office, the right to criticize governments, the right to join a union and engage in collective bargaining, the freedom to move anywhere they want in Canada, the right to equal treatment before the law in a fair trial, and a freedom that we often forget about, the right to have a family with more than one child if they so choose, a right not available everywhere in the world today.

Since this government came to office in 2006, we have accepted more than 51,000 refugees from around the world. In fact, Canada is one of the top three countries in the western world in terms of the number of refugees it accepts for resettlement. The welcome we extend has given us an international reputation as a champion of human dignity. As a member of Parliament, I am proud of that and we all should be, but we are growing increasingly concerned about the abuse of our asylum system.

As my hon. colleagues have heard, between 2006 and 2008, there was a 60% increase in the number of refugee claims filed in Canada. The growing backlog in claims reached 61,000 at the end of June. It is only responsible to manage that backlog to ensure that those who are in true need of asylum go to the front of the line.

The government inherited about one-third of that backlog when it took office. Roughly another third is a result of the transition to a merit-based appointment system, which resulted in delays of appointments of members to the Immigration and Refugee Board of Canada, but which now stands at 98% capacity in terms of the number of board members. Another one-third of the backlog is the result of the growth in claims. Even at full capacity, the Immigration and Refugee Board of Canada can only handle 25,000 asylum claims a year. Last year we had 37,000 asylum claims. Clearly at this rate the backlog will just continue to grow, and so will wait times.

Almost one in four asylum claims Canada received last year were from Mexico, yet the Immigration and Refugee Board, with its high standards of fairness, accepted only 11% of those claims. It is not fair to make legitimate refugees wait due to systematic problems that we should be fixing. In fact, in some cases it is downright dangerous for those asylum-seekers to make them wait, while others are trying to immigrate with dubious claims.

A large number of the current asylum claimants are not in need of Canada's protection. Yet as it currently stands, an individual who is determined to play the system can stay in Canada for years while he or she works through the multiple recourses available to a failed refugee claimant and while our acceptance rate is one of the highest in the world. Some do so while working in Canada, while others rely on social assistance. This delay fundamentally undermines the fairness of our immigration system by allowing failed refugee claimants to remain in Canada for many years, in some cases for over six years, and often at taxpayers' expense.

I am pleased to report that since we began requiring visitors from Mexico and the Czech Republic to first obtain a visa, the number of refugee claims from those two countries has slowed to a trickle. In the almost three months since the visa requirement took effect, there have been only 16 refugee claims at ports of entry from Czech nationals, compared with 831 claims in the same period leading up to the visa imposition. Similarly, in that period, claims at ports of entry from Mexican nationals have fallen significantly from 1,287 in the nearly three months before the announcement down to 35.

● (1845)

Prior to the imposition of visas, Mexican and Czech refugee claims accounted for almost 50% of the total number of claims made at Canadian ports of entry. What does that tell parliamentarians? It tells us that the vast majority of these people from the Czech Republic and Mexico were probably so-called economic refugees, people who should be applying to immigrate to Canada in the normal way.

We have managed to stem the tide of refugee claims with visas on Mexico and the Czech Republic. However, I think we can all agree that visas are a blunt instrument and not the ideal solution.

We need to reform the asylum system. Too much of our time is spent on processing applications from people who are not in need of protection and whose claims are ultimately refused.

I think most MPs have constituents in their riding offices, as I do, some in tears, who simply want family members to visit for a wedding or an anniversary, but who are experiencing delays in getting visas. They suffer because others have abused the system.

We have repeatedly articulated why we do not support private member's Bill C-291, which would establish a refugee appeals division, as outlined in the Immigration and Refugee Protection Act. Asylum claimants already benefit from multiple avenues of recourse, including seeking leave from the Federal Court, and pre-removal risk assessments and applications for permanent residence based on humanitarian and compassionate grounds.

I wish to remind my hon. colleagues that since 2002, no government, Liberal or Conservative, has agreed to implement the refugee appeal division, and for very good reasons. Refugee claimants in Canada are already treated with the utmost procedural fairness. Our current asylum system is already too slow and complex. Adding yet another level of appeal would not only make the process even longer, but it would also result in tens of millions of dollars in ongoing annual costs to the federal and provincial governments.

An appeals division would cause further delays, with no different outcome in most cases, I strongly suspect, as immigration consultants and lawyers would stay busy grasping at an additional paper review for the chance, however slim, of a different outcome. It is unfair to their clients, unfair to those waiting to be heard, and unfair to Canadians.

While I appreciate the member's motivation behind this bill, the latter is unworkable. What we have been advocating instead is reform of the asylum system. With a streamlined system, we could include a full appeal that would allow for the introduction of new evidence, not simply a paper review of a decision made at the refugee protection division, as suggested in the private member's bill.

