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Monday, May 10, 2010

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Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, May 10, 2010

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

CANADIAN HUMAN RIGHTS ACT

Mr. Bill Siksay (Burnaby—Douglas, NDP) moved that Bill C-389, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression), be read the second time and referred to a committee.

He said: Mr. Speaker, I am very proud to begin debate on my private member's bill, Bill C-389, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression).

I wish to thank the members of Parliament who have seconded the bill, the NDP members for Halifax, Windsor—Tecumseh, Hamilton East—Stoney Creek, Toronto—Danforth, Vancouver Kingsway, Vancouver East, Sackville—Eastern Shore, Nanaimo—Cowichan and Trinity—Spadina; and Liberal members for Yukon, Don Valley West and Toronto Centre. The trans community and their families, friends and allies appreciate their support for this initiative as do I.

The bill is about explicitly ensuring full human rights protection in areas of federal jurisdiction for transgender and transsexual Canadians. It does that by adding gender identity and gender expression to the list of prohibited grounds of discrimination in the Canadian Human Rights Act, and in the sentencing and hate crime provisions of the Criminal Code of Canada.

This is the first time gender identity and gender expression have been debated in the Canadian Parliament. It is a historic debate that is overdue. The actions proposed in this bill are also overdue.

This is a debate that will take place without the direct participation of trans people because at this time there is no openly trans member of Parliament. I feel their absence acutely at this moment. Not having someone who can speak directly and personally to the experience of being trans will mean that important things will remain unsaid and other points will be made awkwardly.

It will be a day to celebrate when an openly trans person is first elected to the House. It will be another step toward ensuring that the

House of Commons is truly representative of the diversity of Canadians.

What is gender identity and gender expression? Who are transgender and transsexual people? Gender identity refers to an individual's self-conception as being male or female, their sense of themselves as male or female. Gender expression refers to how a person's gender identity is communicated to others through behaviour, speech, dress or mannerisms.

Transsexuals are people whose gender identity differs from their biological or birth sex, and who seek to live permanently as the gender other than their biological sex. Most often transsexuals seek medical interventions such as hormones and surgery to make their bodies congruent with their sense of their genders. A transition process which is known as sex reassignment or gender reassignment is engaged.

Transsexual individuals describe their experience in this way. Before transitioning it is like never being able to go home, even while knowing exactly where home is. For some it is the clothes and social gender role. For others it is the body and whether it betrays who we are constantly, every minute, so that no matter how hard we try, we are always lying. There is a great fear and anxiety of accidentally giving oneself away leading to a permanent self-vigilance and second guessing, lest some spontaneous random act gives us away. For some this becomes a constant hiding and cutting oneself off from others.

Transgender people may live part-time or full-time as members of the other gender and they may live in a way that combines or blends genders or they may exhibit characteristics of neither gender. They include cross-dressers, transvestites, drag queens, drag kings, androgynous people, by-gendered people or gender queer people.

It is estimated that in western countries there is about one transsexual in 10,000 for biological males and one in 30,000 for biological females. It is also thought that as many as 2% to 3% of biological males engage in cross-dressing at least occasionally.

Because the life experience of trans people challenges the assumption that one is either male or female and because that has been in our society a central assumption of human experience, they are regularly subjected to discrimination, prejudice and violence. They face well documented discrimination in the workforce, housing, health care, and in obtaining services. Obtaining appropriate identity documents are often extremely problematic.

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Trans people face significantly higher rates of violence including sexual assault and murder. That violence is often over the top when compared with the violence faced by women and other minorities.

This is clearly a manifestation of trans phobic violence. Each year in November Transgender Day of Remembrance commemorates the many trans people who experience violence even to the point of death.

Trans people have always been part of our communities and are known across most cultures. First nations and Inuit people often recognize trans people as having special gifts and insights. In western culture, Christine Jorgensen became one of the most famous transsexuals in the early 1950s.

In recent years the roles of trans people, particularly drag queens, in the start of the modern gay liberation movement has been celebrated. It is clear that drag queens led the patrons of the Stonewall Inn to fight back against police harassment in the historic events in New York in 1969.

Trans people have organized support and political action groups in almost every city in Canada regarding issues of human rights, health care, education and ending violence. In my home community, the Trans Alliance Society vigorously pursues this work.

What was the origin of this bill? Back in 2004, two students from Carleton University's School of Social Work, Corie Langdon and Chris Boodram, undertook a trans legislative needs survey with the support of Transgender Canada, the Ethics Institute of Canada, Gender Mosaic, Egale Canada and Svend Robinson. They found that participants in their survey, who were mostly from the Ottawa area, experienced high incidents of verbal harassment, 74%; intimidation, 54%; hate propaganda, 41%; attempted assault, 38%; and physical assault, 32%.

Participants also experienced significant levels of discrimination in housing, employment and services including unwelcome comments at work, 43%; unwelcome comments in living accommodations, 32%; and discrimination in bars, restaurants, schools, universities and colleges, each at 32%. Langdon and Boodram suggested that the changes proposed in the bill we are debating today would meet both the personal expectations of the participants for human rights protection and provide an appropriate legislative agenda to address those concerns.

Their evidence has been supported by more recent studies. In Canada, Egale Canada's national climate school survey showed that 95% of trans students felt unsafe at school, compared to one-fifth of non-trans students, and 9 of 10 trans students reported that they were verbally harassed because of their gender expression.

The trans PULSE study in Ontario as well as the personal and professional experiences of members of the Canadian Professional Association for Transgender Health are consistent with the findings of the national transgender discrimination survey, which was released last November in the United States. That study showed that 47% of trans people had been denied employment due to their gender identity or expression; 44% were denied a promotion; 23% were fired, and 97% had experienced workplace harassment. High levels of assault were reported as well as significantly low income

levels and housing stability. Again, related to the negative impacts of discrimination.

When I was elected in 2004, in my capacity as NDP gay, lesbian, bisexual, transgender and transsexual issues critic, I undertook a series of consultations with the trans community. In person consultations were held in Ottawa, Toronto and Vancouver, and there was a vigorous email consultation with others across Canada. Those consultations confirmed that amending the Canadian Human Rights Act, to include gender identity and expression as prohibited grounds, was the key priority for the community. With similar amendments to the sentencing and hate crime provisions of the Criminal Code, they also ranked very high. As a direct result of the consultations, legislation was drafted and tabled leading directly to today's Bill C-389.

Other jurisdictions have been moving on these issues. In Canada, the Northwest Territories is the only province or territory to explicitly include gender identity as a prohibited ground of discrimination in law. The cities of Vancouver, Toronto and Ottawa have policies protecting transsexual and transgendered people, and Vancouver most recently has moved to amend its workplace harassment policy.

In many provinces trans people have succeeded in defending their rights using the existing grounds of sex and disability. While it is positive that decisions favourable to trans people have been made using these categories, it is clear that discrimination based on gender identity is different than that based on sex. It is equally clear that having a different experience or understanding of one's gender than the majority is not a disability. For these reasons a number of human rights commissions, including the Canadian Human Rights Commission, have supported including gender identity as a prohibited ground of discrimination in law.

Including trans people explicitly in human rights legislation can have a profound effect. A trans person makes the point this way saying, "How can I feel part of society if I cannot point to human rights legislation and say, there, I'm included".

• (1110)

In the United States, in October 2009, President Obama signed into law hate crimes protections for trans Americans. The U.S. Congress is currently considering an employment non-discrimination act that names gender identity as a prohibited ground of discrimination.

Also in the United States, 13 states, the District of Columbia, and 109 cities and counties have non-discrimination laws and hate crimes laws that are trans inclusive.

Canada has supported human rights protection for transgender and transsexual people internationally.

In June 2008, with Canada's support, the General Assembly of the Organization of American States adopted a resolution on human rights, sex orientation and gender identity.

As well, Canada is a signatory, with 67 other countries, to the draft text of the United Nations Statement on Human Rights, Sex Orientation and Gender Identity.

Many organizations in Canada have taken steps to support transgender and transsexual people, and to end the discrimination they face. Trade unions and the CLC have been significant leaders in this effort. A number of religious organizations have also been at the forefront. Human rights organizations, like Amnesty International, recognize the need to protect trans people. Egale Canada and PFLAG are also strong advocates. Many large Canadian corporations have also accommodated trans people in their policies, as well.

What are the arguments against not proceeding with these changes?

In recent years there has been some criticism of the human rights framework we have developed in Canada and of hate crimes legislation. That may be a debate in which we need to engage. However, I believe that we should not engage that broader debate at the expense of including transgender and transsexual people in the existing human rights framework in Canada.

There is a system in place. There is a group that is not included that faces significant discrimination in our society. We should amend the existing legislation to include them and then, if necessary, engage the broader general debate about human rights and their protection.

I believe that Canada is well-served by the current human rights regime that we have in place in Canada, and I certainly would not be one of those who advocates for changing that system, but it is a broader debate that we could engage. However, I do not think we should do that at the expense of including transgender and transsexual people in the provisions of our human rights regime.

As well, issues about the use of bathrooms and other gendered spaces often come up when human rights protection for trans people are discussed.

The fear is raised that by ensuring the right of trans people to express their gender identity will make it impossible to ensure the security of gender-specific washrooms and locker rooms. Fears are raised that it will be impossible, for instance, to prevent a heterosexual man from disguising himself in order to harass, or worse, women in a women's bathroom.

Nothing could be further from the reality of this kind of legislation to protect gender identity in expression. In fact, in the United States, there have been no incidents, not one, of the inappropriate use of washrooms as the result of protecting trans rights.

The security of a washroom is currently protected by, and will continue to be protected by, criminal sanctions against those who behave inappropriately, who harass, or who assault washroom users. I believe that the bathroom issue is a red herring in the debate on trans rights.

Clearly, there is a need for this legislation. There is no doubt about the prejudice, discrimination and violence faced by trans people. There is no doubt that their experiences of gender are part of our human experience, broadening our understanding of gender and exposing our full humanity. There is no doubt that trans people are beloved members of our families, our co-workers and our

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neighbours, who enrich our lives. There is no doubt that trans people should be able to lead happy, healthy, secure and productive lives. There is no doubt that discrimination and prejudice are costly to any society.

That is why, plain and simple, we need this legislation. We must be absolutely and explicitly clear that trans Canadians are a valued part of our families and our communities.

• (1115)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, since the member tabled the motion, have there been any other concerns aside from the one he outlined related to washrooms.

Mr. Bill Siksay: Mr. Speaker, I thank the member for Yukon for being one of the seconders of this legislation. I know he has a long-time commitment to the full equality for transgender and transsexual Canadians.

Two of the key issues that have been raised concern our human rights framework and the use of gender specific spaces. Other issues have come up around the provision of appropriate health care for trans people but that one for me is an absolute no-brainer. It strikes me that the medical issues that face transsexual Canadians are issues of absolute necessity. Nothing is cosmetic or optional about it for those people. It is absolutely necessary for them to lead a healthy and productive life.

It is not something I have chosen to highlight in this debate. It often is an issue dealt with by provincial jurisdictions since they are responsible for the delivery of health care services. However, it has been an issue in some provinces where trans people have not been fully covered under the provisions of health care programs.

• (1120)

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, I had a similar experience when I was a city councillor in Toronto. One of my students, who was then George and is now Susan Gapka, had difficulty, when she was transitioning to become Susan, using the washroom that she wanted to use. At that time, the Toronto city council had to decide which washroom she would use. It was difficult because there was no legislative framework for the City of Toronto to make a decision. At the end of the day, however, the city council made the right decision.

If this bill passes through the House of Commons and the Senate and becomes law, will it give guidance to many of the municipalities or provinces, be it medical support or the day-to-day existence for trans people? Will there then be guidelines to enable the federal government to take leadership on this matter?

Mr. Bill Siksay: Mr. Speaker, I thank the member for Trinity—Spadina for also seconding this bill and for her leadership on these issues here and in Toronto.

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I am glad she mentioned Susan Gapka. Susan is one of the leaders of the trans community and her activism is making a huge difference on many fronts for trans people in Toronto, in Ontario and all across the country. I am proud to have worked with Susan on many occasions and look forward to continuing that working relationship in the future.

The initial concerns about washrooms come up when this is a new issue in many jurisdictions and Toronto was a leader in dealing with how to appropriately include trans people in workplaces and communities. As those issues have gone forward and other jurisdictions have dealt with them, it has not become an issue. Washrooms are places we go for a very specific purpose. As long as someone is using that place for those purposes and not creating a disturbance, harassing people or using them as a place to assault people, then there should not be a problem. Once people find out about that, it usually is not a problem.

Somebody's gender identity is not an issue for me. When I am in a washroom, I am not usually looking at the people trying to figure out if they are really men. I suspect the same is true of women in women's washrooms. It simply is not an issue. People would be aware of someone threatening them in some fashion in a washroom and behaving inappropriately. If people are going about their business, it is just not an issue. I think most jurisdictions have figured that out when it comes to implementing this kind of legislation. I think the Canadian Human Rights Commission will help us with it if there are any problems to overcome.

[*Translation*]

Mrs. Sylvie Boucher (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, I am pleased to participate in this debate on Bill C-389, a private member's bill introduced by the member for Burnaby—Douglas. As members of this House surely know, this bill would amend the Criminal Code and the Canadian Human Rights Act to include the expressions “gender identity” and “gender expression”, which would protect individuals against discrimination based on gender identity and gender expression.

I am aware of the need to protect all Canadians against discrimination and against all crimes. I am proud of what our government has done, and what it is still doing to protect all Canadians and Quebeckers. In particular, we introduced tougher mandatory jail sentences for serious gun crimes, and we provided better protection for our children against adult sexual predators, by changing the legal age of consent from 14 to 16.

I am also proud that Canada is known around the world for its belief in the principles of diversity and equality. These principles are enshrined in our Constitution and in our legislation.

In light of this, we have to ask ourselves whether the proposed amendments in Bill C-389 are clear or necessary. They may appear simple, but they could have complex, unpredictable legal consequences.

First, I would like to talk about the actual content of the bill. The bill would amend the Criminal Code by adding the terms “gender identity” and “gender expression” to the definition of “identifiable group” in the provisions on hate propaganda. This would mean that advocating genocide, inciting hatred where such incitement is likely to lead to a breach of the peace or wilfully promoting hatred against

a group of persons distinguished by gender identity or expression would be a crime.

The bill would also add “gender identity” and “gender expression” to the non-exhaustive Criminal Code list of aggravating circumstances requiring a judge to impose a harsher sentence. This would mean that a judge could impose a longer than normal sentence on someone who commits a crime motivated by hate or prejudice against persons belonging to these two groups.

Lastly, the bill would add “gender identity” and “gender expression” to the list of prohibited grounds of discrimination in the Canadian Human Rights Act. This act prohibits discrimination on grounds such as race, gender and disability in federal government employment and services.

To properly understand the impact this bill would have, we need to know what is meant by “gender identity” and “gender expression”. These things must be clarified so that we can have a healthy debate in the House. Unfortunately, the bill does not define either of these terms. It is essential that these important terms be clearly defined in the law.

The bill would add the term “gender expression” to the Canadian Human Rights Act and the Criminal Code. I do not believe that people commonly use this term, so we should know exactly what it means. To my knowledge, no other country in the world has made “gender expression” a prohibited ground for discrimination or has included the term in the definition of “identifiable group” in its hate crimes provisions as a completely separate concept from “gender identity”.

One example of what is happening overseas is the United Kingdom's Equality Act, which, I would like to point out, does not consider “gender expression” as a ground for discrimination, but prohibits discrimination based on gender reassignment.

● (1125)

The same point could be made about hate crime provisions. In certain American states, the concept of gender identity is part of the definition of “sexual orientation” or that of “sex”.

In summary, even in legislation that includes the concept of “gender expression”, this concept is always clearly linked to the concept of gender identity, at least to my knowledge.

To continue, I should note that not only are these amendments vague, but they could also be unnecessary or redundant. As I said earlier, the distinction between the two must be established.

First, I would like to point out that the Canadian Human Rights Tribunal has already studied a number of complaints filed by transsexuals, and it found that these complaints were justified based on the ground of sex.

By deciding that transsexuals are already protected by provisions in federal human rights legislation, the tribunal followed the approach of human rights tribunals in British Columbia, Quebec and other provinces, which determined that discriminating against transsexuals is prohibited based on the current ground of sex. This interpretation was confirmed by the tribunals.

We should therefore think about whether adding “gender identity” and “gender expression” to the Canadian Human Rights Act is really necessary. I would like the members to comment on that.

Perhaps we should also think about whether these grounds need to be included in the Criminal Code sentencing provision in subparagraph 718.2(a)(i), which lists various aggravating factors, such as evidence proving that:

the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor,

That list is not exhaustive. Judges already have the power to impose heavier sentences for hate crimes against transgender people when justified under the circumstances.

If we consider adding “gender identity” and “gender expression” to the hate propaganda provisions in the Criminal Code to comply with the Canadian Charter of Rights and Freedoms, we need enough evidence to conclude that there are enough cases of hate propaganda against transgender people.

Without that evidence, it is difficult to justify amending the Criminal Code and placing additional restrictions on free speech. Such evidence may exist, but I just want to point out that if we broaden the definition of “identifiable group” set out in the hate propaganda provisions, that will further infringe on Canadians' right to free speech.

As is often the case, a proposed change that may appear simple on the surface can, upon further study, turn out to be quite complicated and may produce unintended legal consequences. We need to look at whether there are any gaps in our current laws and carefully consider any proposed changes to ensure that every individual's basic rights are protected. At the same time, we should avoid introducing redundant elements into our legislation.

I am eager to hear what the members of the House have to say about these issues. Personally, I think that a clearer understanding of “gender identity” and “gender expression” is critical to healthy debate in the House.

• (1130)

[English]

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, it is a privilege to rise and speak in support of this bill. I thank the member for Burnaby—Douglas for his tenacity and persistence in presenting issues with respect to transgendered people, transsexual people and the trans community in general. His work speaks well of

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all parliamentarians. We like to take credit for it at times and we thank him for doing that work.

His ongoing work has led to Bill C-389 which, as the previous speakers have said, seeks to do two things: one, to amend the Canadian Human Rights Act to include gender identity and gender expression as prohibited grounds of discrimination; and two, to make a very small amendment to the Criminal Code to ensure the same rights and protections on sentencing as we would hope would be ensured for any person of a discriminated group.

Also, I admit to the House that I am somewhat unprepared to speak to this bill. The member for Toronto Centre had planned to speak to it but was unable to be here today as he had to attend a funeral. He asked me to speak in this debate and I am very pleased to do so. I look forward to his comments in the second hour of discussion on the bill.

We support the bill for two reasons.

Members of Parliament are human beings and citizens. As we stand in this House, we recognize that we represent all people. As we gather in this place and discuss legislation and changes to the Criminal Code and the Canadian Human Rights Act, we are standing with our constituents. No matter how small the group is who may be affected by any one piece of legislation, ours is to ensure that freedom, justice and fairness extend to all Canadians.

For the exact same reasons the parliamentary secretary said she has some concerns with this bill, we support it. There apparently is a need for a discussion on the issue of transsexual people and transgendered issues for which people in Canada do not have a full understanding. In Parliament we can take the time to have this discussion, because that will foster the education of all Canadians on a very important issue. We are talking about a small community of people.

I have come to this issue in three ways. One is personal, one is pastoral and one is professional.

At a personal level, this affects friends of mine. I know people who have gone through the transition process to change their gender. That process has been difficult not only for them and their families, but it has been difficult for me as a friend. Each of us has a boundary that we sometimes come up against in our own understanding of human sexuality and human identity. It is absolutely critical that we take the time to converse with people who may be different from us.

That may frighten some people. It may cause them to have to open their minds and expand their experiences, but it is absolutely critical to understand that we are talking about real human beings. This is not an issue. These are people. They come to us with complex issues and complex problems and they should not have to face simple discrimination. This bill would uncover some of that problem.

The parliamentary secretary is asking for more evidence. I have enough evidence simply in knowing of one person who has faced discrimination. An injury to one indeed is an injury to all. We stand in this House to protect the very smallest of minority groups from discrimination.

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Not only does this issue have a personal side for me, but there is a pastoral side as well. In my previous career as a United Church minister, I had the opportunity to preach a sermon on transgender issues. As it was a relatively small *c* conservative congregation, I was nervous about raising issues that people perhaps were not aware of. Perhaps they had not encountered people who were different from them in terms of sexual orientation, sexual gender, gender identity or gender expression. However, even though I was nervous, the congregation was not nervous. The congregation welcomed that sermon as one which opened their minds.

• (1135)

There were 350 people at church that Sunday, and after the sermon three individuals came up to me and said that the sermon had touched them personally. Two of them had transgender family members and one of them knew a transgender co-worker. They were looking for help and were glad that someone finally had the courage, or at least the reason, to raise that issue so that they could talk about it. It could be an open discussion and people could address their fears of people who may be different from them.

For me, this issue has a professional side as well. For a time I served on a human rights commission. We wanted clarification about issues. We were not afraid of expanding the legislation at all. We were not worried about having to expand our context of work because we knew anecdotally and somewhat statistically that people who are different from the mainstream majority continually face discrimination. It is important for us to take the time to make those small changes to those two pieces of legislation to ensure that discrimination does not happen.

As I was listening to the parliamentary secretary, I was not sure what her concerns really were. I was reminded of the definition of a Conservative as a person who has all kinds of things stored in his or her basement. My aunt was one of those people. She had a box that was actually labelled “pieces of string too small to save”. Pieces of string too small to save seems to be what the parliamentary secretary is arguing today. There are times when we have to take a risk. Maybe we do not have to know all the answers. Maybe we do not have to have all the definitions nailed down. Maybe it is time for Canada to continue its leadership role in human rights. We do not need to wait for everyone else to have all the definitions nailed down. If we want to talk about gender identity and expand it to gender expression, perhaps our leadership would be welcomed around the world.

Fifty-one per cent of the people in my riding come from outside Canada and 49% were born in Canada. I hear regularly from the people who have chosen Canada as their home that they chose it because Canada is the country that enshrines human rights in the Canadian Charter of Human Rights and Freedoms. In that charter we have welcomed the world to this country and have set ourselves up as a model of understanding, a model of expression and a model of ensuring that every minority group is afforded absolute protection.

This will stretch people in this House. This will stretch people in my own party. We have had our discussion about this. I think we have reached consensus that this is an important piece of legislation to further the discussion, not only to enshrine something in two pieces of legislation, but to open up the doors so that Canadians in every part of this country can have this discussion as well. We can

stop being afraid of the discussion. We can stop being afraid of people who may be different from us, but who also may be members of our families, members of our communities, and neighbours on our streets.

As we open up that discussion, we will find there is really nothing to be afraid of. This will not do anything to stop freedom of speech in that freedom of speech is always limited by the expression of the rights of other people. We have that limitation already ensured and that must be continued and must be explicitly set out in these two pieces of legislation.

I look forward to more debate on this issue. It is important that more members of the House take the time to talk to trans people, to hear their stories, to express to them that their story is our story. Together as a community we share in both their pain and their joy as they reach full expression of the identity that I believe very personally God has given them. We must help them express that fully and safely and enjoy the full rights of being citizens in this country.

• (1140)

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, I am pleased to rise here today to speak to Bill C-389 introduced by the hon. member for Burnaby—Douglas. I have worked with him on a number of occasions and I am very pleased that our paths are crossing again. I also very much look forward to the debates in the House of Commons on this matter. Indeed, a specific group of individuals has been put at a disadvantage simply because the existing Canadian legislation does not address this issue.

I thank the member for introducing this bill to modify the Canadian Human Rights Act and the Criminal Code. He is proposing changes to the Canadian Human Rights Act to add gender identity and gender expression to the list of prohibited grounds of discrimination.

The bill would also amend the Criminal Code to include gender identity and gender expression on the list of distinguishing characteristics in sections 318 and 319, the provisions that identify advocating genocide and public incitement of hatred as crimes.

Lastly, it would add gender identity and gender expression to the Criminal Code as objects of prejudice constituting aggravating factors in the commission of a crime.