The refugee appeals division, as envisioned in this private member's bill, would not improve the refugee determination system. In fact, it would make the system worse. If adopted, the proposed legislation would weaken, if not cripple, our current system. The implementation of an appeal would only be possible in a streamlined and simplified system.

My colleagues opposite are well aware of the government's position on Bill C-291 and know that our position has not changed. I strongly urge the opposition to consider the comments already made by the government during this debate. We support strong and effective protection for refugees, but this is not it.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I am very pleased to rise and speak to Bill C-291 today. I think that if the viewing public had been with us for the last hour, they must be shaking their heads by now, having listened to the speeches that have enumerated and outlined the history of this particular piece of legislation.

This is an act to amend the Immigration and Refugee Protection Act with regard to the coming into force of sections 110, 111 and 171. Those three sections deal with the refugee appeal division. Clearly, Parliaments past have debated this legislation, have passed this legislation, have sent it off to the Senate, and it is only the multiple elections that we have had that have thrown us back to where we have to deal with it again.

Contrary to what the Conservative member just said, the fact of the matter is that there was good thought put into these provisions. They went through various committees. They were deemed to be proper, intelligent measures. So the issue then is why, since 2001, 2002, do we still not have this appeal division? Why is it not there?

The Immigration and Refugee Protection Act approved by Parliament in 2001 created the refugee appeal division. In 2002 the government implemented the act but not the sections that give the refugee claimants the right to appeal.

As a result, refugee claimants in Canada have been denied the appeal that Parliament granted them in the Immigration and Refugee Protection Act. Instead, their fate is determined by a single decision maker. I will deal with that issue in a couple of minutes.

To correct this injustice, the last Parliament voted to force the implementation of the refugee appeal division; however, the bill did not become law because the House was not able to approve the

### *Private Members' Business*

Senate's amendments before the 2008 election was called. It has been through the entire process.

When we talk about the fate of refugees being decided by a single decision maker, that is a big part of the problem. One of the previous speakers talked about how 15 years ago there were actually three people involved, and then it was changed in 2001 to two people, and subsequently down to one.

If we look at the speeches of some of the other members who have spoken on this bill, we will see why and how having one person making the decision is not a good idea, particularly because the people appointed to the refugee board are political appointments.

The Conservatives are now sitting comfortably over on the government benches, but when the Liberals were in power and making political appointments to refugee boards, they were regaling themselves, exposing some of the activities of some of the Liberal appointees. The Liberals were appointing totally unqualified people, defeated candidates, friends of friends, and putting them on the refugee appeal board. It became a big joke, showing favouritism. The Conservatives, who were then in opposition, were raising a storm over this, and well they should have.

Now that the shoe is on the other foot and they are now the government, well, rather than change that system, what have they done? They have simply fallen into the same old trap, as did the same old Liberal government for the 13 years before that, and more or less the major part of 100 years before that. They appointment hacks and flaks to the board, and then they wonder why they get very bad results. We are saying that having one person making the decision is not a very good idea.

● (1850)

As a matter of fact, the mover of the motion, the member for Jeanne-Le Ber from the Bloc, points out a couple of very interesting examples where there was a board member appointed by the minister who had a very questionable past. This gentleman was chief of staff to the former prime minister of Haiti, Jean-Bertrand Aristide. We all remember him as the former president of Haiti and that regime committed many atrocities, and was complicit in major crimes. Here this man was in charge of deciding on refugee appeals for the government. In some cases he was judging people from Haiti.

Certainly, if there were a two-person board, or more than one at least, and then the right of an appeal, it would be added protection so that Conservatives would not get the stories that they were raising a fuss about when the Liberals were in power doing the same thing. It is not fair to Conservatives to put themselves in that situation, making political appointments who then make decisions that in many cases do not make any sense at all.

The sponsor of the bill talks about another case of two people on the refugee appeal board. In one case, Laurier Thibault, in terms of his cases, 98% of them were rejections. If we were to study the people on the refugee appeal board and one member has a 98% rejection rate and then another member has a rejection rate of 98% the other way, it would make us wonder whether that system is operating properly.

*Private Members' Business*

I want to refer to the comments made by the member for Trinity—Spadina. I would go over some of the comments made by government members, but they are all just negative. They have made up their minds on the bill and just say they are not interested in making any changes.

However, the member for Trinity—Spadina talked about the Canadian Council for Refugees having documented different examples of how decisions were made in a very inconsistent manner. In one case there were two Palestinian brothers who had the same basis for their refugee claim. One was accepted and the other was refused. The refused brother was deported and these were identical cases.

In another example a person was arrested and detained for two months in Iran. Canada's refugee board concluded that this person was not credible because of inconsistencies and gaps in her evidence. When she told the board she had scars on her body from torture, her testimony was rejected because she had not provided a medical report and it went on to come up with a different conclusion.

The point is that we should not rely on a single person making a judgment when that person is not qualified. I am not going to disqualify individuals because they were defeated Conservative candidates. I am sure there are enough of them out there that a good choice could have been made, but that is not what happens.

In the great Liberal days, the Liberals managed to somehow always find the worst one they could from all their defeated candidates. I am sure there were some Liberal candidates who would have made fine board members and why the Liberals could not pick one of the good ones is beyond me. But they always managed to pick the one that got them into the most trouble. That is certainly a sad history of this particular board. I would hope that we would eventually make the right decision in the House and make this correction that is long overdue.

• (1855)

[*Translation*]

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ):** Mr. Speaker, as sponsor of this bill, I am pleased to wrap up the debate in this House. In the five minutes I have left, I would like to remind members why I am urging my colleagues to support this important bill.

First, it is a matter of democracy and of having self-respect as parliamentarians. It has been more than eight years since this House passed the reform of the Immigration and Refugee Protection Act, and it has been eight years since the refugee appeal division was provided for in the act. But the Conservative government still refuses to implement it.

It is absurd that we need to pass legislation to validate and enforce an act that we already passed. I think that we all need to muster up some dignity and uphold the supremacy of this House. We must decide that when we pass an act, we are passing an act, and will enforce it to the full.

Second, I believe that there is a clear issue of natural justice in this bill. Throughout our legal system, there are chances to appeal at every level in cases that are often much less dramatic than determining whether or not someone is a refugee. There are multiple levels of appeal in ordinary disputes over fences, but when it comes

time to remove someone to a country where he or she could potentially be tortured or killed, we do not even bother to have an appeal division. To my way of thinking, this goes against the principle of natural justice, because even in systems with good judges appointed in a non-partisan way, the possibility that they may make a mistake is acknowledged and appeal mechanisms are put in place.

Imagine what can happen at the Immigration and Refugee Board, where many members are still partisan appointees and results such as 98% rejection rates are disturbing to say the least. When not everyone is a good judge, one can imagine how many more errors there may be than in our courts, where we hope this sort of bias and these sorts of partisan appointments have no place.

I am talking about a principle of natural justice, but, again, there is no chance to appeal. I like having a debate with people who do not share my opinion, but, frankly, I am disappointed in the government's attitude and its attempt to have us believe throughout this entire debate that there are other appeal possibilities. There are not. I have had a chance to review a number of cases and to look at the situation, starting at the time a board member makes a ruling, to applications for leave for judicial review in Federal Court, to pre-removal risk assessment applications. Throughout the process, all the upper levels simply say that the board member has already made a ruling, that they do not believe the story and that they do not have the authority to overturn the ruling. The very courts the government is referring to clearly say that they do not have the authority to overturn these rulings. And yet the government tells us there are opportunities to appeal. This is unacceptable.

Finally, I would like to emphasize the importance of this bill in preserving the integrity of the system. Currently we have some board members who refuse practically every application they receive. On the other end of the spectrum, some are very generous and accept almost everyone. Unfortunately, this causes some illegitimate claimants to apply for refugee status by saying they will play the board member lottery and see if the odds are in their favour. By passing this bill, we will create case law with a possibility of appeal and will therefore decrease the chance that someone will abuse the system because they will know that, in the end, the minister could appeal a decision in their favour if the person is not a true refugee.

In closing, I want to thank everyone who worked on this. I want to thank the hon. member for Vaudreuil-Soulanges for her perseverance, and the hon. member for Laval, who introduced a similar bill in the last Parliament. There are also all the social stakeholders, the Canadian Council for Refugees, the Quebec Table de concertation pour les réfugiés and all the agencies that support this bill. I would like to thank them for all their work.

• (1900)

**The Acting Speaker (Mr. Barry Devolin):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. Barry Devolin):** 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:*

**The Acting Speaker (Mr. Barry Devolin):** Pursuant to Standing Order 98, the recorded division stands deferred until Wednesday, December 9, immediately before the time provided for private members' business.

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## ADJOURNMENT PROCEEDINGS

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

• (1905)

[*Translation*]

### EMPLOYMENT INSURANCE

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Mr. Speaker, I am rising this evening to speak about employment insurance. I had asked the Minister of Human Resources and Skills Development a question about a bill introduced and voted on in the House. Under the bill, seasonal workers are not eligible for the additional 20 weeks of employment insurance benefits.

The Parliamentary Secretary for Multiculturalism had mentioned, some time before, that six additional weeks would be paid to those who deserved it. I had included these remarks in my question.