The Quebec identity is based on a certain number of principles and values that the Bloc Québécois has attempted to identify. They include the equality of men and women, French as the official language and the common public language, democracy, fundamental rights, secularism, pluralism, collective solidarity, respect for heritage, respect for the historical rights of the anglophone community and respect for the rights of aboriginal peoples.

Like the Quebec nation, which it represents in the House, the Bloc Québécois is open to the diversity of gender and anyone who wishes to embrace its platform and its values is welcomed with open arms, no matter their sexual orientation or gender identity.

The Bloc Québécois supports the principle of Bill C-389. Other jurisdictions in Canada already have policies on gender diversity. The bill fosters the promotion of and respect for human rights by prohibiting any form of discrimination based on gender identity and gender expression.

Therefore, it is appropriate to support the principle of this bill because gender identity and expression will be protected under the Human Rights Act. It will no longer be necessary to refer to ambiguous interpretations of the term “sex” to establish that all transgender people are protected by the law.

Public incitement of hatred targeting gender identity or expression will be recognized by the Criminal Code.

Does this law address a problem? That is what members will attempt to explain today. Discrimination and harassment of transgender people can take different forms. For example, a transsexual woman's right to be searched by a female police officer may be breached.

In 2009-10, a few rare cases of discrimination or harassment based on gender identity were picked up by the press in Quebec and the provinces. In October 2009, a transsexual teacher was fired and filed a complaint against the Greater Saint-Albert Catholic School Board in Edmonton. Jan Buterman alleged that, after informing his former employer that he was transitioning to become a man, he received a letter advising him that he could no longer be a supply teacher.

It is difficult to estimate how many people are victims of such discrimination in Quebec annually. However, the Commission des droits de la personne et des droits de la jeunesse noted the following in May 2009:

Sexual minority individuals and families with same-sex parents are not receiving services adapted to their situation because of heterosexist attitudes, which are often subconscious, because of continuing homophobic prejudices and behaviours, especially within institutions, and because of service providers' silence on the issue of sexual diversity.

The Commission des droits de la personne du Québec website provides more detail. When the commission refers to sexual minorities it means lesbian, gay, bisexual, transsexual and transgender individuals. In its report the Commission recommended a national policy to combat homophobia that takes into consideration the realities of sexual minorities— lesbians, gays, bisexuals, transsexuals and transgender people—and respects their differences.

• (1145)

In the United States, where the Human Rights Campaign organization addresses cases of discrimination involving sexual identity, it is estimated that one homicide in 1,000 is a hate crime against a transgender person.

In closing, even though the bill does not concern a daily problem, it is nonetheless worthy of consideration. In Quebec alone, an estimated 3,000 people have changed their sexual identity and that number does not include all the transgender people who have not undergone a sex change operation.

These people, who are frequently victims of discrimination at the workplace, in the healthcare system, when looking for housing, and so on, would benefit directly from guaranteed protection under the Canadian Human Rights Act and the Criminal Code.

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The Commission des droits de la personne et des droits de la jeunesse du Québec website provides clarification on what is protected in Quebec. The declaration of rights and freedoms in the Québec Charter of Human Rights and Freedoms does not specifically mention sexual expression and identity. It states:

Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Nevertheless, Quebec's Commission des droits de la personne et de la jeunesse clearly indicated that discrimination on the basis of “sex” includes the female, male, and transsexual genders.

Furthermore, the Quebec Human Rights Tribunal—which examines a claim once the Commission has determined it is admissible—ruled that, “Discrimination, even based on the process of the unification of disparate and contradictory sexual criteria, may also constitute sex-based discrimination while sex is at its most vaguely defined.” Therefore, it could be determined that a transgender person who has not completed a sex-change operation has been the victim of gender-based discrimination.

The Quebec Human Rights Tribunal, which handles cases regarding unlawful discrimination and harassment for reasons prohibited by the Charter of Human Rights and Freedoms, would therefore recognize the rights of transgender people.

This recognition of the rights of all transgender people by the Quebec Human Rights Tribunal reflects the tradition of openness and diversity of the people of Quebec.

Just like the Quebec nation it represents, the Bloc Québécois is open to diversity of genders, and any person who has their own values and follows their own program is welcomed with open arms, regardless of his or her sexual orientation or gender identity.

What legislation exists elsewhere in North America? In the United States, 18 states have passed laws prohibiting gender-based discrimination. President Barack Obama supports federal legislation, the employment non-discrimination act, which would prohibit discrimination based on sexual orientation and gender identity in the workplace.

A number of businesses that operate in different jurisdictions with varying laws regarding discrimination on the basis of gender identity are protecting themselves against potential lawsuits by adopting their own policies. We have come a long way since 2000, when statistics showed that only three companies had such policies. Now, 41% of Fortune 500 companies have included gender identity in their anti-discrimination policies.

• (1150)

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I am honoured to rise to speak to Bill C-389 today. I am so proud to have seconded the bill that was introduced by my colleague the member for Burnaby—Douglas, who is an incredible advocate for trans rights and human rights for Canadians.

Private Members' Business

The bill would bring Canada closer to providing the respect owed and the recognition of rights owed to the transgendered community by adding the terms gender identity and gender expression to the Canadian Human Rights Act as prohibited grounds of discrimination.

Human rights continue to be contentious in the country. Equality for all is somehow seen as a threat to the few and compassion is sometimes a very scarce commodity. We need to reframe the debate around human rights in Canada. Words like tolerance and accommodation, which imply some sort of undesired obligation, need to be replaced with words like respect and dignity.

In short, we need to be kinder to each other. We need to respect differences. Equality should be fostered through social, economic and environmental justice. Our human rights codes should reflect our pursuit of justice and we have the opportunity in this parliamentary session to do just that.

Why would we add these terms as prohibited grounds for discrimination? Gender identity is a person's innate feeling of being male, female, both genders, neither or in between. It is not a reference to people's biological sex or their sexual orientation. Identity is something to be respected and honoured and gender identity is no different. Gender expression is the expression of that inner identity. It is the freedom to be, plain and simple, one's self.

These terms, though they seem very simple on their face, are difficult for some people to grasp. Inclusion of these terms aims to address issues of sexism in the country, issues of homophobia and of transgressing traditional teachings.

It is telling that this is the first time that legislation of this kind has been debated in the House of Commons. There has not been equal progress toward equality for the trans community as there has been for other marginalized groups.

Fear and prejudice has delayed this human rights journey and delay has meant that trans people have been discriminated against. They have been subject to discrimination. They have been subject to prejudice. They have been subject to harassment and violence every day.

Trans people are victims of violent acts, such as assault and murder, for no justifiable reason. They are regularly denied things we all take for granted, like access to health care and housing, the ability to obtain identification documents, access to washrooms and other gendered spaces and the ability to acquire and maintain employment.

I have a friend who asked me to write a letter explaining the case law on the use of washrooms for transgendered people. She carries this letter around in her purse so she can pull it out and use it whenever she needs. Imagine the indignity of having to have a letter in one's purse or wallet explaining that the use of the washroom is allowed. Imagine the indignity of being challenged to use a washroom and having to dig out a letter that has some official law firm logo on the top so someone will take him or her seriously and recognize that the individual does have a right to use the gendered space.

All of this can be addressed through human rights protections and a concerted effort to eradicate and shed light on the lives and struggles of the trans community.

On March 30, 2000, the Ontario Human Rights Commission published a policy on discrimination and harassment because of gender identity, noting, "There are, arguably, few groups in our society today who are as disadvantaged and disenfranchised as transgendered community. Transphobia combined with the hostility of society to the very existence of transgendered people are fundamental human rights issues".

This is a very powerful statement about what goes to the very core of how we choose to treat and respect one another. Trans people are members of our families and our communities. There is no them here, only us.

I use to do education workshops on trans rights when I worked and volunteered with the Nova Scotia Rainbow Action Project. Gender expression and gender identity are not included in the human rights act in Nova Scotia. Therefore, we worked with the Nova Scotia Human Rights Commission to help it understand the day-to-day realities faced by transgendered people in Nova Scotia, the discrimination and the hate they experienced. At the end of one of these workshops, the Nova Scotia Human Rights Commission assured us that it would "fit" trans discrimination under sex, even though it technically was not sex discrimination.

• (1155)

This is exactly the kind of thing trans people face every day. They do not quite fit here or there, but somehow they are expected to cope and to be happy with filling the space of the cracks. Now is the opportunity to right one of those wrongs. It is a small legislative change that would have tremendous impact on the dignity of trans people in Canada.

The addition of gender identity and gender expression as prohibited grounds of discrimination in the Canadian Human Rights Act is, without question, a very positive first step to achieving equality for the trans community. Make no mistake. This is just an initial step in a continuing journey, but it does lay the groundwork for the work that remains. Hopefully, by entrenching the rights of the trans community, it will act as a catalyst for change as well as a protection and recourse as the trans community navigates what will not likely be an obstacle-free path, even with the inclusion of these terms in our human rights legislation.

As we move forward, we should ask ourselves what equality for the trans community would look like. Equality would mean that gender reassignment procedures would be reimbursed by provincial health insurance everywhere in Canada. There would be policies implemented to combat discrimination and exclusion faced by transgendered persons in the labour market, education and health care.

Government Orders

It would include education and training programs, as well as awareness raising campaigns. There would be better training to health service professionals, including specialists and general practitioners, with regard to the rights and needs of transgendered persons and the requirement to respect their dignity. Trans voices would be represented in government, in schools, in the media, on equality bodies and in national human rights structures.

With the bill, Canada can lead by example. We can demonstrate the inclusiveness of our communities and the strength we find in breaking down barriers and in insisting that discrimination become something of the past. I plan to vote in favour of the inclusion of trans rights in the Canadian Human Rights Act, as well as its inclusion on the hate crimes list in the Criminal Code of Canada. I encourage every member of the House to join me in entrenching protections for gender identity and gender expression.

Ms. Lois Brown (Newmarket—Aurora, CPC): Mr. Speaker, I am happy to have this opportunity to contribute to the debate on Bill C-389, presented by the hon. member for Burnaby—Douglas, which is before us today.

Let me begin by stating that this government is deeply committed to upholding the principles of respect for diversity and equality that are enshrined in Canadian law and are part of the very fabric of our nation.

Our government believes, as demonstrated by our tough-on-crime agenda, that all law-abiding Canadians should be protected from crime in this country. However Bill C-389, which seeks to protect people from various harms based on their gender identity and gender expression, contains provisions that raise concerns as to their technical interpretation and legal necessity.

Let me now proceed to the substance of this bill. This bill proposes amendments to the Canadian Human Rights Act and the Criminal Code. Specifically, it proposes that the undefined terms “gender identity” and “gender expression” may be added to the definition of “identifiable group” in the crimes of hate propaganda, to the deemed list of aggravating factors that can be used to increase the sentence for any crime where motivated by bias, hatred or prejudice and to the grounds of discrimination found in the Canadian Human Rights Act.

In order to inform members further on this issue, I wish to raise certain aspects of this bill that I think merit consideration by all members. While the bill proposes adding gender identity and gender expression, it does not define these terms. This leads to the question of what these terms mean. The bill does not say.

I am not aware of any other country in the world that has used the term “gender expression” by itself in any of its criminal or anti-discrimination laws. I will point out at least three examples: Scotland has hate crime legislation that uses the term “transgender identity”, which is defined; federal U.S. hate crime legislation uses the term “gender identity”, which is defined; and the State of Hawaii, in its hate crimes legislation, uses the term “gender identity or expression”, which is defined in one definition, not two separate ones.

In considering this bill, I believe it also useful to know to what extent our current laws already protect transgender persons so that we may consider to what extent this proposed bill is necessary. In

this regard, the Canadian Human Rights Act has already been successfully used to protect transsexuals from discrimination on the grounds of sex.

Both federal and provincial human rights tribunals have already protected transsexuals from discrimination in employment and services, using the current human rights acts. This protection of transsexuals from discrimination using the existing prohibited ground of sex has been upheld by the courts.

I next wish to address the bill's proposal to amend the sentencing provision of the Criminal Code that the bill proposes to amend. Section 718.2(a)(i) of the code begins with the general wording:

(a) a sentence should be increased...to account for any relevant aggravating... circumstances relating to the offence or the offender, and, without limiting the generality of the foregoing...

• (1200)

The Deputy Speaker: The hon. member will have six minutes left to conclude her remarks the next time this bill is before the House.

The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[*English*]

FAIRNESS AT THE PUMPS ACT

Hon. Peter Van Loan (York—Simcoe, CPC) (for the Minister of Industry) moved that Bill C-14, An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act, be read the second time and referred to a committee.

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, on May 12, 2008, the former minister of industry, the hon. member for Calgary Centre-North stood in the House and responded to a question. The question had to do with media reports that an alarmingly high percentage of gas pumps across the country were not accurately measuring the volume of gas being pumped into the vehicles of Canadian consumers.

Even more troubling was that consumers were getting the short end of the nozzle. Three out of every five times the gas pump measured inaccurately, it was the motorist who was getting ripped off. Clearly something had to be done. Gas pumps are intricate machines. Consumers cannot tell if a pump is not operating properly unless it is widely off the mark. If the machine is over-charging consumers, for example, who is to know and who is to compel the retailer to fix the faulty pump if that retailer is unwilling to correct the error or does not even realize it exists?

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The problem should also be considered at a deeper level. Commercial transactions, the millions of exchanges between buyers and sellers that take place every day in our country, are made on the basis of trust. The seller sells the agreed-upon quantity at a fair price. The buyer makes the agreed-upon payment in a timely manner.

When that social and financial trust, that fundamental expectation shared by buyers and sellers, comes into question it does harm to the entire system of commercial exchange on which our country's prosperity and ongoing growth is based. If that trust is gradually and perniciously eroded in one important industry, the entire system can fall under a shadow of doubt and suspicion. Obviously something had to be done and thankfully it is being done.

On that day 24 months ago, the minister told the House he had taken two immediate steps to bolster Canadians' trust in that vital system of commercial exchange. First, he instructed officials in his department to increase the number of gas pump inspections to be undertaken over the course of that summer, the summer of 2008. Second, he sent letters to all Canadian gas retailers informing them of the stepped-up inspection campaign and asking them to cooperate fully with government inspectors.

That is not all. My hon. colleague pledged he would take two additional steps. He would speed up the government's review of the laws that govern gasoline pumps to make sure those laws give the Government of Canada the authority to levy stiff fines on retailers whose pumps cheat Canadian consumers. And he would take measures to ensure that the number and frequency of inspections at gas pumps were permanently increased to make sure unscrupulous and negligent retailers did not resume overcharging their customers once the public furor over the scandalous behaviour died away.

We promised to take further action to protect Canadian consumers then and we are going to deliver on that promise right now.

I am delighted to have the opportunity to lead off debate on Bill C-14, the fairness at the pumps act. Talk about truth in advertising. The bill would provide Canadians with exactly what its title indicates, fairness at the pumps. It would do so by amending the two laws that govern the use of retail measuring devices such as gasoline pumps, the Weights and Measures Act and the Electricity and Gas Inspection Act.

To be precise, the bill would give the force of law to three specific changes that have been carefully designed to protect Canadian consumers and deter unscrupulous or negligent behaviour among retailers. One, the bill would sanction mandatory inspection frequencies for measuring devices used by retailers. Two, the bill would authorize the Minister of Industry to designate qualified authorized service providers to carry out inspections on measuring devices. Three, the bill would set down stiffer fines that could be imposed under the Weights and Measures Act and the Electricity and Gas Inspection Act and would put in place a new graduated system of administrative monetary penalties.

Each of these actions would be a tremendous advance in the way we as Canadians protect ourselves as consumers and make sure our retailers operate fairly and honestly.

Why do I believe so strongly in the merit of these new provisions? Let me go through each one in detail and show the House exactly what I mean.

The first change set down in the fairness at the pumps act is mandatory inspection frequencies. Mandatory inspection frequencies is a complicated way of saying that the new act would amend the Weights and Measures Act to instruct businesses in a variety of specific industries to have their measuring devices inspected regularly. The Government of Canada would use its regulatory authority under Bill C-14 to put these mandatory inspection frequencies in place. Once established, these compulsory inspections would apply to virtually all companies that rely on measuring devices as part of their daily business. Gasoline retailers as well as retailers of home heating oil would be required to have their devices inspected every two years. That would also be the mandatory inspection frequency for all devices used in what is known as the downstream petroleum sector, for example, loading rack meters used to fill petroleum transportation trucks.

• (1205)

That same two-year inspection frequency would apply to measuring devices used by businesses in the dairy industry, enterprises in mining and metals, and companies in the grain and field crop sector, other than measuring instruments used in grain elevators. That does not mean the new bill would exempt grain elevators. Businesses and agricultural co-operatives would have to make sure measuring devices in grain elevators were inspected every year. One year would also be the mandatory inspection frequency for propane dispensers, meters in the dairy sector, measuring devices in the fishing and fish-products industry and in logging and forestry.

The fairness at the pumps act would also cover businesses in the retail food sector. These businesses would have to have their scales and other kinds of measuring instruments regularly inspected.

While this is a lengthy list of industries, companies and frequencies, it is by no means a finite one. Should Canadians deem it necessary, Bill C-14 would enable the Government of Canada to expand its area of authority to include the measuring devices of businesses that operate in other industries and sectors as well.

At the same time, I should point out that any future decision to extend the application of the act would not be taken unilaterally. Representatives of the federal government would consult closely with business owners and operators in any industry sector that we decided must be included under regulations developed under authority of the fairness at the pumps act. That way we would make absolutely sure that any new demands we make on retailers were realistic, fair and consistent.

We have taken that kind of inclusive, respectful approach from the start. Officials at Measurement Canada consulted carefully and thoroughly with industry sector representatives immediately impacted by the bill we are considering today. As a matter of fact, these discussions have been ongoing, and we accelerated them to respond as quickly and as reliably as possible to the troubling situation uncovered by the media reports I spoke of at the beginning of my remarks.

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Retailers have been with us every step of the way because they realize the importance of the bill. They know their credibility is at stake. They know that when their reputation as honest, fair businesses and business people takes a hit among Canadians, so do their prospects for continued success and prosperity. They also know that the best way for their businesses to maintain the trust of consumers is to have their measuring devices and instruments undergo regular inspections.

Granted the businesses and the industries I have pointed out would have to pay fees for those inspections, but these costs would be determined by the marketplace and are already understood and accepted as facts of life by businesses in these industries. In fact I anticipate many companies would take advantage of inspections to have service and repair work performed on the measuring devices being inspected.

Of course, inspections do not occur on their own, and the ramped-up regime of mandatory inspection frequencies made possible by Bill C-14 would certainly not appear miraculously. We would need more trained inspectors to make sure we could meet the stringent requirements set out in the fairness at the pumps act.

That point brings me to the second change outlined in the bill. The bill would authorize the Minister of Industry to designate authorized service providers to carry out inspections of measuring devices. These inspectors could be independent professionals or employees of companies. Either way we would guarantee those designated to carry out this important work under the new bill were up to the task. We would establish conditions that would make the organizations authorized to perform inspection work accountable. We would only designate organizations and their technicians that met a stringent and ongoing qualification process.

These authorized service providers would be responsible for ensuring that appropriate test equipment and inspection procedures approved by Measurement Canada were used. Individuals permitted to perform inspections would be required to pass mandatory training, which includes theoretical as well as practical evaluations. Annual assessments would be part of the monitoring process for authorized service providers.

In instances where responsibilities were not fulfilled, the minister could suspend or revoke their designations, an action that would severely impact their ability to conduct business. Measurement Canada has successfully piloted a similar program for initial inspections performed under the Weights and Measures Act. Assessments of this approach demonstrate that the quality of the work done by authorized service providers and their recognized technicians is in the 96% satisfaction range.

Even though Bill C-14 would see authorized service providers play an increasingly important and meaningful role in protecting consumers, Measurement Canada inspectors would remain leading forces in the field. They would perform independent inspections to assess the compliance of industries under the new act. They would respond to public complaints of companies suspected of measuring inaccurately and they would be solely responsible for taking actions to enforce the law when offences under the Weights and Measures Act and the Electricity and Gas Inspection Act were identified.

●(1210)

I should also point out that this approach is not entirely new. For many years, Measurement Canada has employed authorized service providers to carry out inspections under the Electricity and Gas Inspection Act.

The bill before us today would make it possible for us to expand the reach of non-government inspectors to include all of the industries subject to the Weights and Measures Act.

Like the involvement of service providers, fines and penalties for those who violate the Electricity and Gas Inspection Act and the Weights and Measures Act are not entirely new.

What is new is the amount of these court-imposed fines and the nature of those penalties.

That brings me to the third and final change set out in the fairness at the pumps act.

To be precise, Bill C-14 would increase the fines that can be imposed under the Weights and Measures Act and the Electricity and Gas Inspection Act. The bill would also put in place a new graduated system of administrative monetary penalties.

Let us consider the fines, first.

The fairness at the pumps act would increase the court imposed fines for the variety of the offences listed in the Electricity and Gas Inspection Act and the Weights and Measures Act. Fines under the two acts would rise from \$1,000 to \$10,000 for minor offences and from \$5,000 to \$25,000 for major offences. The bill would also introduce a new fine of \$50,000 to be levied against those who repeatedly violate the acts.

Why have we chosen to make such substantial increases in the amounts of these fines? The answer is straightforward. The costs of gasoline, electricity, food and other measured products have risen dramatically and they are expected to keep on rising for the foreseeable future. It is only proper that we increase the penalties we impose on those who violate the law if we want the penalties to have a deterrent effect. After all, if an unscrupulous retailer can make money by cheating consumers even if he or she is fined, what good is the fine?

To levy fines under the two existing laws, the federal government must prosecute alleged offenders. However, a process as complex as a criminal proceeding and a punishment as severe as those listed under the new act are not always the most appropriate ways to deal with all those who violate the law.

Some contraventions of the law may call for less stern penalties. It is common sense. That is why we have introduced what are known as administrative monetary penalties. The fairness at the pumps act would give federal authorities the discretion to use a graduated system of penalties to punish offenders: monetary penalties, which would not lead to a criminal record for those who commit relatively minor offences; and criminal prosecution for those who commit serious offences or who are repeat offenders.

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Enforcement action, such as the use of administrative monetary penalties, would not be abused. These measures would be used as part of a graduated enforcement structure that would include trader education and the use of warnings when appropriate. It is not the government's intention to punish the good players who demonstrate that they have taken appropriate steps to provide accurate measurement.

Like the joint public-private approach for inspections, this graduated system of administrative monetary penalties is not entirely new. Several departments and agencies that enforce regulations rely on administrative monetary penalties; large departments such as Transport Canada and smaller yet active and vital agencies such as the Competition Bureau and the Canadian Food Inspection Agency.

Those are the three advances proposed by Bill C-14, the fairness at the pumps act. Mandatory inspection frequencies to measure devices used by retailers, authorized service providers to carry out inspections of those measuring devices, stiffer fines and a new graduated system of administrative monetary penalties. They are reasonable steps taken in partnership with industry. They are a practical response to a problem we committed to resolve and, most important, they are a fair deal for consumers, retailers and all Canadians.

These changes are a fair deal for consumers because they would put in place an inspection regime that would make it possible for a host of qualified inspectors to root out inaccurate measuring devices. Measurement Canada estimates that the number of annual inspections of gas pumps alone would increase from 8,000 to approximately 65,000. That is taking action, that is keeping our commitments to Canadians and that is protecting consumers.

These changes are a fair deal for retailers because they would protect honest retailers from being associated with and harmed by the unscrupulous practices of the minority of retailers who willingly or unwillingly operate inaccurate measuring devices.

I am sure my hon. friends would agree with me that the overwhelming majority of retailers in our country are fair and honest businesspeople. Their businesses are tainted when companies in their industry engage in unscrupulous behaviour. They want us to deal with illegal and negligent behaviour by retailers just as much as consumers do. In fact, their representatives told us that businesses were willing to pay the fees associated with an increased number and frequency of inspections if these inspections will expose and punish negligent and unscrupulous retailers and safeguard the integrity of their industries.

• (1215)

These changes are a fair deal for all Canadians because, although the fairness at the pumps act is a direct product of inaccurate gas pumps, the bill would extend the reach of inspections enforcement beyond gas retailers to include companies that rely on measuring devices to conduct their day-to-day business. That way, the resulting law will benefit all Canadians.