People need employment insurance. People are not working because of the Conservative government's inaction on economic recovery and infrastructure. They continue to lose their jobs.

The unemployment rate has continually risen throughout the country. Our seasonal workers live in resource-rich areas and work in the forestry, agriculture, construction or tourism industries. All these sectors have experienced serious difficulties for years and things are not like they used to be.

According to the Parliamentary Secretary for Multiculturalism, these people do not deserve employment insurance. Such comments are unacceptable. She seems to think that they have not worked all their lives. In many cases, they have worked for the same company for 5, 10, 15, 20, or even 30 years. The only thing keeping them from working 12 months a year is the fact that we live in a country where these companies are more active in some seasons and less so in others.

### *Adjournment Proceedings*

Seasonal workers are people working in forestry, tourism, fisheries, agriculture and construction, as well as students who start working after completing their studies and mothers who go back to work after raising their children. Some women go back to work when their children start school. However, if a mother unfortunately loses her job after having worked for just a few years—say one, two or three years—she would not be eligible for the 20 extra weeks of employment insurance.

If workers in the forestry, fishing, tourism, construction and agriculture sectors lose their jobs because they cannot work 12 months of the year because of the weather, the Conservative members and ministers believe that they do not deserve employment insurance benefits.

This is a clear demonstration that the Conservatives have no knowledge of or sensitivity towards the needs of Canadian workers. They will say they have invested a lot of money and added more weeks. However, those additional weeks have not been granted to those who need them most. All workers deserve those weeks, not just an exclusive group, as the Parliamentary Secretary for Multiculturalism seemed to say. We should be helping everyone in times of crisis. This is about the well-being of families and their survival.

[*English*]

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, I would like to address the hon. member by asking what he would do about those who have paid premiums for a long time, those who have not collected benefits for many years of work who find themselves without work and are unable to find a job. The bill was directed specifically to them.

It does not say that others might not want to have been on the system. We have a certain set of dollars for the particular group we have targeted, those who are hurt most by the unfortunate economic conditions. What would he say to those people? Approximately 190,000 would be benefited by the bill. What would he say to them about the fact that he and his party voted against that bill? If they had their way, those benefits would have been taken away from 190,000 potential recipients.

Even if the member wanted to benefit another group or a different group of people, why would he and his party vote against the bill, other than the fact that at the time they were of the view that they wanted to trigger an election that no one wanted. Therefore, the interest at which those members were looking at that time was self-interest and not the interest of the people who were intended to be benefited from the bill.

The member is right. We have taken many actions to help hundreds of thousands of Canadians through our changes and improvements to the employment insurance program. Indeed, we added five extra weeks of EI benefits to all Canadians on EI. More than 365,000 Canadians have received additional weeks of benefits, thanks to the extra five weeks which were included in our economic action plan.

*Adjournment Proceedings*

Therefore, we were not excluding anyone when we did that. All Canadians were affected quickly by the sudden onset of the economic troubles and the large number of layoffs that happened last fall and winter. We took action and provided the five extra weeks of benefits to all who needed them.

However, we did even more than that. We froze the premiums for 2010. We are delivering on our commitment to improve the governance and management of the EI account by establishing the Canada Employment Insurance Financing Board.

We have taken action that is helping businesses and workers immensely in a way that is protecting jobs and helping companies. We are doing this through improved and more accessible work-sharing agreements. That was very well received, preserving jobs that otherwise would not be there. More than 167,000 Canadians were protected by work-sharing agreements, which are in place with almost 6,000 employers across Canada. It is a win situation for the employers and for the employees, and it was very well received.

These jobs are being protected. The workers are being retained by their companies. Their skills are staying up to date. This is a big help to businesses across Canada.

Our government also focused on helping Canadians get back to work so they could provide for their families. That is why we made unprecedented investments in skills training. The career transition assistance program is a new initiative that will help an estimated 40,000 long-tenured workers who need additional support for retraining to find a new job. We have extended the duration of EI regular benefits for eligible workers for up to two years if they are in longer term training. We are allowing earlier access to EI for eligible workers by investing in their training by using all or part of their severance package.

These steps have been taken because we know that those who are unemployed need some extra assistance in not only upgrading themselves, but also finding other jobs. Where possible, we try to preserve their jobs.

● (1910)

[*Translation*]

**Mr. Jean-Claude D'Amours:** Mr. Speaker, the point raised by the parliamentary secretary was that the Conservative government is excluding many workers. It does not make any sense.

I am anxious to hear what the government will have to say to the workers at the J.D. Irving sawmill, who have again been laid off indefinitely.

I am anxious to see what it will tell the employees of Maple Lodge, the slaughterhouse in Saint-François-de-Madawaska, who have lost their jobs. With the current economic situation, these workers have already used too many benefits weeks over the past five years. Consequently, they will not even qualify for the additional 20 weeks under the criteria set out in the bill, even though some of them have been working, often at the same place, the same plant, for 20, 25 or 30 years. That is the reality. If these are not long tenured workers, I wonder who that refers to.

Perhaps the parliamentary secretary should come and see for himself. He would realize that people do need help. Casting some

workers aside, pitting workers against one another, will not do people any good and help those in greatest need right now.

[*English*]

**Mr. Ed Komarnicki:** Mr. Speaker, it is not a question of pitting one group against the other. I just went through the numbers: 165,000 jobs preserved; five weeks of extra benefits for 365,000 Canadians; 40,000 additional long-tenured workers helped; and 190,000 who would benefit from the extension of five to twenty weeks for which the member voted against providing benefits.

I have asked the question. The member failed to address it. Why? Even if he wanted some additional benefits for someone else, why would he oppose benefits to 190,000 when he could have supported that? What was the purpose of that? What was the reasoning behind that? There was no good, valid reason for the party to oppose an extended five to twenty weeks to 190,000 additional people except self-interest. He has not answered the question. I think he should.

● (1915)

HEALTH

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, in preparing, responding to and recovering from the H1N1 pandemic, Parliament's focus must be the health and welfare of Canadians. Specifically, our goals must be to reduce the rate of hospitalizations, illness and death, as well as to reduce economic and social impacts. Therefore, our discussions must remain on the winding down of the second wave, as well as preparing for a possible third wave.

Having said this, we are here to address a question regarding the timing and roll-out of the vaccine, which will be, by nature, a postmortem analysis.

The government had two major roles in responding to the pandemic: the distribution of the vaccine to the provinces and territories; and a comprehensive communications plan.

My focus here is the vaccine, its ordering, its production, the timing of its delivery and what delays in shipment meant to the front line workers for planning vaccine clinics and for worried Canadians, particularly pregnant moms, who wanted to know whether to wait for the unadjuvanted vaccine.

First, we must examine the contract with GSK. The first rule in pandemic planning is back-up, back-up, back-up. The fact that vaccine was later ordered from Australia suggests there was perhaps wiggle-room to negotiate with GSK and to ensure a second supplier should there be slowdowns.

Because WHO recommended finishing the seasonal vaccine prior to producing the H1N1 vaccine, production of the pandemic vaccine could not begin until the warehouse was cleared. The government could have made a full gesture and decided to follow the evidence and switch to the pandemic vaccine right away.

*Adjournment Proceedings*

Second, we must examine the order date. We were told in committee the order date was August 6. The government's own answer to my written question on the order paper was actually August 19, or two weeks later.

Why were health committee members given incorrect information? Why did the government not order the British vaccine for those with serious egg allergies. Instead, those with mild allergy were told to have the vaccine with the allergists, who were not initially supplied with it. Those with severe allergy were told not to take it. Where was the protection for those who suffered from the eight most common food allergies?

Third, why was unadjuvanted vaccine not ordered on the 19th? WHO recommended the unadjuvanted vaccine in July for pregnant women. Had the government forgot that pregnant women fared poorly during pandemics and needed protection? I do not think so, as I brought up this point at the very first meeting with the officials. I reminded the officials how pregnant women fared in 1918, 1957 and 1968. Why, then, did the government make pregnant women an afterthought and at last ordered vaccine in September?

Fourth, why did the government gamble on the date of the pandemic? Other countries predicted an earlier start date and began vaccinating in late September and early October, an important time of year, as children had returned to school where viruses spread easily. More important, scientists warned that the H1N1 hit young people the hardest for months, prior to the government's ordering of vaccine?

Why did the government wait to protect our most vulnerable, unlike the Americans, who began protecting their children three weeks earlier? What was the government's contingency plan to protect Canadians during the possible time period with no vaccine? More important, how many Canadians were not only vaccinated, but actually protected before the second wave peaked, meaning 10 to 14 days had elapsed post-vaccine?

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I am grateful for the opportunity to elaborate on the response offered on October 5 by my colleague, the Minister of Health, to the hon. member's question concerning the rollout of the H1N1 vaccine in Canada relative to our neighbours in the south.

Canada's vaccine rollout, the largest mass immunization effort that has ever been attempted in this country, has proven to be remarkably successful. It is very unfortunate that the member was not in committee today, because many of her new direct questions were answered in committee by officials and they were very positive responses for the government. She will be happy to know that.