The changes are also a fair deal for all Canadians because they would impose minimal costs on the federal government, and this is important. A report published by the International Organization of Legal Metrology in 2003 used Canadian device compliance rates to

estimate dollars at risk for each type of device. When these figures were related to inspection activities, it was found that for each dollar spent on inspections, \$11 of inaccurate measurement was corrected. With rising commodity costs, this is a return on investment I am sure all Canadians can support and just one more reason that I am convinced Canadians will support this bill.

Consumer protection is a priority for this government. Once this bill receives royal assent, the process for implementation will require that regulatory amendments be processed and that there be a capacity to have these inspections take place. These regulations will be put in place as soon as possible after royal assent.

Measurement Canada has been building capacity for implementation in the eight sectors that we are talking about here today. Over the coming months, Measurement Canada will be educating traders as to their responsibilities once the bill is enacted, as well as ramping up the authorized service provider capacity to implement.

I am also confident that this House will support Bill C-14, the fairness at the pumps act. I have given members three powerful reasons to do just that. I have outlined clearly how this bill is a fair deal to all, and yet perhaps the most important reason to support this bill is the principle that lies at its heart: Canadian consumers should get what they pay for, no more and certainly no less. What could be fairer than that?

• (1220)

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, this is a nice, typical Conservative Potemkin village, just a facade to hide inaction or deeper problems that are influencing the high variability of oil prices.

I have a couple of questions. First, I would like the hon. member to tell me how much each driver in Canada will save as a result of this necessary recalibration of a small percentage of gasoline pumps.

Second, why is the government not going ahead with the fine Liberal idea to try to control the variability of retail gasoline prices in this country, which was the idea of creating an office of petroleum price information, which the current government did not proceed with after it took power in 2006?

It seems to me that information is power and if we really do care about consumers and we want to give consumers power, we do not just want to indulge in a one-time recalibration, if I may use that word again, of a few offending gasoline pumps.

Mr. Mike Lake: Mr. Speaker, in terms of the small number of Canadians who the member says this change will affect, I want to point out that the number we are talking about in terms of the cost of this inaccuracy just at the gas pumps alone, and, of course, there are several industries that this bill touches on, is \$20 million per year. I would say that is not an insignificant number, as the hon. member suggests it might be.

Several proposals that were put forward by the Liberal Party would have had an impact on gas prices over the last few years, but perhaps the most significant one was the proposal that it ran as the centrepiece of its last election campaign which was the carbon tax. That would have been devastating for Canadian consumers and businesses who purchase gasoline and virtually anything else that they would purchase.

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Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I congratulate the government for bringing in the bill.

The fact is, however, that under the Weights and Measures Act the rollback of odometers in the auto industry or just in the country would be covered. I am just wondering why the government would have neglected to mention that in its press releases.

I would think that increasing the penalties for businesses and people who replace, rollback or disconnect odometers and sell cars as vehicles with less mileage on them than they have would be as big an issue or a greater issue than what the member is trying to solve here. I applaud him for trying to solve the issue of measurements as far as gasoline is concerned but what about the odometer rollbacks?

The penalties that he is applying in this bill would also apply to odometer rollbacks, which is a positive change. Why is the government not recognizing this? Why is it not being included in its press release?

• (1225)

Mr. Mike Lake: Mr. Speaker, there is a whole variety of different things that governments can do to improve the lives of Canadians, and we are always looking for ways to make further improvements, but in this case we are focused very seriously on the measurement of products that Canadian consumers purchase.

In terms of what this bill would do regarding measuring devices, what we are looking at here is largely a problem with the calibration of devices, not necessarily intentional, although messing around with the devices is part of the problem, but what we are talking about are devices that are not inspected properly or, if they are inspected and found out to be wrong, they tend to get corrected when the problem is to the detriment of the retailer but not necessarily to the detriment of the consumer.

We see twice as many pumps that are inaccurate in their measurements to the detriment of the consumer as we see to the detriment of the retailer. Obviously, it is a very significant problem.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I appreciate the bill and what it is attempting to do.

The member mentioned the calibration of devices. A bigger problem in my riding is the problem caused by the ambient temperature compensation because temperatures are much more extreme in our area of the country. Is the government taking action to deal with that problem in relation to the calibration of devices?

Mr. Mike Lake: Mr. Speaker, this has been an issue that has been raised before. I know that John Manley looked at this when he was industry minister under the previous Liberal government and, with the advice of experts, he decided to stick with the global standard in terms of temperature control.

However, we always welcome input from hon. members on ways to even further strengthen legislation. If the hon. member wants to get more information, pass on more information or have a conversation with me afterward, he is welcome to do so.

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, it has been exactly two years since this issue was raised and about two years since the Conservatives promised to do something about it. Better late than never, I guess.

I have a question. In northwestern and northeastern Ontario, while occasionally there may be small losses to consumers, our really big problem is the huge discrepancy in gas prices. Would it not be better to focus on the 20% or 25% disparity rather than the couple of percent disparity until we fix the problem with gas gouging in the north?

Mr. Mike Lake: Mr. Speaker, I will deal with a couple of the assertions by the hon. member.

First, in terms of the timeframe, we are talking about two years and, with a situation like this, one of the most important things we can do is get it right. It is pretty technical in terms of the aspects that we are looking at. It is very important to consult with stakeholders, consumer groups and with the retailers because we do want to get this right.

One of the things about this legislation is that the impact is not just on consumers. The impact is on retailers who operate by the rules, play by the rules, ensure they maintain their equipment and are hurt by maybe the negligent, or worse, unscrupulous behaviour of other retailers in a small group of them.

The consultation process is critically important but the hon. member is in a party where he will never have to do the homework. His party can just get up and ask questions about things and criticize.

The gas price issue is something the Competition Bureau has looked at several times over the years. This government is the first government in Canadian history to take significant action against a group of retailers. We saw that over the course of the last couple of years with significant legal action and getting some convictions of retailers who were acting in consort with each other to set prices.

Again, we do welcome ideas from members of all parties to further strengthen the system.

• (1230)

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I am glad to have the opportunity to speak to Bill C-14, the so-called fairness at the pumps act. To paraphrase the Bard, the bill is full of sound and fury, or should I say full of a certain amount of self-righteousness, signifying nothing or very little.

The issue of gasoline pricing has been at the top of the minds of Canadians for many years. However, it appears to be an issue the Government of Canada has largely forgotten about. Bill C-14 proposes to amend the rules regarding retail gasoline pump calibration, such that retailers will be legally required to have their pumps inspected regularly.

This is the response, two years after the Prime Minister made an election promise to help Canadians with higher fuel prices. As all hon. members are aware, during the 2008 election, gasoline prices spiked in some cities by more than 12¢ per litre, and then the Prime Minister was forced to make an off-the-cuff policy announcement. Back then the government promised to crack down on inaccurate pumps. It took almost two years to finally get action from the government.

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This delay begs the question, how important are consumers to the government? With all the pomp and circumstance of a major government announcement, the Minister of Industry suggested that the government was coming to the aid of Canadians all across the country who were being ripped off by greedy gasoline retailers. Then the minister went on to explain that only 6% of pumps were actually inaccurate, and in 2% of the 6%, they actually favoured the consumer.

Is this the best that we can expect from the government? If the government were truly concerned with helping Canadians at the pumps, it could turn its attention to any number of issues, including automatic temperature compensation, refinery closures, and the anemic state of competition at the refinery level.

I would like to take a moment to speak specifically about Bill C-14. Bill C-14 will attempt to solve the problem of inaccurate gasoline pumps by shifting the onus of inspection from the government to individual retailers. The bill will also create an administrative monetary policy regime as a means to enforce these new regulations. The bill will also codify the practice of licensing private inspectors for the purposes of performing these inspections.

The Liberal Party has a number of concerns with the bill. First, most gasoline retailers are small, independent businesses, which in fact operate on very small margins, as we know. The additional cost of these inspections may very well hurt their bottom line and force some of them out of business.

We also have concerns with the private inspector regime. Right now, Measurement Canada uses a blend of both private licensed inspectors and government employed inspectors. This allows retailers to have their pumps checked by accredited inspectors, while allowing Measurement Canada to continue verifying the calibration of pumps on its own.

In switching the onus of inspection to the retailer, the demand for private inspectors will increase drastically. I and many of my Liberal colleagues are concerned that retailers in northern and rural communities may not have access to the private inspectors required to ensure that they can stay within the letter and the spirit of the law. This is a critical point.

Pumps in rural and remote communities are often not the newest, best pumps. These are the pumps that are most likely to lose calibration. Can we really expect private inspectors to set up shop in these communities to ensure that these pumps are inspected regularly when the market would be so small, or would these retailers face much higher costs to bring in non-government inspectors?

There is another concern with this new provision of the Weights and Measures Act. The amendments made to section 15 of the Weights and Measures Act do not just apply to gasoline retailers. In fact, they apply to "every trader who uses a device in trade".

• (1235)

This means that everyone from gasoline retailers to a local deli will be affected by these new regulations. Without seeing these proposed regulations, we have no concept of what burden is being placed on thousands of other retailers and businesses across the country.

If one stops to think about the number of scales or pumps we encounter in trade, it quickly becomes apparent how much commercial and industrial activity will be affected by these legislative changes. All of this to correct a problem that by the minister's own numbers affects only 6% of pumps in Canada.

Anyone who has spoken to gasoline retailers will say that gasoline pumps are very hard to tamper with. In fact, the tight inventory control regimes that these retailers utilize make it very difficult for these retailers to even consider tampering with their pumps. They actually check their pumps often. It is in their best interest to do so.

The government is also not being honest about how long it will take for this bill to have any effect on the ground. With the summer break approaching, I think it is fair to assume that this bill will not receive royal assent until fall at the earliest. On top of that, the government will have to bring forward the associated regulations, which will take months as well. Even after all that effort, there will still be a phase-in period. It will take time to train and accredit enough inspectors to enforce the law.

This means that it will take years before this regime is up and running. The Liberal Party believes firmly in consumer protection and any measure that will ensure gasoline pump accuracy is a good measure in principle. However, I fear that this bill is designed to be nothing more than political cover. Let us be perfectly clear. This bill does nothing to help lower gasoline prices or to encourage competition in the gasoline industry in Canada.

In fact, when it comes to higher gasoline prices, the Prime Minister himself has said that there is nothing the government can do to help Canadians. In the three elections since the Prime Minister has been leader of the Conservative Party, he has made no less than three specific commitments to help Canadians with ever-increasing fuel prices. This is the first that the government has followed through on.

In 2004, lest we forget, the Conservatives promised to eliminate the GST on gasoline prices above 85 ¢ a litre when they came to power. I do not think that happened. In 2008 they promised to lower the diesel excise tax. I do not believe that happened either. I think the real reason behind this legislation being introduced right now is so that the government can pretend to be helping consumers while they complain that prices are rising.

A government interested in helping Canadians combat high gasoline prices would be examining the Competition Act and the state of competition at the refinery level in this country, among other things. Even as prices rise and the industry claims that supply is down, refineries continue to be closed. This is a problem for the industry.

Government Orders

A government concerned about high fuel prices would examine automated temperature compensation so that its full implications to consumers could be explored. Automated temperature compensation means that the volume of gasoline pumped is automatically compensated as if the outside temperature was 15°C. This makes no sense in a country where the average annual temperature is only 6°C.

If the government were serious about helping Canadians, it would be looking at these issues and not parading around legislation that is going to do nothing to help Canadians burdened by high fuel prices. I also have serious concerns with some of the unintended effects that this bill may have on other industries.

• (1240)

For these reasons, I am looking forward to the opportunity to examine and amend the bill at committee and to hear from a variety of witnesses about how we can ensure we protect consumers without putting an excessive burden on Canadian industry.

However, I have concerns that yet again the government is using consumer protection legislation to try and change the channel or as political cover. We have seen this time and time again with legislation designed to protect consumers, for example, the Consumer Products Safety Act, which died on the order paper when the Prime Minister prorogued Parliament last December. None of this legislation has been seen all the way through to assent. Unfortunately, a fairly common pattern with the Conservative government.

In conclusion, I would like to emphasize that the Liberal Party is not against measures designed to protect consumers. However, we have serious concerns with this bill, its unintended effects, and the very real possibility that the government is using this to obscure the real issues related to fuel pricing in Canada.

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, I wish to thank the hon. member for Westmount—Ville-Marie for giving such a good synopsis of Bill C-14.

As a northern Ontario member of Parliament, I have a concern about how this bill would affect rural Canada. It would really be very expensive to get an inspector at a small gas station when we consider the volume that goes through its pumps. When one is a small gas pump operator, getting an inspector in can take up a big chunk of profit.

One of the concerns of small independents is that they have to bring in an independent inspector, not a government inspector, to inspect the pumps. To bring someone in to inspect the pumps, usually from a large centre like Toronto or Montreal, a rural company would have to pay for the cost of travel, accommodation, and a number of different expenses. Someone does not just drop in. The inspector knows what is going on so the element of surprise is pretty well gone if we are looking to catch anyone. There are not that many small independent operators who are doing anything wrong. It is a very small number.

With all the added expenses, how would Bill C-14 guarantee that small independent operators would not get squeezed out of the market leaving us with only large producers in the market, making a tough market even tougher for rural Canadians?

Mr. Marc Garneau: Mr. Speaker, I thank my hon. colleague for a very good point. I could not have said it any better. There are absolutely no provisions in Bill C-14 for the situation that he described; that is, the retailers in small communities, particularly those in rural Canada and up north where my colleague comes from.

Even though the government likes to say it is concerned about the consumer, and it certainly pretends to care about rural and regional communities, it is very clear that it has not done its own analysis of the consequences of Bill C-14 on retailers in many of the small communities that they represent. The fact is that Bill C-14 contains absolutely nothing.

Bill C-14 is just an example of the government trying to play catch-up after it reneged on what it promised concerning the elimination of the GST above a certain price and also reducing the diesel excise tax. The government never did any of that, and now it is panicking and trying to play catch-up.

This is just like the broadband area. The Conservatives have been in power for four years and they have not done anything. Now that we in the Liberal Party have announced that we are going to do something to connect all Canadians, the Minister of Industry is out making emergency announcements to show that he understands it as well.

• (1245)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to correct some of the facts. The member seems to suggest that the government should do something about the high price of gasoline. I am certainly with him on that point. The government should do something on that issue.

The fact is the Liberals were in power for 13 years and the Liberal member for Pickering—Scarborough East consistently attacked his government because it ignored the problem. I think there were 125 studies done over the years on high gas prices in our country. What was concluded out of all those studies was we had to change the Competition Act. Under the existing Competition Act, retailers that were price fixing, as we termed it, were not legally guilty of doing anything under the current act. The answer is to change the act.

The Liberals were in power for 13 years and they did not change the act. The member for Pickering—Scarborough East, who was his government's critic at the time, criticized his government. I will be interested to hear what that member has to say when he speaks to the bill later today. It is fine for the Liberal Party to criticize the government. However, it was in government for 13 years and it did nothing to reduce the high price of gasoline.

We know that having a price review board, such as is the case in the Maritimes, does not work. It simply adjusts the price to the highest figure. We need to change the Competition Act.

Does he agree with the member for Pickering—Scarborough East's consistent view on this matter?

Mr. Marc Garneau: Mr. Speaker, we, as a party, are very fortunate to our colleague from Pickering—Scarborough East, who has always been an unabashed and strong defender of the consumer. He has done some great things in the time he has been in Parliament. I am sure he will very adequately address the comments of the member.

Government Orders

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am glad the member brought up ambient temperature. As he said, 15° is nowhere near reality in the far north where my riding is. It hurts those communities and I hope the government will take action.

The member accurately listed a bunch of instances where the government had reneged on its promises to reduce taxes on gas and reduce gas prices. One he did not mention was the fact that when we were in government, we put in place the petroleum monitoring agency. We did actually take action, in spite of the comments of the member from the NDP.

Unfortunately, when the Conservative government came in, it ceased to fund that agency, which could have had great scrutiny on retailers, refineries, et cetera. It could have made a lot of major changes in gas prices and it was totally disbanded by the government. Does he have any comment on that?

Mr. Marc Garneau: Mr. Speaker, I am glad my colleague from Yukon brought that point up about a Liberal initiative that was very important during the time we were in power.

I will also pick up on the point he made, which is the government talks about it being a friend of the consumer and yet its actual actions belie what it says. It came out with some great statements about what it would do and never did anything. It is sheer hypocrisy on its part to today pretend that it will do something important for the consumer when in fact it has reneged on many of its promises with respect to the consumer at the pumps.

• (1250)

Mr. Jim Maloway: Mr. Speaker, it is very curious that this act increases the penalties under the Weights and Measures Act, which also includes odometer rollbacks across the country. Odometer rollbacks have to be a bigger problem and a larger cost to the consumer, with people disconnecting, replacing or rolling odometers back and selling those vehicles as having less mileage, basically defrauding consumers of thousands and thousands of dollars every year. Penalties have been so minuscule that people have been violating the law. They are happy to pay the small penalty associated with it.

The government introduced this bill, which would increase the penalties drastically. When it sends out a press release, it talks about fairness at the pumps. The headline could have read, "Government takes action on odometer rollbacks".

Does the member have any comments about why the government would be hiding such good news?

Mr. Marc Garneau: Mr. Speaker, I have no comment on why odometers were not mentioned specifically in the bill. I hope the member for Elmwood—Transcona will keep plugging away at that issue.

However, after his presentation, the hon. member from the government, when asked the question about how much this would save consumers, said about \$20 million. What he did not say was how much it would cost in extra money to put in place the new legislation and the inspectors who would come from it.

I would like to ask the Conservative government what the net benefit will be. When people have to pay the extra taxes to cover the extra inspectors, I am doubtful we will be that much further ahead.

[*Translation*]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, Bill C-14 is obviously important, but frankly, only relatively so. For the next 20 minutes, I will try to clearly explain the Bloc's position. I may not go into every detail of Bill C-14, but I will describe the Bloc's concerns about the Competition Act and the fact that successive governments have done nothing. And, of course, I will describe the Bloc's response to this bill, which is Bill C-452. I will also briefly explain a comprehensive strategy for dealing with increases in the price of petroleum products.

As the parliamentary secretary said earlier in his speech, the government introduced its bill to protect itself and consumers against negligent retailers. "Negligent" is putting it rather mildly. There will obviously be mandatory inspections, but they will be much more frequent. The government is talking about increasing the number of inspections from 8,000 to 65,000. The bill would also authorize the minister to appoint or designate professionals to conduct these inspections. In addition, there would obviously be fines that could be quite high, especially for repeat offenders. Of course, the government says that it is doing all this to protect the consumer.

Has the government, as usual, conducted an impact study of its bill to compare it to what is being done to manage or monitor gas prices at the pump? Naturally, there will be costs associated with all that. Inspections are not free, of course, and retailers will likely be stuck with the bill in the end. I imagine that retailers' costs will go up substantially, all to save consumers about \$20 million, which is the estimated difference between the prices. That may seem like a lot of money, and it is, but how many litres and how many consumers are we talking about? Are all the costs of implementing Bill C-14 really worth it? I do have to say, though, that when consumers are hurt, it is our duty to try to make things right.

So I will say right away that we support Bill C-14 in principle. But it does not directly address collusion problems, like the ones that recently came to light in Quebec, nor does it effectively prevent sudden gas price hikes.

The Bloc Québécois still believes that the government needs to work toward offering an effective response to rising gas prices by passing the Bloc's Bill C-452. This bill would strengthen the Competition Act and create a petroleum monitoring agency.

Government Orders

The Competition Act still does not allow the Competition Bureau to conduct an inquiry of its own accord. It has to wait until it receives a complaint before launching an inquiry. The Bloc Québécois also wants the government to establish a petroleum monitoring agency to scrutinize gas prices and to deal with attempts to collude and unjustified price hikes.

According to tools devised to measure how much this is costing consumers, the suggested figure is \$20 million.

•(1255)

According to the April 2009 gas consumption data that I found, that \$20 million corresponds to one-tenth of a cent per litre of gas purchased in Canada. The cost of gas varies from 90¢ to \$1, but it always includes a decimal that people rarely look at. However, oil companies adjust their prices to a tenth of a cent, which represents an amount much higher than the \$20 million per year those tools suggest.

Overall, a one-cent difference adds up to \$200 million per year, not the \$20 million they are trying to correct for.

The Minister of Industry introduced Bill C-14 at first reading on April 15, 2010, claiming that it will protect Canadian consumers from inaccurate measurement when they buy gas. The proposed bill would make retailers more accountable by imposing regular mandatory inspections of measuring devices, such as gas pumps.

The penalties that the courts can impose under the Weights and Measures Act will increase from \$1,000 to \$10,000 for minor offences and from \$5,000 to \$25,000 for major offences. For consumers who feel they have been wronged, this might lead them to believe they have increased protection thanks to their hallowed and benevolent government. This is just more smoke and mirrors to trick consumers who believe they are being protected from additional costs, when the government is not doing enough to protect them when it comes to gas prices.

I am going to skip the other possible fines, because I would like to get straight to the point. The new section 29.28 in the Electricity and Gas Inspection Act allows the Minister of Industry to disclose the names and addresses of people convicted under this legislation.

If the retailer can show that he did due diligence and did everything to ensure the accuracy of his equipment, his name will likely not appear on the list of those whose equipment is defective in terms of measuring the volume. We need to determine how this measure will be applied, because any retailer could wind up on that list, even by mistake.

A clarification has been made to establish that violations of this legislation are not actually offences and therefore not subject to the Criminal Code. The individual would not have a criminal record following a conviction.

If convictions are frequent, can they be subject to a prison sentence, in cases of repeat offences, of less than two years, since they are not criminal offences? Once again, the provinces and Quebec are left to pay for this. With respect to offences, recidivism and imprisonment, Quebec will have to pay, no matter what it costs to send someone to prison for less than two years.

The Bloc's main concern is that every time the price of gas skyrockets, the government invariably says the same thing, that its hands are tied because the Competition Bureau has found that there is no collusion between the oil companies to set the price of gas and therefore there is no problem.

•(1300)

It is always the same answer. It is never the oil companies' fault and when the Competition Bureau conducts an investigation it always comes to the same conclusion: there is no collusion.

It would be rather surprising to see representatives of all the major oil companies openly sitting around the same table at a big restaurant. It is not likely to happen. It may be more difficult, but there must be a will to find a solution.

The Competition Act has major shortcomings that prevent the Competition Bureau from initiating an investigation. Any investigation has to be requested by the department or initiated as the result of complaints. On May 5, 2003, when Konrad von Finckenstein, the then commissioner of competition and the current chair of the CRTC, appeared before the Standing Committee on Industry, Science and Technology, he pointed out the shortcomings in the Competition Act. He said:

...while the bureau's mandate includes the very important role of being investigator and advocate for competition, the current legislation does not provide the bureau with the authority to conduct an industry study.

There was some borrowing from Bill C-452, and equivalent measures were put in place as part of the January 27, 2009 budget implementation act. However, these new provisions still do not give the Competition Bureau the authority to investigate on its own initiative. A complaint is still required before an investigation can begin.

In 2003, the Standing Committee on Industry, Science and Technology concluded its study on gas prices by making two recommendations to the government: create a petroleum monitoring agency and toughen up the Competition Act.

In 2003, the Standing Committee on Industry, Science and Technology also spelled out the changes it wanted to see made to the Competition Act. The Bloc Québécois was adamant that the government respect the committee's recommendations.

In October 2005, shortly before the election, the Liberal government finally agreed with the Bloc's arguments and, as part of its federal plan to help alleviate the impact of high gas prices, introduced Bill C-19 to amend the Competition Act. It strengthened this act by raising the maximum fine for conspiracy from \$10 million to \$25 million and broadening the Competition Bureau's authority to investigate, which would have allowed it to inquire into an entire industry sector.

Government Orders

However, the government bill ignored these recommendations from the Standing Committee on Industry, Science and Technology: reverse the burden of proof to deal with agreements among competitors and to determine whether there is a conspiracy—the objective of this was to make it the responsibility of the party wishing to enter into an agreement to prove the ultimate social value of that agreement—as well as allow the Competition Tribunal to award damages to parties affected by restrictive trade practices, where applicable.

The Bloc Québécois had proposed numerous amendments along these lines.

Bill C-452 would address the shortcomings in the measures put in place under the January 2009 budget implementation act, Bill C-10

The Competition Bureau needs true investigative powers. Bill C-452 would give the Competition Bureau the authority to carry out real investigations into the industry, if warranted, on its own initiative, something it is not currently permitted to do because it must receive a complaint first.

If this legislation were passed, the Competition Bureau would be much better equipped to take on businesses that try to use their dominant position in the market to fleece consumers.

• (1305)

We could implement a comprehensive strategy to deal with price hikes of petroleum products. For some time now, the Bloc Québécois has been pressuring the government to take action to address the rising cost of petroleum products.

We recommend a three-pronged approach. First, we must bring the industry into line. That is the goal of Bill C-452, which gives teeth to the Competition Act. We should also set up a true monitoring agency for the oil sector.

Second, the industry must make a contribution. With soaring energy prices and oil company profits, the economy as a whole is suffering while the oil companies are profiting. The least we can do to limit their negative impact is to ensure that they pay their fair share of taxes. The Bloc Québécois is therefore asking that the government put an end to the juicy tax breaks enjoyed by the oil companies.

Third, we must decrease our dependence on oil. Quebec does not produce oil and every drop of this viscous liquid consumed by Quebecers impoverishes Quebec and also contributes to global warming. The Bloc Québécois is proposing to reduce our dependence on oil. All the oil Quebec consumes is imported. Every litre consumed means money leaving the province, thus making Quebec poorer and the oil industry richer.

In 2009, Quebec imported \$9 billion worth of oil, a reduction because of the recession. In 2008, oil imports totalled \$17 billion, an increase of \$11 billion in the five years between 2003 and 2008.

At the same time, Quebec went from a trade surplus to a trade deficit of almost \$12 billion, not to mention that the increase in Alberta's oil exports made the dollar soar, which hit our manufacturing companies and aggravated our trade deficit. The

increase in the price of oil alone plunged Quebec into a trade deficit. It is time to put an end to the tax holiday for the oil sector.

In 2003, the Liberal government, supported by the Conservatives, introduced a vast reform of taxation for the petroleum sector. Although the oil sector had special status under the Income Tax Act, with its Bill C-48 the government reduced the overall tax rate for oil companies from 28% to 21% and also introduced many tax breaks, including accelerated capital cost allowance and preferential treatment of royalties.

This made taxes for Canada's oil sector more advantageous than in Texas. As if that were not enough, in the 2007 economic statement, the Conservatives presented additional tax reductions for oil companies, which would bring the tax rate down to only 15% by 2012. These tax breaks will enable Canadian oil companies to pocket close to \$3.6 billion in 2012 alone. The Bloc Québécois thinks that these measures for the oil companies are unjustified. That it why it is proposing that we eliminate handouts to the oil companies.

I was saying that the long-term solution is to reduce our dependency on oil. We must invest considerably in alternative energies; allocate \$500 million per year over five years to green energies; launch a real initiative to reduce our consumption of oil for transportation, heating and industry; introduce incentives of \$500 million per year over five years to convert oil heating systems; develop a plan worth \$475 million per year over five years for electric cars.

By 2012, 11 manufacturers plan on releasing some 30 fully electric or rechargeable hybrid models. These cars will be more reliable, more energy efficient and much cheaper to operate than gas-powered models.

Bill C-14 is intended to save consumers \$20 million. As I was saying earlier, \$20 million corresponds to one-tenth of a cent per litre of gas. Therefore, just one cent per litre could save \$200 million per year. Furthermore, we must strengthen the Competition Act.

• (1310)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, if there were a government member speaking to this bill, I would ask him or her whether the government has done any costing for this bill. Several speakers have talked about the potential saving of \$20 million for consumers, but there is the cost to business for all the inspections that are going occur. In fact, the government is going to be contracting out the inspection process to allow for private sector inspections. How that is going to play out in rural areas and northern areas of the country I am really not sure. If there is only one inspector for a huge area, the inspector potentially would be able to charge an arm and a leg for the inspections, unless the government plans to introduce a schedule of charges for the inspectors to follow, but I have not heard about that.

The member would not have the information because only the government would have it, but is he concerned about whether the government has costed out this program to see what the total benefit would be to consumers?

Government Orders

[*Translation*]

Mr. Serge Cardin: Mr. Speaker, I must say, quite humbly, that I have no idea how much this would cost the government, but that is typical of the Conservative government.

When I was a member of the international trade committee, there were never any impact studies and we had to simply proceed blindly. It is clear that this bill appears to be trying to fool consumers who are being told that they will save \$20 million on gas or oil bills. I cannot say right now how much it would cost, but at the end of the day, we know that consumers will end up paying the bill, no matter what the area or industry.

And what they are paying even more for is profits because current oil company profits come out of the pockets of consumers, and obviously we have to pay what it is worth. But who here knows what it is worth?

For this reason, a petroleum price monitoring agency should be put into place to follow these prices regularly. As I said earlier, a single cent at the pump is 10 times more money than the \$20 million that would be saved by doing 65,000 inspections each year instead of 8,000. Retailers will surely be the ones picking up the tab. If retailers take on these costs, they will transfer them. I have no idea how many millions of dollars it would cost to do 65,000 inspections a year. The retailer will pass on this cost, perhaps by changing the pump temperature settings marginally. For one tenth of a cent is it really worth it? The government should give us an accurate, precise impact study.

• (1315)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I thank the member for mentioning his support for the petroleum monitoring agency, which we had put in place. I assume he is very upset that the Conservatives ceased to fund that.

Also, because he is talking about the cost to Quebec, I assume he is upset that the government did not keep its promise to decrease the cost to Quebecers by 2¢ a litre on the tax on diesel fuels, that it did not keep its promise to cut the excise tax on gasoline when the price goes over 85¢ a litre, and that it did not keep its promise to take off the tax on the tax.

I appreciate the member's comments with regard to the Competition Act. I am a very strong supporter of changes to the Competition Act. Strong administrative penalties could also be put in place so that a criminal offence would not have to be proven beyond a reasonable doubt, a less stringent administrative expense. The member's further comments with regard to the changes we could make to the Competition Act to help consumers would be helpful.

[*Translation*]

Mr. Serge Cardin: Mr. Speaker, the first element is the creation of a petroleum price monitoring agency. Can anyone in this House claim to know exactly how much a litre of gasoline should sell for today? Because a lot of people have their finger on the button, the price fluctuates. Confidence is also a factor in the fluctuation of gas prices.

We are constantly being taken advantage of with respect to the real price of gasoline. We need a monitoring agency to establish gas prices because those prices have a huge impact. Unless we can reduce our dependence on oil, the cost will always be monumental.

In remote regions, people use their cars to get to work. Unexpected increases in the price of gasoline, which can be short- or long-lived, mean that these people practically have to pay for the privilege of working if they live any distance from their workplace.

We have to give the Competition Bureau the power to launch inquiries of its own accord into possible incidents of collusion. Creating a petroleum price monitoring agency would make it possible to set a fair price for everyone and, rather than slowing the economy down, the price of gasoline would remain reasonable without increasing consumption.

Ms. Meili Faille: Mr. Speaker, I very much appreciated my colleague's speech, which I listened to carefully. I wonder if he could elaborate on the importance of defining Quebec's public policies on renewable energies. I would also like him to explain how fluctuating gas prices affect businesses in Quebec.

Mr. Serge Cardin: Mr. Speaker, as we begin the 21st century, we must face the fact that our oil policies are failing us, especially regarding oil dependency. Much effort has gone into maintaining this dependency so that oil companies can sell as much oil as possible, with no concern for the environment, global warming or greenhouse gas emissions.

We cannot ignore this failure. Although governments and oil companies have raked in billions of dollars in profits, they have not been smart enough to invest in research and development to find ways for vehicles—which are the biggest producers of greenhouse gas emissions—to run on renewable energy sources.

This has been a huge mistake and we will have to answer for our actions. If we do not do more to reduce our oil dependency, sooner or later, governments like the Conservative government could be prosecuted for crimes against humanity for doing nothing to protect our planet.

For many years, our policies have all focused on increasing oil consumption so that governments can collect taxes and, more importantly, so oil companies can line their pockets while doing nothing to encourage the use of renewable energies.

• (1320)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am pleased today to speak to Bill C-14, a bill that has been a long time coming to the House.

On April 15, 2010 the Minister of Industry introduced Bill C-14, An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act, which is when it was given first reading. Of course, the government calls it the fairness at the pumps act.

Government Orders

Bill C-14 provides for court imposed fines under the Electricity and Gas Inspection Act and the Weights and Measures Act. It also provides for higher maximum fines for offences committed under each of those acts. In fact, it increases them by quite a substantial amount, and that is a very positive thing. It creates new offence provisions for repeat offenders.

The bill also amends the Weights and Measures Act to require retailers to have their devices that they use in trade or in their possession inspected at regular intervals. That new requirement is to be enforced through a new offence provision. The enactment also provides the Minister of Industry with the authority to designate non-government inspectors or authorized service providers as inspectors to perform certain examinations.

At the outset, we are certainly looking for some amendments to this particular bill. As I had indicated, two years ago an *Ottawa Citizen* report on a Measurement Canada investigation revealed that between 1999 and 2007, government inspections of over 200,000 fuel pumps found that about 5% of the pumps delivered less fuel than reported on the pump display. Government inspection data showed that about one-third of Canada's gas stations, or about 14,000 of them, had at least one faulty pump. A motorist who fills up at various stations and pumps is likely to be short-changed about twice a year. This means that Canadians have been paying for gasoline they did not receive and the government was collecting tax revenue based on phantom gasoline purchases.

At the time the story came out, our critic questioned the minister, and he indicated that he would change the regulations to impose higher fines and have more inspections. In fact, nothing happened at that time. During the election campaign of 2008, the Conservatives made a promise to bring about changes to increase the monitoring of fuel pumps across the country and increase the fines for violations. Once again, nothing happened until now with the introduction of the bill. We could always say better late than never, but it certainly has been late.

No resolution or corrective action has been taken since the original report back in 2008, which means that the faulty pumps the government is talking about have been overcharging customers across the country and the violators have not been punished, even though the data from Measurement Canada would indicate the locations of repeat offenders. In addition, the question of government collecting taxes on these phantom purchases or overcharges has never actually been resolved.

Bill C-14 will, as I had indicated, increase fines and introduce administrative monetary penalties. The fairness at the pumps act proposes to strengthen consumer protection and provide greater deterrents against inaccurate measurement by increasing the court imposed fines under the Electricity and Gas Inspection Act and the Weights and Measurements Act. The fines on the two acts would rise from \$1,000 to \$10,000 for minor offences and from \$5,000 to \$25,000 for major offences. The amendments also introduce a new fine of up to \$50,000 for repeat offences.

The fines under the Weights and Measurements Act would also cover odometer rollbacks. We say that is a good thing, but interestingly enough, no mention has been made of that. It is listed further on the sections that will be impacted by the bill.

● (1325)

At no point does it mention that the issue of the rollback and tampering of odometers is now going to meet with the same penalties and severity that is being used for this issue of the gas pumps. I wonder why that is the case. Perhaps it is an oversight that no one over there noticed, though I find that hard to believe. It seems to me that odometer rollbacks would be an even bigger and more popular issue for a government that wants to act on behalf of consumers.

For many generations now, since the invention of the automobile, people have been disconnecting their odometers. Both private individuals and car industry people have been replacing their odometers and rolling their odometers back. That has resulted in huge consumer losses. Many people listening today and even people in this chamber may not know that in the past they may have purchased a vehicle with a certain mileage on it. In fact, it may have been a vehicle that had many more miles on it, but the odometer had been disconnected, replaced or rolled back. They will never know that this has happened to them.

To me, that is a big exposure. We dealt with this issue in Manitoba a number of years ago under the previous Filmon government. The owner of a garage had been convicted under the Weights and Measures Act 25 years prior. It did not stop him because the penalties were just not there. He just kept doing what he was doing. He was buying cars in auctions in Toronto. They were cars that had maybe 300,000 kilometres on them. He was systematically rolling them back and putting them at 80,000 kilometres so that these four year or five year old cars would not draw attention.

He was buying them for \$4,000 and selling them for \$8,000. That seemed to be the formula he was using so that people would not be suspicious of the amount of mileage on the car. As a matter of fact, police officers told me at the time that they just had to go to the lot to spot dealerships that were rolling back odometers. If pretty much all the cars on the lot were all around the 80,000 kilometre mark, they knew that they had somebody who was rolling back odometers.

We know that this was a big, widespread activity. In fact, when this gentleman was caught for the second time, the Weights and Measures Act penalties were once again not sufficient to really cause him huge concern. I am even happier now to have the penalties we see under this act raised knowing that they will cover the issue with odometers.

The government is also looking at setting private inspectors up to do inspections. We wonder how much that is going to impact the cost to business. In Manitoba, a number of years ago under the previous Filmon government and at about the same time as the gentleman I just spoke about was rolling back odometers, the government decided to change the provincial rules and require the new odometer readings to be put into the computer and onto the system each time a car was sold.

Government Orders

Also around that time, because of lobbying on the part of the Manitoba Motor Dealers Association, the government of the day decided to make safety inspections mandatory. Up to that time, previous governments simply did it on a random basis. Cars would be called in for a safety inspection every two, three or four years. The government changed the rule that said that private garages had to inspect cars every time the cars were sold. Now, if a car had been owned for 10 years, it never received an inspection at all until it was sold, whereas the old system had a random approach and the inspection one received was for two years.

● (1330)

That led to a lot of abuses. In many cases, garages would take advantage of the consumers and could spot all sorts of defects in the car. Alternatively, the media, which did some checking of different garages, found that some garages wanted to fix many more items than needed to be fixed. In other cases, people would simply approve a car because they knew somebody. Therefore, this system did not work that great.

However, the point is it was brought in not because of any huge consumer demand for it, but because industry wanted it. Industry wanted to be able to inspect those used cars. What it did, almost overnight, was drive the cost of used cars up, at least at the low end. Once it was institutionalized, when the government changed in 1999 and the NDP came back in power, not only did it not remove it and go back to the old random inspections on behalf of the government, but it changed the rules once again. Under lobbying from the Motor Dealers Association, it changed the rules so it was no longer a two-year inspection but a one-year inspection. We have had this system now for a number of years.

I only relate this experience because of potentially what can happen in a case like this. The last two speakers to the bill have mentioned the fact that this will save the consumers roughly \$20 million, but the cost to business has not been quantified. The government is planning to increase the number of inspections. More important, it is planning to allow the private sector to start conducting the inspections.

For rural areas and areas up north, this may mean greatly increased costs. My friend from Yukon will be up asking me a question about this in short order. In areas such as Yukon and the Northwest Territories, how is the government going to deal with that situation? To have an inspection done now may literally cost the little retailer hundreds and hundreds of dollars.

It remains to be seen what is being unleashed here. I am certainly sympathetic and agreeable to the idea because it should be done. In terms of having private inspection services involved, I see a lot of potential for abuse. I do not know whether the government is going to mandate the fee schedule that these inspectors have to charge or whether it is going to mandate the training that the inspectors need to have. We do not know any of that at this point.

The privatization of this inspection service by mandating these frequent inspections is going to be carried out by these newly authorized service providers or private companies. I guess it is basically another privatization effort. The Filmon government took a functioning government program in Manitoba, and changed it. It was a fair system that had been functioning for probably 20 years. On a

random basis, people's cars would be called in for an inspection. The inspection would be done by a government motor vehicles inspector, who the public would trust. The member for Yukon can appreciate that. If people had been driving their cars for 10 years and all of a sudden they received a notice in the mail to bring them in to be inspected, they knew it was a government inspector, a qualified motor vehicles inspector, who would inspect the car and who had no incentive to do bad things. If something needed to be replaced, it would be written up and it would have to be replaced.

● (1335)

The Filmon government changed that inspection system and turned it over to the private sector, to private garages. Overnight we saw examples of gouging the public. The same garage doing the inspection report was also doing the repairs. It was very easy to take a car, find a dozen things wrong with it and then repair them and bill the customer. Not only now were people making money for doing the inspections, they were also making money for the repairs.

CBC did an indepth study with a ghost car program. I went to Canadian Tire and other garages. By the way, this was not done only once, it was done over a period of time. It did one series of inspections and a year later, guess what? It was the same garages doing the very same thing to the public. Some of the better known names fared worse in the study than some of the little mom and pop garages that were involved in the investigation.

What are we going to do? The private inspections are going to be increased from 8,000 to 65,000 a year. Perhaps the member for Yukon will put forward an amendment to revisit this after a number of years to see how the system has worked. I am not suggesting a sunset clause, but some sort of amendment that we would have a mandatory review after a three year period, a cost benefit analysis to see how well the system had worked.

There is no ombudsman office to evaluate problems or investigate complaints. There is no refund or compensation for consumers who are ripped off. There is no refund or restitution on the taxes collected by the phantom gasoline purchases.

I know a number of speakers want to talk about gas prices and that certainly is an issue. However, I want to talk about the fairness at the pumps act, which proposes to increase retailer accountability for measuring device accuracy by requiring retailers to have the devices inspected at regular intervals. I am not certain what those regular intervals would be, whether it would be six months or an annual inspection.

Government Orders

I believe the Liberal member talked about the inspection not being random any more. Right now there are random inspections. In many cases, a random inspection would be the best idea. However, if an inspection is appointment-based, if any skullduggery goes on in the system, what will stop the retailer from simply making certain the problem is fixed the day the inspector shows up and then change the pumps back after the inspector leaves. I am not certain how these things work. If people know when the inspector is coming, they can set up the pumps to ensure they pass the inspection. If that is the case, what is the point of doing this? I would think the random inspection is probably enough to keep people honest.

Let us assume the government is on the right track on the fines. I believe that to be the case. Let us congratulate it for the fines, but maybe we should look at leaving the inspections on a random basis so retailers are unaware when the inspector will come.

The bill would apply to retail food, dairy, logging, retail, petroleum, a whole number of areas, including the area of the odometer rollbacks, which is not mentioned in the process. The point is mandatory inspections are being done in other countries such as France, Germany and the United States.

● (1340)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the member made some very good suggestions as to what the committee should look at to improve the bill and the effects of it.

I particularly appreciated his comments with respect to the effects on rural operators who are hundreds of miles out of the way after going on a very lengthy plane flight to get there. His point on odometers was also very good.

Could the member comment on things that would have a much larger effect to help the consumers? As people have said, this would save \$20 million minus the amount for the 40,000-some extra inspections. There may not be a huge net gain.

What would make a huge net gain is if the Conservatives came through on the promises they made on reducing the various taxes on gasoline. What would make a huge difference in the member's riding of Elmwood—Transcona and our ridings in the north is if they corrected the ambient temperature problem. We are certainly not at 15° average over the year. Other things that could make a huge difference would be keeping the Petroleum Monitoring Agency open and making changes to the Competition Act.

Would the member like to comment on any of those areas?

Mr. Jim Maloway: Mr. Speaker, whenever the Conservatives, whether it is federal or provincial Conservatives, talk about consumer protection or bringing in a type of consumer protection, it always seems to coincide with some offset to business lobbying.

In the case of the vehicle inspections in Manitoba, it was cloaked in the argument of driver safety and safer cars. What it was really about was taking a government inspection service and turning it over to the private sector.

We do not see the Conservatives supporting the air passengers' bill of rights because there is nothing in it for the private sector. Once again, any time we see any consumer initiatives coming from the Conservatives, we know there has to be some sort of hidden trade-off

to private sector. In this case the government is looking at private sector inspectors.

In terms of ambient temperature, members clearly have a point on this. We dealt with this issue in the 1990s in Manitoba.

In terms of gas prices, 125 studies have gone nowhere. For the last 10 or 15 years, the member for Pickering—Scarborough East has been a leader in that caucus, going against his government when the Liberals were in power. He has demanded changes to the Competition Act. That is the only way we will start to get convictions on price fixing at the pumps.

● (1345)

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I, too, would like to add my comments. My colleague from Yukon talked about some of these points. Many retailers in the smaller regions will have some concerns. Take for example one town on an island where only one retailer is relied upon 24/7. We now have a highly mobile workforce out there, especially in rural areas. The need for these necessities is that much greater on a 24/7 basis. In this situation, it would be cumbersome if the inspectors came in and the retailer was fined. What kind of repercussions would that have for not just that retailer but the entire community? Also we must bear in mind that for a particular inspector to get to that area will be a cumbersome task in and of itself.

In his speech the member talked about a mandated fee structure, which piqued my interest. Not to be overly prescriptive in what we would like to do, there probably should be a way of looking at this to help those small businesses that are basically encumbered by so many other fees throughout the structure of a small business, whether it be payroll or the like.

Could the member comment on that? Would his party entertain the idea of including, as an amendment in committee, the rolling back of odometers?

Mr. Jim Maloway: Mr. Speaker, I will deal with the question of odometers first. Odometers are already included so no amendment would need to be added.

My argument for the member would be this. A private business anywhere in this country would, I believe, trust a government inspector over a private sector inspector who approaches the business on the basis of making a profit.

The other issue that we need to deal with is the question of whether there should be set appointment dates or whether there should be surprise inspections. We perhaps should be looking at doubling the number of government inspectors and have them do random inspections so operators are not tipped off, but keep the good part of the bill that deals with increased penalties.

Government Orders

I like what the government has done with the penalties because they would not only help with the gas pump issue but also deal with odometers. I like all of what the government is proposing to do with regard to the penalties. I just do not like the idea of the government privatizing the inspection process, because people being inspected would know when the inspector was going to show up and they would be charged an arm and a leg for the inspection. That is what I do not like about the bill.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is totally unfair for consumers to be ripped off at the pumps. In some cities almost 25% of the fuel pumps inspected were discovered to be faulty.

What is amazing about this bill is that it does not talk about the taxes that these people pay. Starting on July 1, the HST will be included, along with the GST.

Does the member think it is fair that in this bill there is no ombudsperson to evaluate problems or investigate complaints, no refund or compensation for consumers who get ripped off and no refund on the taxes collected on phantom gasoline purchases? Are those matters important and should they be included in this bill?

• (1350)

Mr. Jim Maloway: Mr. Speaker, I agree with the member. All of those items should be included in the bill and we will be dealing with them at committee.

My Liberal friends and I are cross-debating the whole idea. If we assume for a moment that the penalties are a big improvement, long overdue and required, then perhaps we should be looking at not hiring the private inspection team and just simply beefing up the existing government inspection team and have it inspect on a random basis. Rather than conducting the number of inspections being done right now, perhaps over the next year we could double or triple the number of inspections. The private sector should not be involved in inspections that risk gouging the retailer.

There is a smart way to do this and we can probably resolve this at committee.

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, it is a pleasure to have the opportunity to speak in support of Bill C-14, the fairness at the pumps act.

I will be splitting my time with my colleague, the hard-working member for Burlington. He and I were elected at the same time. He has worked very hard to ensure fairness at the pumps and to protect consumers, as well as victims with our criminal justice legislation.

For some time now, Canadians have been calling for this important legislation. This bill would move Canada forward in establishing fairer business practices in industries that measure or weigh products they sell. Canadians continue to worry about whether retailers are improperly charging at their local gas pumps or overstating the weight of groceries purchased at the local super-market.

Today our Conservative government is taking a bold step forward to fix this problem, hopefully once and for all.

It is the responsibility of the Industry Canada to ensure that consumers and businesses receive fair and accurate measures for the

goods they purchase. Although the importance of enforcing accurate measurements may sound obvious enough, experience has shown that only through a carefully monitored regulatory regime can Measurement Canada accomplish this task. The fairness at the pumps act would provide the foundation for such enforcement.

Once this legislation becomes law, retailers will be able to build a solid track record that will go a long way toward developing renewed trust with Canadian consumers. Consumers have the right to know exactly what they are paying for each and every time. Our Conservative government's goal with Bill C-14 is clear: to give Canadians greater confidence when they purchase products and goods in the market.