Earlier this week, Canada's chief public health officer confirmed that by the end of this week some 21 million doses of the H1N1 vaccine will have been distributed across this country. More to the point, by the end of next week, assuming that all goes as planned, we will have delivered enough vaccine to provincial and territorial health officials to immunize roughly 75% of Canadians, the target that we set this summer when we announced our immunization targets.

The Government of Canada has always maintained that its overarching priority was to ensure that we get a safe and effective H1N1 vaccine into the arms of Canadians in a timely way. We made it clear that we are not competing with other countries to see who would get there first and that we would not cut corners where safety was concerned. We promised that nobody would be left behind and that by Christmas, every single Canadian who needed or wanted to be immunized would be able to access the vaccine.

I am confident the member opposite will agree with me that we have met all of these commitments and that Canadians have reason to be proud of the successful partnership between the Government of Canada and the provinces and territories to respond to the H1N1 outbreak.

When members reflect back to just a few short months ago, when the World Health Organization confirmed the emergence of a novel strain of influenza virus that might be a precursor to a global influenza pandemic, I am sure they would agree that Canada has accomplished a great deal.

For sure, there have been a few bumps along the road. That can only be expected when complex and sensitive policy decisions need to be made against a backdrop of constantly evolving science and knowledge about a new virus that the world has never previously seen and whose characteristics and attack rates are unknown and about a vaccine to protect against that virus that needs to be developed from scratch, safety tested, mass produced and delivered to tens of millions of people.

At the end of the day, the bottom line remains: Canada was up to the challenge. We delivered on our commitments. We made the right decisions and we met our duty to Canadians. That is what Canadians care about. Based on reports from the provinces and territories, we can safely say that roughly one-third of Canadians have already been vaccinated. Since our H1N1 vaccine rollout began at the end of October, we delivered enough vaccine for every Canadian identified as part of a target group. Last week, every province opened their vaccine clinics to all Canadians.

I have some great facts to bring forward for the member so she will know how well Canada has done and how well this Conservative government has delivered for Canadians.

Just six weeks into the H1N1 vaccine rollout, we have already distributed over 20 million doses of the H1N1 vaccine across every region of Canada. Rural and remote regions of the country have not been left behind. People residing in these communities, many of them aboriginal and Inuit people, were among the primary target groups for vaccination. At this stage, on a per capita basis, we have more vaccine distributed and more people immunized than almost any other country in the world.

We never accepted the notion that we were competing with other jurisdictions to be first out of the gate. We did what we committed to do.

*Adjournment Proceedings*

•(1920)

**Ms. Kirsty Duncan:** Mr. Speaker, what contingency plans were put in place should there have been a delay in vaccine production, as is possible with 1950s egg-based technology? What newer production methods will the government explore going forward?

Canadians want a safe vaccine delivered quickly to as many arms as possible. Hospitals and health care workers want a reliable vaccine, namely, ordered doses delivered. Some have stated that they had done their job planning over the last few years and were ready to respond. Some also stated that they felt let down by the federal government which did not deliver a steady supply of vaccine.

These are important questions that require answers. This is not about politics, but rather, about putting the health of Canadians first. A post-pandemic audit would allow the government to learn what went right and what went wrong so that we will all be better prepared next time.

**Mr. Colin Carrie:** Mr. Speaker, I would like to conclude by noting that, thanks to years of planning, Canada was ready to respond.

First, we made the right investments in public health capacity, science and pandemic preparedness. Second, we have been fortunate to have negotiated a long-term agreement with a domestic vaccine supplier to meet all of our vaccine needs in the event of a pandemic. Third, we have been fortunate to have such an excellent collaboration in Canada across all levels of government. We have been fortunate to have the decisive leadership necessary to manage this outbreak without panic and in a deliberate, evidence informed manner.

Mr. Speaker, I will take this opportunity to wish you, your family and the member opposite a very merry Christmas.

•(1925)

**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 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:25 p.m.)

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# CONTENTS

Wednesday, December 2, 2009

## STATEMENTS BY MEMBERS

<b>Community Spirit</b>	
Mr. Mayes .....	7487
<b>Syme 55+ Centre</b>	
Mr. Tonks .....	7487
<b>Climate Change</b>	
Ms. Deschamps .....	7487
<b>Nelson Leeson</b>	
Mr. Cullen .....	7487
<b>Bruno DaSilva Community Service Memorial Award</b>	
Mr. Holder .....	7488
<b>Egypt</b>	
Mr. Patry .....	7488
<b>United Way</b>	
Mr. Brown (Barrie) .....	7488
<b>Diane Couët</b>	
Ms. Guay .....	7488
<b>Economic Action Plan</b>	
Mr. Généreux .....	7489
<b>International Day for the Abolition of Slavery</b>	
Mrs. Jennings .....	7489
<b>Liberal Party of Canada</b>	
Mr. Hiebert .....	7489
<b>Status of Women</b>	
Mr. Layton .....	7489
<b>Firearms Registry</b>	
Ms. Hoepfner .....	7490
<b>Charter for a World without Violence</b>	
Ms. Faille .....	7490
<b>National Day of Remembrance and Action on Violence Against Women</b>	
Mr. Ignatieff .....	7490
<b>The Economy</b>	
Mrs. Smith .....	7490