I would like to remind my colleagues in the House that at present many Canadians have little faith in the measurement practices of the businesses they patronize. Who can blame them? Federal measurement standards took a drubbing in our national media in 2008. Article after article revealed that Canadians were being unfairly charged at the gas pumps.

Our Minister of Industry responded and responded quickly. After consulting broadly with stakeholders in the gas, dairy, retail food and other retail sectors, our Conservative government created legislation that placed the onus squarely on businesses to guarantee the measurement accuracy of their products.

The fairness at the pumps act would ensure compliance in part by calling for increased fines for offenders. This tool is an excellent deterrent to criminal behaviour but, perhaps more important, it also calls for mandatory inspections of measuring devices.

This would help to address a critical element of the measurement problem, namely, retailers who neglect to inspect and maintain their measurement equipment. As a result, customers are often unfairly charged for the goods they purchase. Many retailers may not mean to charge unfairly but, as the media articles of 2008 made clear, such errors happen all too often.

Previously, businesses were not required to have their measuring devices checked periodically for accuracy. Bill C-14 would require mandatory inspection frequencies. This means that inspections must be carried out every one to five years, depending on the industry.

Under Bill C-14, inspection frequencies would be first introduced in eight sectors: retail petroleum, downstream or wholesale petroleum, dairy, retail food, fishing, logging, grain and field crops, and mining. Other sectors may be added in the future based on the results of our ongoing consultations with stakeholders.

It is important to note that it would not be government that carries out these mandatory inspections. The fairness at the pumps act authorizes specially trained private sector firms to do the work on behalf of government. This means that once inspection firms have been designated, they will be available for hire whenever retailers need them.

Statements by Members

Our research has told us that this will lead to many more inspections than we see under the current legislation. Just as important, government will not set a price for inspections. Supply and demand will determine price and also the number of firms that Industry Canada will authorize to carry out those inspections. This puts the mandatory inspection aspect of Bill C-14 firmly in the realm of market forces where it belongs.

• (1355)

Many other countries and jurisdictions, such as France, Germany and most of the American states, have used mandatory inspection frequencies for many years. Canada has lagged far behind. It is high time that we have a modernized law, such as the proposed fairness at the pumps act, to put our country's approach to retail measurement in line with international standards.

Clearly, there is a pressing need to give Canadians a greater sense of confidence in retail measurement standards. This need was the strong impetus behind Bill C-14 but we also drafted the fairness at the pumps act with a keen eye to the needs of other stakeholders within the industrial sectors I mentioned a moment ago. I will explain.

Canadian entrepreneurs have been working with great effort over several years to effect change on this issue. Honest and fair-minded business operators feel the sting and the opprobrium just as much as consumers when less conscious competitors do not accurately measure the products they sell.

This bill would help to level the playing field for small businesses. It finally recognizes that the large majority of retailers who are honest suffer by the actions of the unscrupulous few who do not want to follow an ethical approach to business.

In truth, our action on this issue predates the negative media coverage from 2008. We began working with stakeholders, including many business operators, on a broad range of proposed reforms back in 2006. We started this work when we saw that compliance rates for accurate measurements were actually trending downwards. Indeed, industry has had ample opportunity to provide input into the challenges it faces in the measurement and sale of good and services. Industry's input has been invaluable.

Our stakeholder consultations underscore the fact that retailers can also be victimized by inaccurate measurements, whether inadvertent or deliberate. In fact, it was our stakeholder consultations that led to a recommendation for mandatory inspection frequencies. Indeed, some stakeholders have implemented inspection frequencies voluntarily, and I commend them for being proactive. By establishing voluntary mandatory inspection regimes, these companies know beyond a doubt exactly how much they are selling and they face fewer inventory problems.

It is important to understand that the legislation before us today is not just another government imposed cost for small business. This law would protect average Canadian consumers and, yes, there would be some relatively minor costs associated with keeping measurement devices inspected and working properly, but, as I have just explained, the legislation offers tangible benefits for the small business operator, the independent gas retailer, the independent grocer, the rural lumber mill or the small scale cheese factory. All of

these small businesses are owned by people who cannot afford to be undercut by unscrupulous competitors.

• (1400)

The Speaker: The hon. member is not out of time but, unfortunately, the debate has to end at this point. He will have a minute and a half or so when the debate resumes to conclude his remarks in a gripping way I know.

In the meantime, we will proceed with statements by members.

STATEMENTS BY MEMBERS

[*English*]

CANADIAN HOCKEY LEAGUE MEMORIAL CUP

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, Brandon was recently named the seventh best Canadian city in which to live. During the next 13 days of the Memorial Cup, Brandon will be the number one place in Canada for hockey.

From May 14 to May 23, Brandon will host the Canadian Hockey League's Memorial Cup in remembrance of the young Canadian men and women who died in service for their country during the first world war. The Memorial Cup will be officially re-dedicated to all fallen soldiers at CFB Shilo as part of the 2010 Memorial Cup in Brandon.

The Wheat Kings are led by recently named Western Hockey League executive of the year, Kelly McCrimmon. A former Wheat Kings player, he is now the coach, GM and owner. Kelly built the Wheat Kings into a perennial powerhouse and was instrumental in bringing the Memorial Cup to Brandon.

The city of Brandon and surrounding area have embraced this event, and the volunteer commitment has been overwhelming. This event is a great reward for a city that has supported its Wheat Kings so faithfully for so many years.

Congratulations to Brandon. Go Wheat Kings.

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THE HOLOCAUST

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, in recent weeks, I had the first-hand opportunity to bear witness to the reality of man's inhumanity to man.

In late March I was part of an eclectic and diverse delegation of Canadians who went on a deeply moving mission to Poland with Friends of Simon Wiesenthal. It was a journey of remembrance, of honour and of learning. It was a journey that took us not only to Auschwitz-Birkenau, but included the Majdanek concentration camp, Schindler's factory, and the Plaszow concentration camp. Throughout the trip, we were accompanied by Max Eisen of Toronto who, at age 15 and a half, survived the brutality of Auschwitz.

Statements by Members

In Winnipeg in mid-April, a unique book was launched, *Voices of Winnipeg Holocaust Survivors*, recording the singular story of 73 Holocaust survivors who found their way to Winnipeg. Survivors and their families remain haunted by their losses. To them we must express our thanks for what they do and say publicly, for it is through their stories we learn the real consequences of hate. They remind us of the importance of naming human rights abuses for what they are, investing in peace, and standing up against hatred wherever we find it.

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[Translation]

NATIONAL PATRIOTES MUSEUM

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, the Maison nationale des Patriotes in Saint-Denis-sur-Richelieu is currently displaying one of its greatest private collections, which pertains to an important time in our history: the 1837-38 rebellion.

This new exhibition, which was made possible by an agreement between the museum and area collector Denis St-Martin, includes a number of authentic objects and papers from the time, some of which have never been seen before. They will be exhibited in stages for visitors over the next three years.

Thanks to this invaluable addition and the recent updating of its permanent exhibition, the Maison nationale des Patriotes, which is run by dedicated employees and volunteers, is doing its part to preserve our heritage and help people better understand this pivotal point in our history, because it is important that every generation know about the events that shaped the world in which we live.

* * *

[English]

PRISON FARMS

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the government has called for the closure of all six Canadian prison farms.

All six prison farms, including Rockwood Institution in Manitoba, which I recently visited, have been functioning farms for many decades, providing food to prisons and communities. The prison farm operations provide rehabilitation and training for prisoners through working with and caring for plants and animals. The work ethic and rehabilitation benefit of waking up at 6 a.m. and working outdoors is a discipline Canadians can appreciate. Closing these farms would mean a loss of the infrastructure and would make it too expensive to reopen them in the future.

It seems the government is willing to close these Canadian prison farm operations across Canada when clearly, the work and rehabilitative benefit to prisoners of the farm operations is actually a positive thing and its own Conservative supporters think we should have even more prison farms, not less.

* * *

LIBERATION OF THE NETHERLANDS

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, Canadian veterans travelled to the Netherlands last week to commemorate their role in the country's liberation during the second

world war. Our veterans were treated like royalty and honoured by Dutch citizens, both young and old.

It is clear to see that the Dutch do not take their freedom for granted. Even after 65 years, they continue to honour the memory of the thousands who lost their lives fighting oppression. They continue to celebrate the veterans who are still alive today.

I can certainly understand their appreciation. My father and his family were in Holland during World War II. My father used to tell me stories of when Canadians liberated him and his family and their country. There were celebrations in the streets, just like there were last week.

I look forward to Princess Margriet's official visit to Canada tomorrow, which will highlight the historic ties and the continued co-operation between our two countries.

As the years go by and the war moves further into our past, we must never grow indifferent to the cost of freedom.

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● (1405)

LIBERATION OF THE NETHERLANDS

Hon. Lawrence MacAulay (Cardigan, Lib.): Mr. Speaker, it is with great pride that I rise in the House today to recognize Mrs. Annie VanDenBroek of Cardigan.

Five years ago, Annie published a book called *When the Green Letter Comes Over*. Annie's book is a diary of the war years seen through the eyes of a teenage girl growing up in Holland. She was a girl with a vivid imagination and with her incredible memory, she spent five years writing the book.

Annie immigrated to Canada and lives in Cardigan with her husband, Martin, where they raised 10 children. She has been a pillar in the community and in her church. One of the stories from her book was published in *de Krant*, a North American magazine for Dutch citizens. Last week Mrs. VanDenBroek was acknowledged by the Department of Veterans Affairs during the 65th anniversary celebrations of the liberation of Holland for donating one of her books.

On behalf of all members in this House of Commons, it is my privilege to congratulate Mrs. Annie VanDenBroek.

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TRIBUTE TO MEMBER'S FAMILY

Hon. Jim Abbott (Kootenay—Columbia, CPC): Mr. Speaker, I stand today to pay tribute to my family.

In 1992 when I approached my wife and children with the crazy idea of running as a member of Parliament, they supported me. We tried to understand what we were getting into and did the best research we could, but honestly, we did not appreciate the total all-consuming nature of the job.

Statements by Members

Recognition, familiarity and approachability with voters are traits and characteristics after which every MP strives. However, that approachability means that being an MP is not just a job, it is a 24/7 life. Birthday celebrations, family picnics or camping, even graduation events regrettably could end up in conflict with constituency events. This is particularly true in a large geographic area like Kootenay—Columbia.

In 18 years, my immediate family has grown from 5 special people to 14, including 7 wonderful grandchildren. They have always been supportive. I could not have gotten the job done without them. They are all in Ottawa with me today. I say to them, and especially my wife, thank you, I love you.

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[*Translation*]

EMPLOYMENT INSURANCE

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, the Saguenay—Lac-Saint-Jean Saint Vincent de Paul Society held its annual general meeting at the end of April. Almost 120 participants gathered to discuss the problems associated with poverty in our region.

There was a clear consensus. Poverty is still well entrenched and the ongoing forestry crisis continues to claim victims among workers. The participants passed a resolution asking the federal government to speed up the process and shorten the period that the unemployed must wait for their benefits. For seasonal workers, this interminable period can sometimes last up to six weeks because of administrative delays.

As a partial solution to this problem, the Bloc Québécois introduced Bill C-241, which would abolish the unfair two-week waiting period that the Conservative government continues to support.

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[*English*]

THE ECONOMY

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, the only time a Liberal talks about the economy is to tell Canadians that Liberals like higher taxes.

First, the Liberal leader thinks the best thing for the economy is a GST hike. Besides hurting the pocketbooks of ordinary Canadians, the Liberal GST hike would kill 160,000 jobs. Second, the Liberals want to impose a new carbon tax on everything. And now, regrettably, the Liberals want to increase job-killing business taxes.

On the other hand, our Conservative government is implementing Canada's economic action plan and lowering taxes on families. Our plan is working. Since July 2009, employment in Canada has increased by 285,000 jobs. In April alone, we saw over 108,000 jobs created.

Canadians now have more than 108,000 reasons to say no to Liberal tax hikes and yes to Canada's economic action plan.

• (1410)

RURAL BROADBAND POLICY

Mr. Scott Andrews (Avalon, Lib.): Mr. Speaker, the member for Battlefords—Lloydminster stood in this House last week and criticized the fact that we announced a national rural broadband mobile phone policy in southern Ontario, claiming that there were no rural communities there. The problem is, however, that it took place on a family farm in King, Ontario, in the riding of the member for York—Simcoe.

We all know from the state of our federal finances that the Conservatives do not excel at math, and now we know that their geography is not much better. What is more ironic is that over the weekend, the Conservatives announced their rural policy from a specialty coffee shop in the heart of Mississauga, one of the largest urban centres in Canada.

These cappuccino Conservatives are out of touch with ordinary Canadians. The Minister of Industry would not bother to set down is venti non-fat chai latte to travel out to the country and discuss the policy with real rural Canadians.

The hypocrisy is typical of this tired Conservative government. Up is down, rural is urban and right is wrong. When will the Conservatives put down their non-fat, extra foam, organic green tea lattes and stand up for ordinary hard-working rural Canadians?

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[*Translation*]

BROADBAND CANADA PROGRAM

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Speaker, yesterday, our government announced a series of projects to receive conditional funding approval under the Broadband Canada: Connecting Rural Canadians program. These 52 projects, in nine provinces and territories across Canada, will bring broadband Internet access to an estimated 169,000 households.

As a result of this announcement, many individuals, families and businesses across Canada will soon have access to high-speed Internet service for the first time and therefore access to important economic and social benefits.

These measures will encourage economic development, spur innovation and improve the quality of life in hundreds of communities from coast to coast to coast.

The projects announced were selected in order to include as many households as possible that are currently unserved or underserved.

This announcement is just the beginning. Other announcements will follow until all available funds have been allocated.

Statements by Members

[English]

CYCLOTRON NETWORK

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, almost a year ago, the Chalk River reactor was shut down, cutting off almost half of the world's supply of medical isotopes. In Canada, vital procedures are still being delayed or cancelled. Reactor repair costs are running at \$11 million per month.

Right now all of our isotope eggs are in one basket. There is a better way: a national network of much less expensive cyclotrons to produce isotopes at regional health centres across Canada. This would mean a cost-effective and safer end to catastrophic shortages like the current one.

One such cyclotron is planned for Thunder Bay. The Thunder Bay Regional Research Institute has gotten funding from the province toward a cyclotron and radiopharmacy facility, but it has been left waiting for the federal government to step up with its share. It is time for the federal government to show leadership and fund this vital initiative.

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BROADBAND INTERNET

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, broadband Internet has never been more important to the social and economic success of a country. Last week the Liberal leader drudged up an old Liberal red book promise for broadband that the Liberals broke 10 years ago.

On the other hand, this government is taking real action. On Sunday we announced the first series of 52 projects under the broadband Canada connecting rural Canadians program. These projects in nine provinces and territories will bring broadband Internet access to over 168,000 households. These households across Canada will soon have access to the economic and social benefits of high-speed Internet service for the very first time.

Thanks to this government, Canada is poised to make great strides in the digital economy of the 21st century. The difference between Liberal broken promises and Conservative action has never been more clear.

* * *

[Translation]

CANADIAN FEDERALISM

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, 20 years ago, Canada killed the Meech Lake accord, rejecting Quebec's minimum demands. Today, it is clear that Canada has no desire to accommodate Quebec. The possibility of reforming Canadian federalism so that it satisfies the aspirations of the Quebec nation is nothing but an illusion.

The recognition of the Quebec nation by the Conservatives was just symbolic, and Canadians did not want it to have any real effect. There are no new constitutional talks, no special status, and no additional resources or powers for Quebec.

Since we are getting nowhere with reforming federalism, the other option is Quebec sovereignty. This is the only way that Quebecers

can control their own destiny, can ensure the predominance and survival of their language and culture, can control immigration and can define their citizenship. As a sovereign nation, we will finally be able to speak for ourselves on the world stage. Let us put an end to this charade and choose the path to freedom: sovereignty for Quebec.

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● (1415)

ETHICS

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Mr. Speaker, over a month ago now, the Prime Minister informed Canadians that he had tossed the Status of Women minister out of cabinet and the Conservative caucus. He also asked the RCMP and the Ethics Commissioner to investigate. A month on, Canadians still do not know why.

[English]

A lot has happened since then, but we still do not know the nature of these allegations, deemed so serious that the Prime Minister needed to call in the RCMP on a sitting cabinet minister for the first time since the days of Brian Mulroney.

[Translation]

It was not enough that the minister violated security regulations in an airport or treated airport employees poorly. It was not enough that members of her staff passed themselves off as members of the public and wrote letters in support of her or that her husband was conducting personal business in her office.

All this time, the Prime Minister kept telling us that she did very good work.

[English]

Then overnight, he called in the RCMP. These are questions that have to do with the integrity of the government. It is time to end the culture of deceit. When will the government come clean with Canadians?

* * *

FIREARMS REGISTRY

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, another day and another serious gaffe for the Liberal leader and his team.

Last week, it was revealed that the Liberal leader used a photo of an American police officer to promote forcing his MPs to support the wasteful and ineffective long gun registry. Even worse, the Liberals falsely Photoshopped the badge of the Ottawa Police Service on to the shoulder of that American police officer to make it look as if Canadian police officers support his initiative.

Not only did this show that a culture of deceit exists within the Liberal Party but it also broke the law. Ontario's Police Services Act and regulations prohibit municipal police officers from engaging in political activity while in uniform. The Liberal leader had to falsely place the badge of the Ottawa Police Service because no police officer would break the law in the way the Liberals suggest.

Oral Questions

It is shameful for the Liberal Party to use our police in this way. This is not just a matter of law. It is a matter of trust.

ORAL QUESTIONS

[Translation]

THE ECONOMY

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, in the 1990s, the Liberal government balanced the budget, paid down part of the debt and regulated the banks.

The Prime Minister and his party opposed every step. He boasts about Canada's strong performance today, but he had nothing to do with it.

Will the Prime Minister learn from the European crisis and freeze the corporate tax cuts that could jeopardize Canada's strong fiscal position?

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, if the leader of the Liberal Party wants to talk about where the Minister of Finance was during the 1990s, we could have that conversation as to where the leader of the Liberal Party was in the 1990s.

The leader of the official opposition was not in the country, but in the 1990s we also saw Shawinigate and the sponsorship scandal, and Canadians are still looking for the \$39 million that is still missing. Maybe the leader of the Liberal Party could help us with that.

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, let us try again. When the Liberals regulated the banks, the Prime Minister opposed it. When we introduced fiscal prudence into the budget, he opposed it. When we paid down the debt, he opposed it. The Prime Minister and the Conservative Party opposed every step the Liberal Party took to get our house in order in the 1990s. Will they now learn the lesson of the sovereign debt crisis, freeze corporate tax rates and put fiscal prudence back in the picture?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I know where I was in the 1990s. I was at Queen's Park listening to speeches by the member for Toronto Centre, talking about the devastating effect that the Liberals' \$25 billion cuts to health care made. If the member opposite does not want to believe me, he should listen to the member for Markham—Unionville. "I think...the Chrétien government—even though I am a Liberal—cut perhaps too deeply, too much offloading, with the benefit of hindsight. And there were some negative effects...". I agree with him.

• (1420)

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, the issue here is that the government is surfing on a reputation it did not earn and opposed at the time. The Prime Minister praises the bank regulations that have kept the banking system safe, but he opposed them every step of the way, and in 2002 he wanted to open our banking system to exactly the factors that destroyed banks everywhere. Thank goodness he was not prime minister. Why is he making the same ideological mistake now, rushing into corporate tax cuts the country cannot afford?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let me say this. These tax cuts that our government has brought in, championed by the member's own Liberal critic, have helped create thousands of jobs. Just last month we saw the Canadian economy create 108,000 new jobs. That is not just a number; 108,000 people got a phone call and the voice on the other end of the phone said, "You got the job". We are going to be committed to job creation, committed to economic growth, committed to making Canada the best place to work, live, invest and raise a family.

* * *

[Translation]

THE ENVIRONMENT

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, two years ago the Conservatives decided to expedite the approval of exploration permits for BP and Imperial Oil in the Beaufort Sea. They did so without establishing an integrated management plan for the region, knowing very well that the permits were for fragile areas that would be impossible to clean in the event of a spill, because of the frozen waters, for one thing.

Why is the Prime Minister deliberately endangering the fragile environment of the Canadian Arctic, when we know that the risks involved are enormous?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, these allegations are completely false. The government has been clear from the beginning. We expect Canadian authorities to apply Canada's strict environmental standards, including our strict safety regime for offshore drilling.

I want to be very clear here. We will not proceed in any way if we are not absolutely certain that the environment and the safety of our workers will be respected, period. And Canadians can expect nothing less.

[English]

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, BP gave assurances that it could handle a disaster 30 times larger than the spill in the Gulf of Mexico.

A virtually identical rig and drilling system is set to be used off the coast of Newfoundland. If a spill were to occur, it would take 11 days just to get a ship to the site, with no guarantees a suitable rig could be found to drill a relief well.

The government claims it has standards that are more stringent than in the United States. If that is the case, why is the only emergency preparedness plan in place provided by Chevron? Where is the government's plan?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, I heard a lot of "ifs" in the question.

Canadian regulations require operators to employ the best technology, equipment and training techniques available. We will not accept any weakening of those requirements.

Let me be clear. No drilling will proceed unless we are convinced of the safety of the environment and the workers, period. Canadians expect nothing less.

* * *

[Translation]

SECURITIES

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the federal government wants to interfere in Quebec's jurisdiction by imposing a Canada-wide securities commission, a decision that, according to a study by SECOR Group, would be harmful to Quebec, its financial institutions, its businesses and its jobs.

In light of such negative findings, how can the Conservative government, which claims to respect jurisdictions, be so stubborn as to propose a Canada-wide securities commission that would go against the economic and financial interests of Quebec?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, we have been clear from the start. This is voluntary. The majority of the provinces want to work with a single commission, but it is on a voluntary basis. What is more, to ensure that we are acting well within our jurisdiction, we are referring everything to the Supreme Court to be sure that this initiative is legitimate. Nonetheless, I want to be clear: this is voluntary. Furthermore, the OECD and the International Monetary Fund commend this initiative.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the SECOR Group study is clear. With a Canada-wide commission, Quebec authorities would lose the decision-making power and influence that Montreal and the entire Quebec economy benefit from.

How can the Conservative MPs and ministers from Quebec support such a transfer of financial power from Montreal to Toronto and such a violation of the powers attributed exclusively to Quebec?

• (1425)

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, we are referring this to the Supreme Court; that is a sign of our good will. I repeat: it is voluntary.

Let us talk about studies. The study by John Coffee, from Columbia University, also talks about the loss of tens of billions of dollars annually. That is what it costs Canada to have a fragmented approach. Then there is the matter of the 65,000 jobs that may be affected, and that is a point worth debating. I have said it before and I will say it again: this is a voluntary approach and any province that wants to opt out can opt out.

Mr. Daniel Paillé (Hochelaga, BQ): Mr. Speaker, by making it voluntary, they are showing how ignorant they are.

The Barreau du Québec, the SGF, the Caisse de dépôt et placement du Québec, the Groupe Jean Coutu, the Quebecor group, the Cascades group, the Chambre des notaires du Québec, various chambers of commerce, the Fonds de solidarité and the CSN fund all reject the federal government's plan.

Oral Questions

Why are the Conservative members and ministers from Quebec the only ones proposing the financial destruction of Montreal to the benefit of Toronto?

[English]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, instead of taking away, we are adding to the security for investors. This is a voluntary system that will be an opt-in if they wish, if Quebec or any other province wishes.

The member listed a whole lot of supporters of his. There is a whole lot of supporters who reiterate that we are the only industrialized country in the world that does not have a common securities regulator. Let me start the list, but I am sure I cannot finish it in 35 seconds. OECD, IMF, Canadian Council of Chief Executives, Canadian Centre for Policy Alternatives—

The Speaker: Perhaps in the supplementary. The hon. member for Hochelaga.

[Translation]

Mr. Daniel Paillé (Hochelaga, BQ): Mr. Speaker, he should talk to the Alberta Securities Commission—it is against this.

The government's stubborn insistence on creating a single securities commission in Toronto is an example of predatory federalism. It is bulldozing Quebec. It is depriving a nation of an essential economic and financial tool. By going after the AMF, it is going after Quebec.

How can the Conservative members from Quebec be complicit in such a destructive plan? How can they cut Quebec out like this? What a pathetic bunch they are.

[English]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, it has been proven by many experts that 13 separate bodies in this country is not efficient. They do not protect investments made by Canadians.

Let me refer to a comment that was made earlier about John Coffee's study at Columbia University: \$10 billion a year in savings; 65,000 jobs preserved. The most important thing we are preserving is the safe investment of dollars by Canadians.

* * *

[Translation]

THE ENVIRONMENT

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the disaster in the Gulf of Mexico should be a lesson to us all.

But have the Conservatives learned anything? That is the question.

BP wells in the gulf were approved because the industry said that the risk of a disaster was negligible. It seems the industry was wrong in this case.

That same industry is giving us the same assurances about drilling in Canada.

Oral Questions

Does the government realize that the proposed transfer of environmental assessments to the National Energy Board would be a monumental mistake?

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, all Canadians are horrified with what they are seeing going on in the southern United States.

Let me say to the leader of the New Democratic Party very directly that Canada has strong offshore drilling regulations to prevent what has happened in the United States. Our government will continue to enforce strong environmental and safety standards right across this country.

Canadian regulators will not allow anything unless they are convinced that the environment will be protected. That is our government's bottom line.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, today Chevron Canada began drilling the deepest oil well ever in Canadian waters. The Canada-Newfoundland Offshore Petroleum Board says that it might have to rethink its standards in light of the disaster in the gulf. That is hardly reassuring.

In the interests of prudence and precaution, is the government willing to participate with the province to reassess the financial capacity to deal with a spill, the ability to respond to a blowout, and the industry's claims regarding the reliability of its technology?

• (1430)

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the bottom line is that this government has an important responsibility to stand up and protect the environmental situation in this country, particularly in our far north.

This government accepts that responsibility. We have chosen a very different route than has taken place south of the border in the United States.

I am sure all Canadians and all of us in this House are horrified with what we see going on in the Gulf of Mexico. That is why we are committed to making sure that Canadian regulation is strong so that we can protect our environment for future generations.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, Imperial Oil is going around claiming that the likelihood of a spill in the Arctic would be 1:285,000. It says that the risk is manageable. It says that it would have no problem containing any spills. It is really not credible. These are exactly the same things that BP said about its drilling in the Gulf of Mexico.

Does the government agree that the chances of 1:285,000 of a major ecological disaster in the Arctic Ocean is worth the risk and somehow manageable?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the Arctic is one of the most pristine natural environments of anywhere in the world. That is why this government and our Prime Minister have taken many initiatives to support our far north, whether it is quadrupling the size of Nahanni National Park, whether it is establishing a whale sanctuary in Nunavut, or whether it is ensuring that we have responsible environmental legislation.

Just in this session of Parliament alone we passed tougher legislation for our transport sector in the far north, extending powerful Canadian environmental laws another 100 nautical miles.

This government will do everything it takes. We are committed to ensuring that we protect the Arctic. It is a vital ecosystem and this government will not stand for any pollution.

* * *

GOVERNMENT PROGRAMS

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, Friday afternoon the government continued its Conservative culture of deceit by quietly cutting off its support to Toronto's Gay Pride Festival.

Last year the former secretary of state for small business and tourism was stripped of her responsibilities for funding Pride and for appearing in a photo with drag queens. Canadians see this for what it is: blatant discrimination and political pandering among the Conservative right-wing base.

How can the government possibly defend this decision?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, nothing could be further from the truth in regard to the hon. member's characterization of things.

This is a two-year stimulus program. In year one of this program, almost 75% of the funding went to events in Canada's largest cities. In year two, we wanted to ensure that the money was spread out to some of the smaller cities so they were able to benefit as well. That means that 19 new events are being funded through this program in smaller urban centres. I think that is a win for all of Canada.

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): That argument does not hold water, Mr. Speaker.

Cuts to women's groups, cuts to access to reproductive health abroad, and now cuts to arts and Pride tourism funding. The marquee tourism program is supposed to be about economic stimulus, but what we see here is blatant discrimination and political pandering.

Pride leaves \$100 million economic footprint, creates 650 jobs, and generates \$18 million in tax revenue. Why does ideology trump economics in this Conservative government?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, what the hon. member fails to talk about is the good news for the dozens of projects across the country that are being funded. These events matter to Canadians in a very diverse way.

In the city of Toronto, of course, there are two events being funded. One is Luminato, which is an excellent new arts and cultural festival that is making a name for itself. We want to ensure it makes an international name for itself.

Similarly, the Royal Agricultural Winter Fair, after a couple of rough years, is now bouncing back and matters to Canadians from all walks of life. We want it to work as well.

We are proud of our record and this record speaks for itself.

Oral Questions

[Translation]

STATUS OF WOMEN

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Mr. Speaker, last week, a female Conservative senator said that women's groups should be quiet or suffer the consequences.

The next day, we got a taste of what those consequences would be: cuts to funding for groups that had received federal government funding for decades.

It is clear that the Prime Minister wants women's groups to be docile and obedient. He also decided to cut funding to gay pride parades.

Which Canadians does this government represent, and which groups will have their funding cut next?

• (1435)

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, our government has increased funding for women to its highest level ever. We support projects across Canada, including in Quebec. Those projects include the Centre social d'aide aux immigrants in Montreal. I am also proud to say that we support the Réseau des femmes des Laurentides in Saint-Jérôme. We should focus on improving the lives of women rather than pitting women's groups against one another.

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Mr. Speaker, in the Conservatives' Canada, nobody is safe from partisanship and intimidation. They target women, climatologists and artists.

To clean up their deficit, they are also targeting festivals and regional development agencies.

Scientists, artists, women's groups and homosexuals have suffered under Conservative ideology, and the regions have suffered because of their incompetence.

Why is the Prime Minister attacking all of these Canadians?

[English]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, when it comes to women's groups in particular, we have raised the funding to the highest levels ever in the history of this country.

We are very proud to be funding organizations like le Réseau de développement économique et d'employabilité de Terre-Neuve-et-Labrador that will help women improve their economic prosperity.

We are helping the Latin American women's organization that will help high-risk, marginalized 12 to 15-year-old girls of Latin American descent who are facing violence in their lives.

These are the kinds of projects we are proud to fund. I would ask the opposition to stop pitting women's groups against each other and work with us.

[Translation]

OFFICIAL LANGUAGES

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the Conservative members have an interesting concept of justice. Instead of defending the rights of litigants to be heard in the language of their choice, they are defending the rights of unilingual judges to sit as Supreme Court justices. According to the Commissioner of Official Languages, bilingualism is an essential qualification for Supreme Court justices.

In this context, will the Conservatives finally recognize that unilingual candidates are not qualified to serve on the Supreme Court?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, our government is guided by the principles of merit and legal excellence, including regional representation, in the selection and appointment of judges to Canada's Superior and Federal Courts. For once, this should have the support of individuals like the hon. member.

[Translation]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Do not count on it, Mr. Speaker.

The rights of litigants is so fundamental that if there is disparity between the French and the English, an interpretation rule requires that the litigant benefit from the version that is the most favourable and generous to him.

How could unilingual justices effectively carry out their duties if their lack of knowledge of one of the official languages keeps them from making distinctions that the litigant has every right to expect?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): I do not know where the hon. member has been, Mr. Speaker, but in every court, the court strives to ensure that individuals are heard in the language of their choice, that the evidence is heard in the language of their choice before judges who understand them. Again, this is just one more attack on the judiciary of this country and the hon. member should be ashamed of himself.

* * *

[Translation]

GOVERNMENT PROGRAMS

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, after attacking women by challenging the right to abortion and trying to muzzle groups that oppose its regressive ideology, now the Conservative government is continuing its attacks by slashing funding for Toronto's Gay Pride Festival.

In the wake of these new attacks against abortion and gays, how can the government claim that religious fundamentalists have not taken control of the Conservative Party?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, nothing could be further from the truth. We have a program. It is important to have events across the country, in other urban centres as well.

Oral Questions

[English]

Perhaps the hon. member would like to instead cut funding from some of the programs that were funded in order to make up the difference, like the Festival de jazz or Juste pour rire. I am sure the hon. member is not suggesting that.

The fact of the matter is there is a limited amount of funds that is spread out across the country and that is what people expect of the government.

• (1440)

[Translation]

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, the Francofolies de Montréal are another victim of the Conservative government's ideological cuts. One month before the event, organizers have learned that they are going to have to do without \$1.5 million. Once again, the Conservatives are underestimating the economic value of festivals and Quebecers' love for their culture.

When will this carnage stop?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, we have announced grants for the Quebec City Winter Carnival, the Gatineau Hot Air Balloon Festival, the Festival des traditions du monde de Sherbrooke, the Festival d'été de Québec and the Tremblant Summer Festival. We have helped fund many events for Quebecers—for Canadians in Quebec. We have supported Quebecers and Canadians.

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JUSTICE

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the media are reporting that the RCMP will not investigate one of the biggest mortgage frauds in Canadian history.

Can the Conservative government explain to Canadians why it suddenly decided not to investigate the BMO mortgage fraud in Alberta?

Why will the RCMP not investigate?

[English]

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, as I answered last week, this particular issue, as the House well knows, has absolutely nothing to do with government business. It is a private matter with the member for Calgary Northeast.

But I will tell the House what is of concern to Canadians and that is the issue of jobs. That is why the government was so excited to see that our policies in connection with the economic recovery are so well sounded. We have learned that just last month our country produced over 108,000 new jobs. That is the largest in history.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the question had nothing to do about the member and everything to do with confidence in our financial system and fairness in the housing market.

Worse, our Criminal Intelligence Service says organized crime often uses the money it steals from mortgage fraud to fund its other

criminal activities. But the Conservatives seem content to let mortgage fraud go unpunished, even uninvestigated.

When will the government provide the RCMP with the tools that it needs and why does it refuse to bring forward meaningful white collar crime legislation? That is the question.

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, every time we bring forward meaningful white collar crime legislation, it seems to get stalled, whether it is the Liberals or whether it is the rest of the opposition.

We are talking about confidence, so let us talk about confidence. I will read a quote from the member for Markham—Unionville. He said: "I was wrong. I can admit when I was wrong. Ten years ago I was in favour of bank mergers. I believed it, but in hindsight having seen the financial crisis, having seen that the Royal Bank wanted to grow up to be Citibank and having seen what happened to Citibank, I've acknowledged for some time now—".

The Speaker: The hon. member for Beauséjour.

[Translation]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the government likes to say it is against white collar criminals, but it continues to deprive the RCMP and the Department of Justice of the resources they need to establish an effective strategy against these criminals.

The RCMP's commercial crime unit is underfunded and federal prosecutors are quitting because the government has reduced their salaries.

When will the Conservatives start putting their words into actions? When will the Conservatives tackle the real problem of white collar criminals?

[English]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, my colleague opposite is full of water, wind and such, but on this side of the House we do not direct the RCMP as to what it should or should not investigate. The RCMP will make those decisions on its ability and what it does best.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, untold billions are spent on new prisons when the RCMP and federal prosecutor are starved of the resources necessary to actually investigate and prosecute large scale mortgage fraud.

The government wrongly pretends that every crime is solved by simply increasing sentencing, instead of actually catching and convicting those involved in large scale fraud, like the one that hit BMO in Alberta.

Why is the government ignoring serious white collar crime?

• (1445)

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, the member opposite forgot a couple of important ingredients. We did increase funding for the RCMP and we increased the numbers of the RCMP, but he voted against that.

However, the RCMP and everyone else in Canada would like to know where that \$39 million are.

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BROADBAND INTERNET

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, the broadband Internet access is hugely important to the social and economic success of our country.

Last week, the Liberal opposition member tried to drudge up a 10-year-old broken promise about broadband that the Liberals broke 10 years ago and likely would again. This government, on the other hand, is taking some real action.

I would like to ask the Minister of Industry to explain what the Conservative government is doing to help rural Canadians be competitive in the digital economy of the 21st century.

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, on Mothers' Day yesterday, I was pleased to announce the first series of projects under the broadband Canada program. The 52 initial projects in nine provinces and territories will bring broadband Internet access to an estimated 168,000 households. They will soon have access to the economic and social benefits of high speed Internet service for the first time.

Thanks to this government, Canada continues to make great strides in the digital economy. The difference between us and the guys on the other side is that we keep our promises.

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GOVERNMENT PROGRAMS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the G8 and G20 summits in Canada provide a unique opportunity to address major global challenges like growing poverty, catastrophic climate change and the crisis in the financial system.

Our global partners are putting forward solutions for these challenges but the Conservatives are just shooting them down.

One cannot honestly say no to everything unless one brings one's own ideas to the table. Where is the plan, where is the new money for it and when will the Conservatives tell Canadians what they will do in all of these areas?

Hon. Peter Kent (Minister of State of Foreign Affairs (Americas), CPC): Mr. Speaker, I am glad to answer my hon. colleague's question but he is coming at it from exactly the opposite of reality.

There are several areas where G20 actions will remain vital: in the area of financial sector reform, implementing stimulus measures, promoting reforms to the international financial institutions and ensuring that they have the resources and the tools they need for global trade and growth strategies.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I was hoping for some real concrete action but what I got was a regurgitation of talking points. If the Conservatives are not careful, we will be having the Seinfeld summits here in Canada instead of real action on these problems.

Oral Questions

At a time when we need sensible leadership on the global stage, we have the exact opposite. Worse yet, the Conservatives are standing in the way of even considering some of the solutions that have been put forward.

Why can the Conservatives not be honest with Canadians? They travel around the world and they host summits but at the end of the day they do not have a concrete plan. Where is the concrete plan on financial reforms, global poverty and on the environment?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, we know what we will be doing. Every day in the developing world over 1,100 mothers die and 24,000 children are dying. Our government's G8 initiatives on security, protection and maternal health will be to save lives and make the world better.

In the time that the member asked his question, eight children have died. Our government wants to change that. We do not want to continue divisive debates. We want to encourage all members in the House to ensure we save lives and make developing countries flourish.

* * *

[Translation]

AFGHANISTAN

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, the report by Rear Admiral Maddison, head of the inquiry into the fate of a prisoner beaten by Afghan police, confirmed that the Canadian government knew, as early as 2006, that detainees turned over to local authorities were at risk of being tortured.

How can this government continue to deny violating the Geneva convention when it handed over a number of Afghan detainees to be tortured?

• (1450)

[English]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, Rear Admiral Maddison said that "all of the critical witnesses required to build a comprehensive and complete reconstitution of events as they occurred on the 14th of June were brought to the board. So the board was absolutely confident that we had what was required to make the findings".

I have another interesting quote from Arif Lalani, a former ambassador in Afghanistan, who said, "I am very confident that during the time I was there and when I left we were meeting our obligations".

[Translation]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, Rear Admiral Maddison also revealed that a number of compromising documents have disappeared. Documentation from a war diary and recordings of tactical communications also mysteriously evaporated. The investigators complained that this hampered their investigation.

Does this most recent report on the plight of an Afghan prisoner not prove that we must have a public and independent inquiry on the torture of detainees handed over to Afghan authorities by Canada? When will the inquiry be held?

*Oral Questions**[English]*

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I know the hon. member is not interested in evidence but what the rear admiral said was very clear. He said that they had sufficient evidence to make the findings they did.

Here is a little more evidence, which I know the member likes to overlook. Gavin Buchan, a former political director, somebody on the ground who is probably best situated to make such a determination, said, "I'm confident that Canada has consistently met the test of its international obligations throughout our period in theatre".

That is what he had to say. I will take his word over the hon. member's word any day of the week.

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AGRICULTURE

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, once again in Canada we have a recall of meat that may be contaminated with listeria. We are so far lucky in this case that no one has been made seriously ill.

The government claims that it will implement all 57 recommendations in the Weatherill report to prevent tainted meats from making it to market. To date, it has done nothing of consequence. Why have the Conservatives not implemented all the recommendations?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, as the member stated, no one has become ill from this particular outbreak. We are very fortunate with that. The company is voluntarily working with the CFIA as we work through the list and will recall any product that might be implicated.

As to the Weatherill report, since we formed government, even before Weatherill and since that time, we have now hired 538 net new front line inspectors. We have allocated resources, both human and dollar wise. However, every time we do that lately, she and her party vote against them. I am not sure what she is complaining about today.

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, 22 people died from a listeriosis outbreak in 2008. Last year, in response, independent examiner, Sheila Weatherill, investigated this tragedy and put forward clear recommendations that, if implemented, would help ensure the safety of our foods: prevention in the first place, not just multiple recalls after the fact.

If the government is implementing all the Weatherill recommendations, then how did this happen?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, hundreds of thousands of tonnes of food products move around this country almost daily and not everyone can be in every place. Having said that, it was this government that put the Weatherill report in play and actually hired Sheila Weatherill, much to the chagrin of the opposition.

She has done a tremendous job and has given us a list of 57 recommendations to move forward on. We are beginning that and are well under way with a good number of them. In fact, working with

industry and the provinces, we are well under way and we will get that job done very soon.

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GOVERNMENT PROGRAMS

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, the City of Toronto is still reeling from the government's cancellation of support for Pride celebrations this year.

Toronto's Pride Week is not only North America's largest Pride celebration, it is also internationally recognized and brings approximately 300,000 people to the city of Toronto every year. In fact, last year alone the government support of \$400,000 led to \$6 million of economic activity for Toronto alone. This is a marquee event.

What does the government have against Pride celebrations in Toronto?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, as I said before, this year, year two of the program, we have made a conscious effort to ensure all centres around the country, including in urban communities outside of Toronto, Montreal and Vancouver, also have access to the marquee tourism events program, and that has been the case.

In the city of Toronto, two very successful events, Luminato and the Royal Agricultural Winter Fair, were successful again this year. A number of other events were not successful. If the hon. member had his way, none of them would get any money because of course they voted against the budget.

● (1455)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, that is absolute nonsense.

This Toronto Pride is part of a very worrisome pattern of the government. Vancouver Pride was also shut out of government funding this year, and last year the minister of state for small business and tourism was punished for supporting Pride events.

Then, the Minister of Immigration removed all mention of Canada's gay and lesbian communities from Canada's new citizenship guide.

How can Canadians celebrate our tolerance when it seems the government has none? It has to heckle because it is so sensitive to the truth.

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, as a result of our changes to the program, 19 new events in other urban centres across the country have had access to the marquee events tourism program. We think that is progress.

We had a cap for the major urban centres, like Toronto, Montreal, Vancouver, Winnipeg and Edmonton, a cap of a maximum of two events so we could spread the money around and ensure that the diversity of the country was recognized by this program. That is what we have done.

Again, those hon. members are very good at complaining now but they voted against those measures when they came up in the House. That is shameful and disgraceful.

* * *

FIREARMS REGISTRY

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, in a shocking display of ignorance of the Ontario Police Services Act, the Liberal leader and his team broke the law.

They used a photograph of an American police officer and falsely inserted the insignia of the Ottawa police force onto the shoulder to make it look like Ottawa police officers are behind his attempt to force Liberal MPs to support the wasteful and ineffective long gun registry.

Will the parliamentary secretary tell the House how Bill C-391 would stop hunters, farmers and ranchers from being criminalized by the wasteful and ineffective long gun registry?

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, last week at committee we heard front-line police officers with real experience, not photo-shopped Liberal spin.

This ad from the Liberal Party seeks to mislead Canadians into forgetting that many front-line police officers oppose the wasteful, inefficient Liberal gun registry.

Front-line officers, like Dave Shipman, said:

The long-gun registry is not working to prevent gun crime.... Criminals... do not register their stolen or smuggled guns that are being used to wage war in our cities.

This is the latest desperate attempt by the Liberals to save their failed registry. We hope that all Liberals come to their senses and vote in favour of Bill C-391.

* * *

ETHICS

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, it has been over a month since the Prime Minister fired his status of women minister, kicked her out of caucus and called in the RCMP.

A lot has happened since then. The former minister has even been fired as a Conservative candidate. We still do not know the nature of the allegations deemed so serious that the Prime Minister called in the RCMP, the first time since the days of Brian Mulroney.

This is about the integrity of the government. When will the government end the speculation and tell Canadians whether a criminal investigation is under way and what it is about?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I have answered that question several dozen times.

Oral Questions

What I would like to know is why the law firm, that the Liberal member for Scarborough—Rouge River works for and which advertised him as a paid lobbyist, according to the *Toronto Sun*, helps clients “incorporate and maintain offshore companies in various tax-haven countries, e.g. British Virgin Islands, Bahamas, Cayman Islands”.

Now we know why from the Leader of the Opposition's first questions. The Liberals want to raise corporate taxes. That is Liberal policy. Obviously the member for Scarborough—Rouge River and his firm saw an opportunity to help Canadian companies evade those taxes. More Liberal doublespeak.

* * *

[Translation]

TELECOMMUNICATIONS

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, high-speed Internet is essential for the development of remote areas. Numerous investment projects are on hold and yet this government is dragging its feet. The Fédération Québécoise des Municipalités is urging the government to speed up investments. Projects worth nearly \$1 billion have been presented to the government, but barely \$225 million has been made available, and that is over three years.

What is the government waiting for to invest in bridging the digital divide that separates the remote regions from the rest of the world?

[English]

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, we in fact have made a series of investments for broadband. These were announced yesterday, Mother's Day. Happy Mother's Day to every member of the House who is in that position. This was a serious 52-project start to rural broadband, making sure that Quebec and other areas of the country were covered. The response from the province of Quebec has been uniformly positive.

* * *

● (1500)

PENSIONS

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, last year CHCH-TV employees in Hamilton watched their underfunded pension plan wind up with an \$8 million deficit. That means they will only get 85% of the money they were expecting; this while Asper's executives at Canwest were given \$41 million to top up their underfunded pension plan before they went into CCAA protection. Fair-minded Canadians are asking how that happened in a federally regulated industry. They want to know when the government is going to accept that pension assets are deferred wages and not some corporate slush fund.

Points of Order

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, the Minister of Finance and his parliamentary secretary have been hard at work, working with the provinces and territories, which are where 90% of the pensions were in fact regulated. To make sure we have a more comprehensive view on this, we have asked the NDP members to be part of the process. We have asked them to be constructive. They keep voting against our budgets, so that is not helpful.

* * *

THE ECONOMY

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, when the Liberal finance critic was asked about April's record-breaking monthly job gains, he sheepishly admitted it was, "clearly a positive month...a good month...the job numbers were positive...Canada (is) relatively strong compared to other countries".

We thank the Liberal finance critic for finally admitting that under our Conservative government Canada's economy is staying strong. However, Liberals need to understand tax hikes would kill Canada's recovery.

Can the Parliamentary Secretary to the Minister of Finance please tell us how lower taxes create jobs?

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, in April alone Canada created a record-setting 108,000 new jobs. We saw job gains in every province, but the global economic recovery is fragile. There are still threats, threats such as the massive Liberal tax hikes that would kill new jobs and kill the recovery. Conversely, Conservative tax cuts and Canada's economic action plan help create jobs.

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POINTS OF ORDER

COMMENTS BY MEMBER FOR TORONTO CENTRE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, on Thursday, I was out of the House after question period when the member for Langley raised some issues about comments I made in heckling the Parliamentary Secretary to the Minister of Foreign Affairs.

The parliamentary secretary will know that he and I have had a long, bantering relationship about his frequent flying, and when I made reference to the fact that he should get back on his plane, that is what I was referring to. I phoned the parliamentary secretary in the afternoon, after the member for Langley raised the question of what I had said, and in his customary fashion, the parliamentary secretary accepted my explanation of what I had to say.

If I have caused any offence by my remarks, if they have been misunderstood by anyone, I fully apologize, but I think members in this House who know me well will know that that is what I meant, and that is all I meant, and I shall continue to participate in this House in a vigorous and, I hope, well-spoken way.

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I have a long history with aircraft. Before I came to this country, I was an air traffic controller. I

boarded an aircraft and came to this country in September 1997, and I have travelled quite a lot.