## ORAL QUESTIONS

<b>Afghanistan</b>	
Mr. Ignatieff .....	7490
Mr. MacKay .....	7491
Mr. Ignatieff .....	7491
Mr. MacKay .....	7491
Mr. Ignatieff .....	7491
Mr. MacKay .....	7491
Mr. Ignatieff .....	7491
Mr. Baird .....	7491
Mr. Ignatieff .....	7491
Mr. Baird .....	7491

## The Environment

Mr. Duceppe .....	7492
Mr. Paradis .....	7492
Mr. Duceppe .....	7492
Mr. Paradis .....	7492
Mr. Bigras .....	7492
Mr. Prentice .....	7492
Mr. Bigras .....	7492
Mr. Prentice .....	7492

## Government Accountability

Mr. Layton .....	7492
Mr. Baird .....	7493

## Harmonization Tax

Mr. Layton .....	7493
Mr. Baird .....	7493
Mr. Layton .....	7493
Mr. Baird .....	7493

## Afghanistan

Mr. Dosanjh .....	7493
Mr. MacKay .....	7493
Mr. Dosanjh .....	7493
Mr. MacKay .....	7493
Mrs. Zarac .....	7494
Mr. MacKay .....	7494
Ms. Foote .....	7494
Mr. MacKay .....	7494
Ms. Lalonde .....	7494
Mr. MacKay .....	7494
Ms. Lalonde .....	7494
Mr. MacKay .....	7494

## Employment Insurance

Mrs. Beaudin .....	7494
Mr. Blackburn .....	7494
Mrs. Beaudin .....	7494
Mr. Blackburn .....	7495

## Infrastructure

Mr. McCallum .....	7495
Mr. Baird .....	7495

## Finance

Mr. McCallum .....	7495
Mr. Baird .....	7495

## Infrastructure

Mr. Kennedy .....	7495
Mr. Baird .....	7495
Mr. Kennedy .....	7495
Mr. Baird .....	7495

## Olympic Winter Games

Mr. Mayes .....	7496
Mr. Lunn .....	7496

<b>Tax Harmonization</b>					
Mrs. Hughes .....	7496				
Mr. Menzies .....	7496				
Mr. Rafferty .....	7496				
Mr. Menzies .....	7496				
<b>Labour Relations</b>					
Mr. Desnoyers .....	7496				
Ms. Ambrose .....	7496				
<b>Infrastructure</b>					
Mr. Laframboise .....	7496				
Mr. Baird .....	7497				
<b>Public Works and Government Services</b>					
Mr. Proulx .....	7497				
Mr. Paradis .....	7497				
Mr. Proulx .....	7497				
Mr. Baird .....	7497				
<b>Tax Harmonization</b>					
Mr. Donnelly .....	7497				
Mr. Moore (Port Moody—Westwood—Port Coquitlam) .....	7497				
Ms. Davies (Vancouver East) .....	7497				
Mr. Moore (Port Moody—Westwood—Port Coquitlam) .....	7497				
<b>World Conference against Racism</b>					
Mr. Woodworth .....	7498				
Mr. Poilievre .....	7498				
<b>Pickering Lands</b>					
Mr. Holland .....	7498				
Mr. Baird .....	7498				
<b>Democracy</b>					
Ms. Deschamps .....	7498				
Mr. Fletcher .....	7498				
<b>Point of Order</b>					
<b>Vote on Opposition Motion—Speaker's Ruling</b>					
The Speaker .....	7498				
<b>Standing Order 31 Statement by Member</b>					
Ms. Sgro .....	7498				
<b>Economic Update Announcement</b>					
Mr. Layton .....	7499				
Mr. Hill .....	7499				
<b>Labour</b>					
Mr. Goodale .....	7499				
Mr. Hill .....	7499				
<b>Oral Questions</b>					
Mr. Blackburn .....	7499				
Mr. Volpe .....	7499				
<b>ROUTINE PROCEEDINGS</b>					
<b>Government Response to Petitions</b>					
Mr. Lukiwski .....	7500				
<b>Interparliamentary Delegations</b>					
Mr. Tilson .....	7500				
<b>Committees of the House</b>					
<b>Citizenship and Immigration</b>					
Mr. Tilson .....	7500				
<b>Canadian Heritage</b>					
Mr. Schellenberger .....	7500				
<b>Official Languages</b>					
Mr. Blaney .....	7500				
<b>Finance</b>					
Mr. Rajotte .....	7500				
<b>Procedure and House Affairs</b>					
Mr. Preston .....	7500				
<b>Agriculture and Agri-Food</b>					
Mr. Miller .....	7500				
<b>Treaties Act</b>					
Mr. Bigras .....	7500				
Bill C-486. Introduction and first reading .....	7500				
(Motions deemed adopted, bill read the first time and printed) .....	7500				
<b>Committees of the House</b>					
<b>Procedure and House Affairs</b>					
Mr. Preston .....	7500				
Motion for concurrence .....	7500				
(Motion agreed to) .....	7501				
<b>Petitions</b>					
<b>Canada Post Corporation</b>					
Mr. Brown (Leeds—Grenville) .....	7501				
<b>Animal Welfare</b>					
Mr. Brown (Leeds—Grenville) .....	7501				
<b>Burns Bog</b>					
Mr. Dhaliwal .....	7501				
<b>Canada Post</b>					
Mrs. DeBellefeuille .....	7501				
<b>Climate Change</b>					
Ms. Ashton .....	7501				
<b>Assisted Suicide</b>					
Mr. Lemieux .....	7501				
<b>Justice</b>					
Mr. Easter .....	7501				
<b>Rural Post Offices</b>					
Mr. Plamondon .....	7501				
<b>Falun Gong</b>					
Mr. Julian .....	7501				
<b>Rural Post Offices</b>					
Mr. Blaney .....	7502				
<b>Gasoline Prices</b>					
Mr. McTeague .....	7502				
<b>Child Pornography</b>					
Mr. Angus .....	7502				
<b>Assisted Suicide</b>					
Mr. Richards .....	7502				
<b>Pensions</b>					
Mr. Szabo .....	7502				
<b>Canada-Colombia Free Trade Agreement</b>					
Ms. Chow .....	7502				
<b>Air Passenger's Bill of Rights</b>					
Mr. Maloway .....	7503				
<b>Housing</b>					
Ms. Leslie .....	7503				