I and the Liberal critic for foreign affairs have had a lot of hard words on everything, and I think that during that time, he was pretty upset with my answers, which is fair enough, no problem. In that light, he phoned me and I said that my colleagues may have taken offence, but I know him well, so I said I would accept his apology.

However, I have a serious concern in this House with the member for Wascana. The member for Wascana stood there on that Thursday and said these exact words, "I sat within one foot of the gentleman and I did not hear any such remark". This is what the member for Wascana said. If he was sitting right next to the member, and today the member accepted that he said that, then why did he mislead the House by saying, "I sat within one foot of the gentleman and I did not hear any such remark"?

Therefore, I suggest to the member for Wascana that as a member of Parliament, there is a public service health service under which he is entitled to \$1,000 for a hearing aid, which he should get.

● (1505)

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I wonder if the hon. gentleman was making a specific, concrete offer of a contribution to a hearing aid.

Indeed what I said last week was that I sit one foot away from the hon. gentleman from Toronto Centre and I did not hear him make that remark. If he has now clarified the record, I should pay much closer attention to the hon. member for Toronto Centre. We would all be edified by his golden words.

The Speaker: I think it is entirely understandable that some hon. members do not hear remarks from the person sitting beside them. I can imagine the earaches they must develop listening to some of the comments that come from some members who yell repeatedly during debates in this House. I have mentioned it to a few of the colleagues sitting on either side in the last while, but we will not get into that now.

The hon. government House leader is rising on a point of order.

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, with all due seriousness about this particular subject, it is important that all members, before they rise to their feet in defence of a colleague, at least know what was said before they say they did not hear something.

The Speaker: That would be interesting. I do not think the House has always operated that way.

ROUTINE PROCEEDINGS

[Translation]

PETITIONS

IMMIGRATION

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I have the honour to present a petition signed by Canadians from both sides of the national capital region calling on the government to be more flexible in determining who can be included in the family class.

More specifically, they are asking the government to establish a special immigration measure enabling Canadian citizens or permanent residents to sponsor members of their families who have been personally and directly affected by the Haiti earthquake of January 12, 2010, no matter what their ages.

[English]

CORPORATE SOCIAL RESPONSIBILITY

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I have the honour today of tabling two petitions.

The first petition is signed by 30 people from Kitchener-Waterloo and the surrounding area.

The petitioners are calling on the government to create effective laws regarding corporate social responsibility.

CRIMINAL CODE

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, the second petition is signed by 723 people from all across Canada.

The petitioners are calling on the Canadian government to enable prosecution of those who encourage or counsel someone to commit suicide, by updating the Criminal Code to reflect the new realities of 21st century broadband access.

EMPLOYMENT INSURANCE

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I have two petitions to present today.

The first petition is signed by dozens of Manitobans and calls for equal employment insurance benefits for adoptive parents.

Canadians realize that adoption is important in a compassionate and just society. They realize that the current EI program provides adoptive parents with 35 weeks of paid leave, followed by a further 15 weeks of unpaid leave. A biological mother is given both the first 35 weeks and the latter 15 weeks as paid leave. We know that adoptions are expensive, lengthy and stressful for the adoptive parents and their families. Recent studies have shown the additional 15 weeks of paid leave would help parents to support their adopted children and help them through a very difficult period.

The petitioners call on the Government of Canada to support Bill C-413, tabled by the MP for Burnaby—New Westminster, which would amend the Employment Insurance Act and the Canada Labour Code to ensure that an adoptive parent is entitled to the same number of weeks of paid leave as a biological mother of a newborn child.

Routine Proceedings

• (1510)

EARTHQUAKE IN CHILE

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the second petition is signed by Canadians calling on the Canadian government to match funds personally donated by Canadian citizens for the victims of the Chilean earthquake. On February 27, 2010, an 8.8 magnitude earthquake occurred in southern Chile. The Chilean-Canadian community has been mobilized. It has had many social events. As a matter of fact, there is one coming up on May 22, I believe.

The question is: When will the Prime Minister give the same treatment to the Chilean earthquake victims as he did to the victims of the Haitian earthquake and match funds personally donated by Canadians to help the victims of the Chilean earthquake?

CANADA POST

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, we all know the importance of postal services in rural communities and in our northern communities. However, there is one area within York South—Weston, which is the area called Mount Dennis, where there is no postal station and there is a very high concentration of seniors and those with disabilities.

The petitioners from that little community are calling upon Canada Post to look at the situation in that particular area and are petitioning the House of Commons and Parliament to have a postal station in place as soon as possible, in consideration of citizens' needs in the Mount Dennis community.

This petition has more than 100 signatures from citizens in that particular area, Mount Dennis.

ANIMAL WELFARE

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I have a series of petitions to present.

The first is a petition to the Government of Canada to support the universal declaration on animal welfare.

The petitioners, residents of Canada, petition the Government of Canada to support the universal declaration on animal welfare.

FIREARMS REGISTRY

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, in the next petition, the petitioners call upon the House of Commons and Parliament to support Bill C-391, An Act to amend the Criminal Code and the Firearms Act (repeal of long-gun registry).

EMPLOYMENT INSURANCE

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, the next petition is with respect to fixing the employment insurance program by having the hours set at 360, increasing the benefits duration to 50 weeks and increasing the benefits to at least 60%, using workers' best 12 weeks of earnings.

ASSISTED SUICIDE

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, finally, I have a petition respecting legalizing euthanasia in Canada.

S. O. 52

The petitioners, residents of Canada, call upon the House of Commons to reject Bill C-384, which relates to the issue of legalizing euthanasia and assisted suicide.

FOREIGN TAKEOVERS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I have a petition signed by hundreds of citizens from northern Ontario. The petitioners are very frustrated with the way the government completely blew the negotiations between Falconbridge and Inco, which would have emerged into a Canadian super giant.

The government rubber stamped corporate raider Xstrata and now we see the results. There has been the shutdown of mines in Sudbury. The copper refining capacity and zinc refining capacity is being shut down in Ontario. There has been no net benefit to Canadians from this corporate raider.

Frustrated communities in the mining belt call for changes to the Investment Canada Act so we can see the kinds of commitments these foreign takeovers will be subject to, if any, and that they will be open and transparent so we can learn from the debacle of Falconbridge and Inco, which is now being seen in the mining industry as the Tories' modern equivalent of the Avro Arrow.

We need to learn lessons from this debacle under the Conservative government, which is what the citizens of northern Ontario say, so it will not be repeated in other industries that are opened up to foreign takeovers.

JUSTICE

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, when Canadians learned that Graham James had been pardoned for his crimes, thousands and thousands of Canadians were outraged, including one of my constituents from Wild Rose by the name of Amy Stewart. She started a Facebook campaign and later a petition campaign, which has now spread all across my riding and the country. I have the first stack of responses, the overwhelming response to that petition call by Amy Stewart.

The petition partially states that children are Canada's most vulnerable citizens and deserve full protection from sexual offences, that sex offences are despicable crimes that must be condemned and punished, that pardons granted to convicted sex offenders serve to limit public awareness of their movements and whereabouts in Canadian communities and that concern for the safety of children and Canadian communities should be placed ahead of the interests of convicted sex offenders, therefore.

The petitioners call upon the House of Commons and Parliament assembled to change the Criminal Records Act to prohibit the granting of pardons to convicted sex offenders.

It gives me pleasure to table this petition today.

* * *

• (1515)

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.

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REQUEST FOR EMERGENCY DEBATE

MULTIPLE SCLEROSIS

The Speaker: The Chair has received a request for an emergency debate from the hon. member for Etobicoke North and I will hear her on this point now.

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I rise to request an emergency debate on an urgent issue of national importance.

There are 55,000 to 75,000 Canadians who live with multiple sclerosis. Our country has one of the highest rates of the disease in the world. MS is a devastating, unpredictable disease, which affects balance, hearing, memory, mobility and vision. Its affects are physical, emotional, financial and last a lifetime. MS steals futures from families and there is no cure.

I believe my request meets several criteria for emergency debate. This is a genuine emergency, as a delay of a matter of months for some patients may mean the difference between working and not working, walking and not walking or living on their own or in care. The topic is immediately relevant as patients are now mortgaging their homes and spending their savings in order to travel overseas for the procedures that are not available in Canada.

The topic is a concern throughout the nation as Canada has one of the highest rates of multiple sclerosis in the world. MS is the most common neurological disease affecting young adults in Canada. Every day three more people in Canada are diagnosed with the disease in communities across the country.

The Canadian Institute for Health Information, or CIHI, estimates that the annual total cost of MS to the Canadian economy is \$1 billion. Direct care and treatment costs are estimated at \$139 million annually, with drugs accounting for almost half. A scan and venoplasty in a public hospital setting is estimated to cost \$1,500. However, the true cost of MS has nothing to do with money. The impact of quality of life is simply catastrophic.

The matter absolutely falls within the administrative responsibilities of the government as it is responsible for the health of aboriginal Canadians as well as the Canadian Forces and it is a partner with the provinces and territories to deliver health care to Canadians across the country.

I am thankful for the Speaker's consideration and eagerly await his response.

The Speaker: I thank the hon. member for her submissions on this point and the letter that she sent detailing the issue.

While I have no doubt that it is a serious situation, I am not sure the request meets the exigencies of the Standing Order in respect of an emergency debate at this time. Accordingly I will decline the request at this stage.

* * *

PRIVILEGE

STATEMENTS BY MEMBERS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, on Thursday, May 6 I gave notice to the chair of a matter arising out of the statement by the member for Peace River just prior to question period.

You issued a letter, Mr. Speaker, dated February 26, 2009, to House leaders concerning members' statements made pursuant to Standing Order 31. That is the reason why I have raised this privilege. You expressed your concern about what was happening. The letter to the House leaders states:

In recent days a number of Members' Statements made pursuant to Standing Order 31 have caused me some concern.

House of Commons Procedure and Practice at pages—

That has been amended now with the second edition of O'Brien and Bosc at page 422.

—sets out guidelines governing the content of such statements. In particular, it states that “personal attacks are not permitted”. I intend to halt at early stage any trend in this direction. As such, I am writing to advise you that I will vigorously enforce the authority given to me by Standing Order 31 to cut off Members if, in my opinion, improper statements are made.

This letter is signed by the Speaker. A carbon copy was sent to all whips and encouraged them to inform members of their parties of the Speaker's approach in this regard.

Obviously the matter has become untenable. It is out of hand. The statement I am rising on is probably the worst thing that has happened to me in my over 16 years as a member of Parliament. I want to read into the record the offensive S. O. 31 made by the member for Peace River. It can be found on page 2459 of May 6 *House of Commons Debates*. The member states:

Mr. Speaker, this morning the Liberal chair of the ethics committee showed yet again the ethical bankruptcy of the Liberal Party, when it was revealed that he had a private conversation with the interim Information Commissioner about an ongoing investigation.

Is this how the Liberal Party respects the independent officers of Parliament? All members of the House should believe in respecting due process, all members should believe in respecting the independence of officers of Parliament.

No member of the House should be engaged in a private conversation with a legal authority about an ongoing investigation in the middle of that investigation.

Yet, the member for Mississauga South threw due process and respect for the independent authority of that officer completely out the window by attempting to influence, interfere or direct that independent officer of Parliament.

This is highly inappropriate, grossly unethical, and shows yet again why the Liberal Party cannot be trusted.

I do not think I have to explain to you, Mr. Speaker, how these allegations are all directed at myself.

Privilege

As you know, Mr. Speaker, I have no recourse to defend myself. If I do not, then it is important that I take the consequences. As I said, this is so serious that I had to rise on this matter.

I should make reference to Standing Order 18 as it regards using offensive words against either House or against any member thereof, with which the House is well familiar. I can also refer to page 618 of O'Brien and Bosc which states:

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscenities are not in order.

That is footnote 176.

● (1520)

That is footnote 176. It also includes, “any allegation that a member has lied or misled the House”. This is a very important aspect of this. Certain allegations in the statement by the member for Peace River he knew were incorrect and yet he proceeded to make the statement even when he knew the facts were different. It goes on to say:

Personal attacks, insults and obscene language or words are not in order. A direct charge or accusation against a Member may be made only by way of a substantive motion for which notice is required.

That is Speaker Michener's ruling of June 19, 1959, which I wanted to raise with you, Mr. Speaker.

I should indicate that I had to wait for the blues to ensure I had the words and the statement absolutely correct. Unfortunately I was unable to attend the House to give proper notice and to rise at the late hour of the day on Thursday. I had to catch my plane home to attend to parliamentary business.

I want to raise this also in the context of freedoms of speech. I refer O'Brien and Bosc, pages 97 and 98 and I think that this helps with the essence because it does refer broadly. There is no question, and I will not read all of this. I want to be concise. It states on page 98:

It states on page 98, “Such a privilege confers grave responsibilities on those who are protected by it”. That refers to the immunity privileges that we have here, that nothing we say in here can be used against us outside of this chamber and the same goes for things that are said in committee, for instance. It goes on to say, “By that I mean specifically the Hon. Members of this place. The consequences”, and Mr. Speaker, this really is serious. If the members are not interested in allowing me to have freedom of speech—

Mr. Ed Fast (Abbotsford, CPC): You can't be serious.

Mr. Paul Szabo: I am serious.

I am reading from chapter 3, page 97 of O'Brien and Bosc, 2nd edition, “Misuse of Freedom of Speech”. I am quoting a ruling on a question of privilege by Speaker Fraser who spoke at length on the issue. He said, in part:

Such a privilege confers grave responsibilities on those who are protected by it. By that I mean specifically the Hon. Members in this place. The consequences of its abuse can be terrible. Innocent people could be slandered with no redress available to them. Reputations could be destroyed on the basis of false rumour. All Hon. Members are conscious of the care they must exercise in availing themselves of the absolute privilege of freedom of speech. That is why there are long-standing practices and tradition observed in this House to counter the potential for abuse.

Privilege

Speaker Parent emphasized the need for Members to use great care in exercising their right to speak freely in the House.

He said, and this is from the footnote, the Debate September 30, 1994, page 6371, in which he states in part:

...paramount to our political and parliamentary systems is the principle of freedom of speech, a member's right to stand in this House unhindered to speak his or her mind. However when debate in the House centres on sensitive issues, as it often does, I would expect that members would always bear in mind the possible effects of their statements and hence be prudent in their tone and choice of words.

He goes to say in footnote 170, on page 98, the debates of May 5, 1987:

Specifically, during a debate as well as during Question Period and other House proceedings, Members are bound by the Standing Orders and practices of the House with respect to the content of speeches and remarks. For example, Standing Order 18

I referred to that earlier. He goes on to say:

—prohibits the use of disrespectful or offensive language in debate. Moreover, personal attacks, insults, obscene language or words that question a Member's integrity, honesty or character are not permitted. It is unparliamentary to state that a Member has deliberately misled the House. As Speaker Milliken observed in 2002: "If we do not preserve the tradition of accepting the word of a fellow member, which is a fundamental principle of our parliamentary system, then freedom of speech, both inside and outside the House, is imperilled.

● (1525)

This is very powerful. These are the fundamentals of Parliament. These are the fundamental issues that we must respect and defend.

I want to move on specifically with regard to statements by members under Standing Order 31. I refer to unparliamentary language referred to in Marleau and Montpetit on page 525. With regard to unparliamentary language particularly related to any statement, it says:

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscene language or words are not in order. A direct charge or accusation against a Member may be made only by way of a substantive motion for which notice is required.

I believe that is what is happening.

On November 18 I rose in the House on a similar point and O'Brien and Bosc would have been helpful. I rose on a question of privilege regarding a member in this place who made statements referring to me during his own question of privilege. I rose and made my argument. The Speaker took the matter under consideration. That was almost six months ago and there has been no response yet to that question of privilege I raised on November 18. Considering the seriousness of the situation, this calls for some attention yet again.

I will now refer to examples of how important and sensitive things are. Page 614 of O'Brien and Bosc has to do with something as simple as references to members by name. It says:

Remarks directed specifically at another Member which question that Member's integrity, honesty or character are not in order. A Member will be requested to withdraw offensive remarks, allegations, or accusations of impropriety directed towards another Member. The Speaker has no authority to rule on statements made outside the House by one Member against another.

Again, here is another reference that says that making allegations or insults or otherwise questioning the character, honesty or integrity of another member of Parliament are absolutely out of order.

There are more references, but I believe that I have given sufficient argument at this time. Having taken the weekend to consider what happened, reading it many times, and seeing some statements even in today's press, there was no choice. I have to defend myself.

If those statements had been made outside of this chamber, I would have ample grounds to seek redress in the courts for libel, slander and defamation of character.

In May 2009 I had the honour of being awarded a fellowship by the Institute of Chartered Accountants of Ontario. It is the highest honour that can be bestowed on a chartered accountant by his or her profession. That honour is bestowed on only 3% of the total membership of the institute.

● (1530)

Being a chartered accountant in good standing for over 35 years, there is a code of conduct and a code of ethics. It is very strict. If any of the matters that the member alleges were true, complaints could be made against me to my own profession. It would be terribly, terribly embarrassing for me if I had to go before my own profession and defend myself against allegations which have made against me.

It would disrupt me and there are other potential consequences. But when I read it in paper, when I hear members from the Conservative Party across the way laughing and chiding me, I understand that they think this is just politics, but everyone here is a real person. They have a reputation. They want to serve here to the best of their ability and they hope to leave here with their good name intact.

However, my good name has been attacked by the member. I know the member well enough to be absolutely surprised that these words came from him. I would never have guessed it. There is more to it.

I take this extremely seriously. I have taken the time to open up to the House to tell members that I believe we have a very serious problem here where members have taken advantage of the opportunity to say things in this place, which no member has any recourse whatsoever to do anything.

Speaker Parent once said that once it is on the record, it is hard to retract it. It is almost impossible. It is like telling a jury to disregard the comment.

I would like to make one last reference which may be helpful. It is in O'Brien and Bosc, page 74, and has to do with what is called the Pallett case. This particular case has an option for the Speaker. It states:

The new citation in *Beauchesne* enabled successive Speakers to keep a tighter rein on questions of privilege, even though practice required that the interventions at least be heard, however briefly, before being ruled on. The prima facie condition was invoked most often, although a number of other cases were refused because they were not raised at the proper time. Several cases arose which permitted the Speaker to find that debate on a matter of privilege should go forward, with the result that a body of precedents began to take shape. For example, a 1959 case (known as the Pallett case) led Speaker Michener to declare that a proposed motion in which the conduct of a Member was alluded to was not, prima facie, a matter of privilege and could not be given precedence because the proposed motion was not a specific complaint against the Member, a ruling frequently cited in subsequent years.

Privilege

In other words, there still could be a debate in this place on the subject matter that I have raised, specifically noted in the Speaker's letter of last February asking members to deal with this.

I have raised this question of privilege because I believe that it has impinged on my integrity, my honesty, my character, my ethics and my reputation. I have to defend myself. This is my only opportunity to do that and it is my only opportunity to have this matter corrected. I believe that the facts, as presented by the member for Peace River, are incorrect, or stated in a way which leads to these impacts on me.

As a consequence, I do not believe for a minute that withdrawing that statement or even an apology would be acceptable. I believe that this must be looked into because it is now over a year after the Speaker has admonished the House for these attacks on other members of Parliament. The procedure and House affairs committee has to look at this and we have to deal with it.

● (1535)

Accordingly, Mr. Speaker, should you find a prima facie case of breach of privilege, my privileges and my rights, I would be prepared to move an appropriate motion.

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, I thank you for the opportunity to speak to the issue brought forward by my colleague across the way.

What we have here this afternoon is an issue of debate. It is dispute between myself and my colleague on our opinion of his actions and in what way they might be classified. I believe this is an issue of debate.

I believe very strongly, I did on Thursday and I do today, that it was inappropriate for the member for Mississauga South to have a private conversation with a commissioner of this House who is undertaking a review, an investigation. He spoke to her about the exact issue she is currently considering.

My opinion, and I will stand behind my opinion, is that it was wrong for the hon. member to call the interim information commissioner to ask her questions with regard to an investigation that she is currently undertaking.

The only issue we have here today is an issue of freedom of speech in the House. On page 26 of Joseph Maingot's *Parliamentary Privilege in Canada*, it states:

One of the first and greatest of its privileges is free speech and one of the advantages of legislative bodies is the right of exposing and denouncing abuses by means of free speech.

I believe that is what I was doing. I believe I have, not only a responsibility or an option, but I have a duty to expose what I believe to be the abuse of authority of this chairman in committee.

It is ironic that we are discussing an issue today that I believe is far less offensive than the lines of questioning, the statements and the behaviours that he permits in his own committee. On Thursday, I had an opportunity to sit for a time in his committee, at which time I incurred that abuse myself.

I was shut down on a point of order and was lectured on an issue on which I felt I had a right to bring forward.

Mr. Speaker, if you refer to the transcripts of the committee, which I will be willing to table once I am finished, you will find that in fact that was the case.

I point out that the assistant information commissioner had instructed the person who was before the committee with the following words. It is Andrea Neill. She had given a confidentiality order to the witness. The dispute here essentially is that the deputy commissioner had told the witness to conduct himself in one way. Yet, we had the member opposite instructing the committee to disregard what the witness had been told by the assistant information commissioner, and to simply believe that, based on a private conversation he had with the commissioner, we should all believe that what she had stated to the witness should be disregarded.

She had told the witness that any question asked, answers given, and exhibits used during his examination under oath before counsel of the Information Commissioner on March 23, 2010 in any matter to anyone, until the Information Commissioner's investigation is complete, except to his counsel, should not be done.

Later, the member for Mississauga South stated that he had a conversation with the Information Commissioner that morning and claimed that all was well, everything was open and nothing should be restricted.

My question at committee was, and still is, were his instructions the correct instructions, or should we, as members of Parliament, be held to the requirements that were put forward by the assistant information commissioner?

Mr. Speaker, I do not know whether you have the capacity to rule as to who we as members of Parliament should listen to.

● (1540)

Simply put, even this afternoon as I stand here, there seems to be a contradiction. Either he has the correct information or the Information Commissioner gave the correct information. This is probably more an issue of debate than it is a question of privilege, but these are the discussions we are having.

We talk about bullying people and witnesses, and the member went on at great length about what is appropriate to be said and if that somehow impedes the ability for other people to do their work, but in *The Hill Times* I read the chairman's comments, and the quotation from the chair is very clear. I believe it stands as evidence that there was this type of influence being put forward by the chair on the witness. I believe it is intimidating for the witness if the witness were to read this, and I am sure the witness has read it by now. In *The Hill Times* the chairman is quoted as saying, and he is referring to the witness:

If he refuses to answer [questions at Tuesday's meeting], then he is subject to possibly being in contempt of committee.

We see now in the press the member opposite giving instruction to a witness who is still before committee in a matter that I believe demonstrates all of the intimidation anybody would have to bring to this place to show that is in fact intimidation. This is the type of situation we are talking about.

Privilege

Based on this information, my opinion has not changed. I still believe it was inappropriate for the member opposite to talk to the commissioner about an investigation that was ongoing. We are led to believe that he talked specifically about if or not the witness should be allowed to talk about information he had been told not to talk to members about. There is a confidentiality order.

Based on these conclusions, I felt it was my responsibility to come forward and demonstrate what I felt to be abuse in this place. That is where it is important that we have the freedom of speech.

I in no way, shape or form brought forward a personal attack. There is a clear distinction between bringing forward what we believe to be the facts and bringing forward a frivolous personal attack. I believe there is a clear distinction.

If we are not allowed to bring forward facts, if we are not allowed to bring forward debate items that may impact other members because it may offend somebody or it might hurt somebody's feelings, that limits free speech in this chamber.

I know that the hon. member opposite has a high ethical standard. I believe that he will stand in this place and apologize to members of this chamber and members of the committee which he chairs for the actions that he has undertaken both in communicating with the Information Commissioner and then in the way he conducts the committee as well.

• (1545)

The Deputy Speaker: I would encourage members wishing to add new information to this point and bringing up new points to be as brief as possible in their remarks.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, I have just been made aware of the proceedings here and the very serious state of affairs which has brought us to the reputation of one of the most reputable members of the House being sullied.