<b>Questions on the Order Paper</b>	
Mr. Lukiwski .....	7503
<b>Motions for Papers</b>	
Mr. Lukiwski .....	7503

### GOVERNMENT ORDERS

<b>Fairness for the Self-Employed Act</b>	
Bill C-56. Report stage .....	7503
Mr. Hill (for the Minister of Human Resources and Skills Development) .....	7503
Motion for concurrence .....	7503
(Motion agreed to) .....	7503
Mr. Hill (for the Minister of Human Resources and Skills Development) .....	7503
Third reading .....	7503
Mr. Komarnicki .....	7503
Mr. Szabo .....	7505
Mr. Angus .....	7506
Mr. Maloway .....	7506
Ms. Minna .....	7507
Mr. Davies (Vancouver Kingsway) .....	7509
Mr. Simms .....	7510
Mr. Maloway .....	7510
Mr. Godin .....	7510
Mrs. Beaudin .....	7511
Mr. Maloway .....	7513
<b>Business of the House</b>	
Mr. Sorenson .....	7513
Motion .....	7513
(Motion agreed to) .....	7513
<b>Fairness for the Self-Employed Act</b>	
Bill C-56. Third reading .....	7513
Mr. Lobb .....	7513
Mr. Szabo .....	7513
Mr. Godin .....	7514

Mr. Godin .....	7514
Mr. Szabo .....	7516
Mrs. Beaudin .....	7517
Mr. Julian .....	7517
Mr. Maloway .....	7517
Ms. Folco .....	7518
Mr. Szabo .....	7518

### PRIVATE MEMBERS' BUSINESS

<b>Canadian Northwest Passage</b>	
Motion .....	7518
Amendment agreed to .....	7519
Motion agreed to .....	7521
<b>Patent Act</b>	
Bill C-393. Second reading .....	7521
Motion agreed to .....	7522
(Bill read the second time and referred to a committee) .....	7522
<b>Immigration and Refugee Protection Act</b>	
Bill C-291. Third reading .....	7522
Mr. Wrzesnewskyj .....	7522
Mr. Siksay .....	7523
Mr. Bigras .....	7524
Mr. Young .....	7525
Mr. Maloway .....	7527
Mr. St-Cyr .....	7528
Division on motion deferred .....	7529

### ADJOURNMENT PROCEEDINGS

<b>Employment Insurance</b>	
Mr. D'Amours .....	7529
Mr. Komarnicki .....	7529
<b>Health</b>	
Ms. Duncan (Etobicoke North) .....	7530
Mr. Carrie .....	7531

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