Knowing the reputation of the member for Peace River, which I believe to be a good one, I wonder if he would not accord the following remarks that were given to him this morning in committee and perhaps was clarified by the hon. member for Mississauga South. This is a letter dated today from the interim information commissioner and states:

On May 6 at 9 a.m., I called the Chair of ETHI [the ethics committee] to invite him to speak at a conference in September 2010.

During that telephone call, he mentioned the confidentiality order issued by my Office to Mr. Togneri (which in fact had been discussed before ETHI on May 4, 2010). I explained in general terms to the Chair of the Committee the meaning of confidentiality orders and indicated that those orders do not prevent a witness from testifying before a Parliamentary Committee or other fora. I also mentioned that I would be pleased to provide any such clarifications with respect to confidentiality orders in writing or in person to the Committee should it request it.

She went on:

There was no discussion of any evidence in our ongoing investigation.

I hope this adequately answers the Committee's request for clarification. I remain available to the Committee....

I understand that the chair said this in committee. Given that the member for Peace River heard this, the member for Peace River will avail himself and if given the opportunity, I will be glad to table the letter with the unanimous consent of the House.

I have read the pertinent parts into the record. His comments would otherwise be seen as misleading. I know him to be a better man than that. I would ask him to apologize and withdraw his remarks.

• (1550)

The Deputy Speaker: Does the member have unanimous consent to table the letter, in both official languages?

Some hon. members: Agreed.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I will try to be as brief as possible, but I think that the member for Peace River has not overstepped his bounds at all, considering the situation in which we found ourselves when the member for Mississauga South was chairing the ethics committee meeting last Thursday. I participated in that meeting and I must say that I have great concern over the way the member for Mississauga South conducted himself at that committee meeting.

First of all, just to follow up on what the member for Peace River said, the witness that we had before committee was definitely intimidated by the member for Mississauga South. O'Brien and Bosc, on page 1069, states:

Witnesses appearing before committees enjoy the same freedom of speech and protection from arrest and molestation as do Members of Parliament.

It goes on to say on page 1070:

Tampering with a witness or in any way attempting to deter a witness from giving evidence may constitute a breach of parliamentary privilege. Similarly, any interference with or threats against witnesses who have already testified may be treated as a breach of privilege by the House.

The member for Mississauga South at the committee said, "Mr. Togneri, I would just indicate to you that refusal to answer a question is not an option". That is the first crossing of the line, in my opinion. The second one is in *The Hill Times*, where the member for Mississauga South said:

"I think the posture of the witness and the arguments of the government members seems to indicate they really don't want this matter discussed in committee," he said. "If he refuses to answer [questions at Tuesday's meeting], then he is subject to possibly being in contempt of committee."

Again he is threatening the witness and definitely trying to tamper with the witness and how he appears before committee, intimidating him and taking away that witness's opportunity.

The member for Mississauga South in getting up here with his sanctimonious statement, his question of privilege, his feigned indignation, really is an overreaction knowing how he behaved at committee last week.

I will move on to point number two.

An hon. member: Is it relevant?

Mr. James Bezan: This is relevant. Standing Order 117 states:

The Chair of a standing, special or legislative committee shall maintain order in the committee, deciding all questions of order subject to an appeal to the committee; but disorder in a committee can only be censured by the House, on receiving a report thereof.

At the very beginning of the committee meeting, the member who was chairing instructed that the mic be shut off on another member who was speaking, which again goes against the freedom of speech that we enjoy here as members.

We want to make sure that we address all the issues that were raised as a question of privilege. I am just saying that his freedom of rights and privileges were not impugned in any way, shape or form, versus the privilege that he has himself used in a very authoritarian manner as committee chair in impugning the rights, privileges and freedom of speech of members of that committee.

Moving on, if we look at my second point in reference to Standing Order 117, the chair of the committee does not have the power to censure disorder or decide questions of privilege. Should a member wish to raise a question of privilege in a committee, or should some event occur in committee which appears to be a breach of privilege or contempt, the chair of the committee will recognize the member and hear the question, or in the case of some incidents, suggest the committee deal with the matter. The chair, however, has no authority to rule on whether a breach of privilege or contempt has occurred.

The member for Peace River never had his rights honoured at committee because of the overbearing way the meeting was chaired by the member for Mississauga South.

We have censorship, intimidation of the witness, and this whole issue of contempt. We should be reversing the role here, because I personally feel that his role as chair of the committee has had such an authoritarian measure that it has affected the rights and privileges of members of that committee to do their jobs properly. I will move on to those points.

The member for Mississauga South is overstepping the powers of the committee over the House itself. If we look at what the House of Commons decides versus what the committee decides, first of all—

• (1555)

The Deputy Speaker: Order, please. I am going to stop the hon. member there to remind him that there may have been issues at committee, which the members of the committee may wish to delve into further, but the point of privilege that was originally raised was specifically on the S. O. 31.

What happened at committee may be a subject for debate or discussion for remedy at committee and a report might be made back to the House, but for right now we are dealing with a point of privilege raised on the S. O. 31.

We have been discussing this for quite some time and I have heard submissions from a number of MPs discussing it. I will allow the member a brief time to wrap up but I encourage him to be very brief, as we have already discussed this for quite some time, and to refer specifically to the point that was raised. If he has other points that may have happened at committee, there are mechanisms for him to raise that in the appropriate place.

Mr. James Bezan: Mr. Speaker, the S. O. 31 that is in question here is based upon the performance of the member for Mississauga South at committee. I think it is important that the House and you, as Speaker, understand that, before you think this a prima facie question of privilege, because I am trying to build the case here that it is not. It was because the member for Mississauga South abused his powers as chair at the committee meeting on Thursday. That was the point of the S. O. 31 that was raised.

I think we need to have a fulsome debate on that issue based upon the contents of that S. O. 31 raised by the member for Peace River

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versus what actually happened in that committee, which I witnessed and am more than happy to continue to outline how he breached the privileges of committee by overstepping those bounds. He overstepped the means of that committee in his overbearing role as chair and superceded the power of the House and the independent officers of this House, being the Information Commissioner, and then using that in committee. I think that was a breach of privilege of this House.

The Deputy Speaker: I thank all hon. members who have made submissions on this point.

I think the hon. member for Peace River has already risen and given a lengthy—oh, you are seeking permission to table some documents. I will allow you to describe which documents you might wish to table.

Mr. Chris Warkentin: Mr. Speaker, in my time up, I referenced two different documents, one is the reference for the transcripts of the meeting that I was discussing and the other is the transcript from *The Hill Times*, which I would like the opportunity to table because I think they are pertinent to the discussion that we have had this afternoon.

The Deputy Speaker: Does the hon. member have unanimous consent to table these documents?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: The Chair will take this matter under advisement and will report back to the House in due course, I am sure.

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• (1600)

[*English*]

FAIRNESS AT THE PUMPS ACT

The House resumed consideration of the motion that Bill C-14, An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act, be read the second time and referred to a committee.

The Deputy Speaker: The hon. member for Abbotsford has a minute and a half left to conclude his remarks.

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, it is good to get back to the real business of this House, which is to protect consumers.

When I was last speaking, I was discussing the bill that we tabled in this House called fairness at the pumps act. The whole purpose of the bill is to ensure that the consumers who purchase gas at the pump are protected and that the weights and measures that are used in determining how much gas has flowed through the pumps is accurate.

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We know for a fact that there is somewhere around a 1.2% difference between what consumers actually receive and what they should have been receiving at the pump. In other words, there is about a loss of 1.2% of the quantity of gasoline that goes through the pumps, and this concerns Canadians. When we add up the price of gasoline in Canada and look at that much gas going to waste and being charged, that should be of concern.

In this bill we have also introduced administrative penalties, not only a Criminal Code offence, which is already there, but we have introduced administrative monetary penalties that would allow the measurement advocate to impose financial penalties, which are not as severe as criminal penalties. Let us face the fact that some offences that take place are actually fairly minor in nature. We want to ensure we are able to address those as well and get people back on the right track and ensure that Canadian consumers get what they are purchasing.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, I am pleased to hear the hon. member for Abbotsford talk about real issues. I want to ask him a couple of questions about real issues.

Could he explain to me the 15° Celsius temperature compensation ripoff, which his government continues to allow, that allows as much as a litre for every 80 litres dispensed to simply be lost by some calculation that has no meteorological or scientific bearing to the temperature in Canada?

Could he also explain why the wholesale price of gasoline in Abbotsford is 65¢ a litre, and that is for every player there? If he believes that is not a relevant issue, perhaps he could also explain to us why he does not focus on the promise that he and his party made, concomitant with that argument two years ago about dealing with gas pumps, about dropping the diesel tax by 2¢ a litre.

I have a concern about the member of Parliament making a number of comments, which he probably has very little knowledge of, with respect to, and more specifically, the fact that the price of fuel at any given time is overinflated by as much as 40% as a result of hedge funders and the manipulation of the commodities market, very similar to what we saw in the stock market last week. Would he like to comment on some real issues presented by this party, yes or no?

Mr. Ed Fast: Mr. Speaker, there were many questions there and, as the House knows, we do not have all day to answer one member's questions.

However, the member raised the issue of Abbotsford. One of the most frequent complaints I receive from the people of Abbotsford is about the price of gasoline. Some residents complain that different gas stations have different prices and they wonder why that is. Others complain that the gas stations all have one price and they wonder if some kind of collusion is going on.

In 2006 our government made a pledge to look at the whole issue of pricing and fairness when comes to weights and measures. What surprises me about the member's question is that he was part of the Liberal government during those 13 dark years and the sponsorship scandal. The Liberals had 13 long years to remedy the issue of temperature but did they actually do it? Of course they did not do it.

In fact, today they will probably make the argument that all they needed was a fifth term and then they would have done it.

Our government is fulfilling the promise we made in 2006 to look at this whole issue of weights and measures and ensure we brought accountability into the retail sector, which is exactly what the bill would do. We are actually moving forward and fulfilling our promise.

It would not surprise me if there were more to come to address all of these loopholes and all of these failures by the Liberals to deliver on over 13 years and which we now need to deliver on.

• (1605)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I take exception to the member's attack on my Liberal friend from Pickering—Scarborough East. If the Conservative member had been around for the last number of years he would know that the member took on his own government consistently over many years on this very issue and others. The member has always said that the problem with high gas prices is that the Competition Act needs changing.

One hundred and twenty-five studies have been done by various governments over the last few years and they have all come to the same conclusion, that no price fixing is going on, when we know there is. The definition in the Competition Act needs to be changed and if it were changed we would see actual convictions. The member knows that.

The member is fair in attacking the Liberal Party but I would ask him to be very careful about that one particular member who has done a very admirable job on this issue and others over the years.

Would the member consider—

The Deputy Speaker: Order, please. I must stop the member there. The member for Abbotsford has less than a minute left.

Mr. Ed Fast: Mr. Speaker, the member has spent his whole time defending the Liberal-NDP coalition, so it is alive and well. The reality is that there is only one government that actually steps forward and protects consumers. By admission, the Liberal member must admit that his party would not even listen to him, which is probably a reflection of the kind of influence he has within that party.

The NDP member should know that it is this government that actually fulfills its promises. We are promise keepers. We delivered on a promise we made back in 2006. Today we know consumers are going to have protective legislation—

The Deputy Speaker: Order, please. Resuming debate. The hon. member for Burlington.

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I thank the member for Abbotsford for sharing his time with me today. He is a leader not only in Abbotsford but within the Conservative caucus. I appreciate the effort he has put in today and every day.

It is a pleasure to speak today in support of Bill C-14, the fairness at the pumps act.

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I am proud to stand before members as my government takes decisive action to protect Canadians from inaccurate measurements at the gas pumps and other measuring transactions across the country. We pledged in our 2008 election campaign to expedite the issue of measurement inaccuracies, and today we take an important step toward making good on that promise.

The Weights and Measures Act has for many years set the measurement rules for the purchase and sale of products that Canadians enjoy every day and the Electricity and Gas Inspection Act sets rules for the purchase and sale of electricity and natural gas, critical commodities for sustaining our Canadian way of life.

Bill C-14, the fairness at the pumps act, would amend those two pieces of legislation to protect Canadian consumers and retailers from inaccurate measurements. The bill is just one more instance of the Minister of Industry's energetic commitment to ensure fairness in all business practices across the country.

Bill C-14 may strike some of my hon. colleagues as a housekeeping law, but I can assure them that it represents far more than that. When measurement inaccuracies occur, whether deliberate or inadvertent, they represent a great potential liability for Canadians. The fairness at the pumps act attacks this critical and compelling consumer issue by increasing the onus on retailers to take charge of their measurement practices and ensure all customers get a fair reading of their product purchases.

The act would accomplish this by imposing fines on non-compliant businesses and by calling for mandatory inspection frequencies. This means that businesses would be required to have their measurement equipment inspected by a third party every one to five years, depending on the industry. If the equipment does not operate accurately, the business must have it repaired.

I refer to this consumer issue as critical and compelling because it has been top of mind with Canadians since 2008 when the news media reported on how very often gas pumps inaccurately measured the fuel they were dispensing. Canadians also learned from those news stories that the consumer was the loser in three out of five instances of incorrectly measured fuel.

Understandably, Canadians have become increasingly concerned about whether they are getting their money's worth at the pump. They wonder if they are being overcharged because they have no means of judging for themselves the accuracy of the neighbouring gas pump in question. It is a situation that is completely unacceptable, which is why the Minister of Industry and his predecessor have followed such a decisive course of action in developing this bill.

Despite the bill's name, the fairness at the pumps act, it extends well beyond gasoline retailers. It calls for inspections in other sectors, including downstream petroleum, dairy, retail food, fishing, logging, grain and field crops, and mining. My government may add additional sectors to this list in the future according to the needs of Canadians.

One great strength of Bill C-14 is that it has been carefully crafted to anticipate a wide range of offences, from the relatively minor to the serious. The fairness at the pumps act would ensure not only that retailers have their measurement scales inspected frequently enough

to guarantee accuracy in nearly all cases, but it would also impose stiff penalties on retailers who fail to comply.

As my hon. colleagues know, some people will only make the effort to comply if there is a criminal charge to be had, only if circumstances are dire. By raising the fine of non-compliance from \$1,000 to \$10,000 for minor offences, from \$5,000 to \$25,000 for more serious offences and up to \$50,000 for repeat offenders, the Minister of Industry is sending a strong signal to gas pump operators and retailers across this country: comply or pay.

Canadians are tired of being victimized by lax measurement standards. This new legislation would protect them from that. At the same time, Bill C-14 offers a means of penalizing offenders without actually prosecuting them as criminals.

● (1610)

Although the bill calls for swift punishment when necessary, it also recognizes that some measurement offences are relatively minor and inadvertent. As such, Bill C-14 offers what we have called a graduated enforcement approach, which means the penalty can fit the offence.

Canadians believe in appropriate justice and this legislation reflects that ethos. Indeed the fairness at the pumps act approaches the very issue of enforcement in the spirit of fairness and constructive encouragement rather than casting all offenders as hardened criminals.

Not only does Bill C-14 protect consumers and make allowances for minor offenders, it is also a boon to small business operators who will act as government appointed inspectors under the legislation. One of the media's principle criticisms of Measurement Canada's performance in 2008 was the organization's lack of capacity to protect consumer interests. My government has addressed this issue by requiring businesses to manage their own inspection schedules in compliance with this new legislation.

The fairness at the pumps act calls for the use of private sector operators as authorized service providers. These businesses would conduct inspections under the Weights and Measures Act on behalf of the government and charge for their services according to supply and demand.

Rather than imposing a top-down government-driven inspection regime, Industry Canada will train small businesses to undertake this important work. It will evaluate them every year to ensure they are doing the job correctly and then trust them to carry out their job with accuracy and integrity. If they violate that trust, Industry Canada may revoke their authority.

Will Bill C-14 put undue strain on small business operators required to comply? My government believes it does not. There will be minor additional costs for small businesses, but the conveniences inherent in the new system may well offset those costs.

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For example, authorized service providers, the inspectors who the Minister of Industry will designate, could also service and repair measurement devices as they perform their inspections. In this way, small businesses will find that they can kill two birds with one stone and keep their equipment working at an optimally at all times.

Gas and food prices continue to be a concern of all Canadians. With these price pressures comes a great responsibility to ensure that the quality of the product is near perfection. No purchased good can approach perfection if its weight or volume has been calculated incorrectly.

This reality rings especially true for the single mother who is feeding her family on a shoestring budget, for the small business landscaper whose company has to pay onerous gasoline bills to reach rural customers and for working parents who have to heat their home with increasingly expensive natural gas through a bitter prairie winter.

I call on my hon. colleagues to recognize that on the issue of measurement standards, these Canadians cannot afford anything less than the protections in Bill C-14. If retailers fail to comply with the perfectly reasonable stipulations of the fairness at the pumps act, they must be made to pay.

• (1615)

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, the hon. member for Burlington and I sit on the committee together and we look forward to having more discussions about this.

The hon. member will appreciate the fact that I am concerned that this action is so infinitesimally small as to be virtually meaningless to Canadians. The reason for that is simple. The minister's announcement over a month ago, predicating this bill, attacked good independent gas retailers and called them chisellers. He forgot to point out that in his own facts and information 94% of all the random surveys of pumps in Canada were correct, 2% turned out to favour consumer and 4% did have an impact on consumers, 1 in 25.

The hon. member for Abbotsford suggested nothing had been done on the consumer side. The member will have to recognize that WestJet exists as a company in his riding as a result of initiatives by this member and this party to ensure fairness in the airline industry among other initiatives we have taken in the Competition Act.

Specifically is the member concerned about the fact that the regulation will require only two years of inspection? As he knows, in his riding, as in mine, the volume, the throughputs that many of those pumps go through are in the tens of millions. The breakdown and the probability of a breakdown that might occasion a civil response is serious. Would the member not consider an early term? Is this something to which he has given any consideration?

Mr. Mike Wallace: Mr. Speaker, I was honoured to speak to this point. I used to work in the retail gasoline business. At one point it was with Texaco Canada, which has left Canada, and then it was with Imperial Oil.

We need to understand the actual gasoline business. I can only speak mostly for urban areas. Oil companies own 99.9% of the fuel at gasoline stations in urban areas. Agents work there. They are not independent retailers. The fuel is owned by the company.

My first career out of university was as an auditor of gas stations. I would check the meters against the volume that the retailer said was sold. There was a dipping system and at one point I would dip tanks. That system is now electronic. As an auditor, I was always looking to see if those meters were accurate and to be frank, it was hard to tell. There was a variation in measurements. We were really looking for leaky tanks, to ensure that no gas was leaking and that the retailer was reporting sales correctly.

A two year time frame is appropriate for this. The quality of the pumping systems now is much greater than in the past. They are much more accurate. A two year time frame is an appropriate length of time for retailers to ensure those measurements are accurate.

[*Translation*]

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, Bill C-14 imposes rather stiff penalties. The hon. member also spoke of the fact that gas pumps and gas meters are quite precise.

Does the retailer have to exceed a specific margin of error in order to be found guilty?

[*English*]

Mr. Mike Wallace: That was an excellent question, Mr. Speaker. Off the top of my head I do not have the answer as to the amount of air that could be there, the variance. Gasoline expands and contracts with temperature. That is why the 15° is in the bill now. I assume that when our inspectors are trained, they will be able to deal within that variance.

We have to be careful when we say retailers will be facing the vast majority of these fines. Let us hope that nobody gets ripped off, that is the first goal. The vast majority of gasoline pumps are owned and operated by the gasoline companies, whether it is Imperial Oil, Shell, Sunoco. It will not be the agent who will be responsible. The oil companies will be responsible.

• (1620)

[*Translation*]

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Madawaska—Restigouche, The Environment; the hon. member for Burnaby—New Westminster, Canada-Colombia Free Trade Agreement.

[*English*]

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, I thank my hon. colleagues who have preceded me on the debate. I apologize I was not able to be here at the outset, so the parliamentary secretary and I did not have a chance to exchange a few ideas, but I am sure his colleagues will take it to him. I also want to thank our industry critic from Montreal.

I greet today, with some degree of trepidation, this legislation. Although much vaunted as being the panacea for all consumers in Canada, it is in fact significantly short on substance, short on proof and short on the deliverables. This seems to be one of the few things that could have been done, which would be, in some respects, a no brainer.

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However, there are much more important issues dealing with the price of fuel and energy that should concern Parliament and the government. However, we need to consider the heat of the moment. An election campaign was triggered by the Prime Minister, who went back on his own word. In one evening gas prices went up 12.9¢ per litre. Most Canadians know that because this member and this party pointed out that the industry had become so monopolistic in the downstream that what took place was nothing short of tragic. The Americans had a major hurricane shut down refinery alley along the Texas Gulf coast. They witnessed a 6¢ a gallon increase at the most. I know that because I spoke to Ali Velshi, a senior correspondent at CNN, to get my information. In Canada it was 60¢ a gallon, converted to 12.9¢ to 13¢ a litre.

If that does not address the fundamental concern about just how clued out we are when it comes to the price of gasoline and energy costs, then I need ask members to look no further than the context in which that legislation was proposed two years ago. It took the government two years to finally come up with something and it said it would probably deal with one in twenty-five gas pumps which it thought was faulty, that it would call them pumps and that the likelihood was they had been tampered with. The minister referred to them as chisellers.

I can not think of an example that demonstrates such ignorance from a minister who obviously does not know anything about a gas tank, let alone how to pump it. Perhaps he spends a little too much time here with his driver and does not pump his own gas so he does not recognize that there can be mechanical failures.

The hon. member for Burlington talked about his experience working at a gas station. No doubt he will be familiar with the former 25, 30 year old equipment, which is used in many parts of the country that is not served by a number of gas stations. Very small communities may be using old electronics and very old equipment. It is very difficult to compromise and to break the electronic sequence that is in those pumps. What often happens, if there is an error, and that is assuming the error does not in fact benefit the consumer, is the product breaks down as a result of wear and tear.

That is why I asked the hon. member a very pointed question and I will ask the experts. In some communities pumps are not used as much. The introduction of ethanol could have an impact. Where we have higher use, there is a probability of breakdown. It is not someone's fault. That is the result of wear and tear on machines, and no machine is guaranteed to go forever, especially if it goes through sustained high use.

I am sure we will hear from Dresser Wayne, or Gilbarco, or Oppenheimer, which has been taken over by Dresser Wayne. We will hear from those individuals who work in the industry and who will pinpoint the shortcomings of their fuel.

Suffice it to say, my website, tomorrowsgaspricetoday.com, receives 30,000 or more hits a day. Out of those are generated hundreds of emails. I probably receive more emails on this subject than any member in the House combined, especially when the prices go up or when they go down and we see the fluctuation which is out of sync with world pricing.

I am concerned because this legislation is a distraction. It is a façade. It can be dealt with by regulation if indeed there is the presence of a problem. The minister has admitted that only 6% of pumps were found to be faulty. Of that 6%, 4% of the 100% that were done, did not favour the consumer.

If we are to prepare ourselves to embark on an idea of working to fix these problems, I want the committee, and I certainly want Parliament and the public listening right now, when we come to fairness at the pumps, there is a suggestion that there has been unfairness at the pumps. I can say with some certainty, it would be almost impossible for independent retailers or agents, as the previous member talked about, to trigger a mechanism that might make those pumps not work. It is very difficult to do.

• (1625)

More important, if we look at the way a pump is made and the way retailers take inventory, to skew the numbers to try to play games for a couple of days would only hurt their inventory. They would get a call saying, "You've used this much. How come you have this much left?" Unless, of course, there is a leak or a problem with the tank, in which case there might be some environmental concerns.

However, what it does not do is address the fundamental concern that I have, and I think many colleagues in this House should have, about where there is in fact a disconnect between consumer value for what they purchase and what in fact they get.

I can say with some certainty, with years of working on this file, that the last problem we have is accuracy in the pumps. If it were such a big issue, we would have had more than one conviction over the past three or four years. I am not saying it does not happen, but I am certainly convinced it is not because people are deliberately fixing the pumps. First, as I just mentioned, it is difficult to do. Second, it skews the inventory to such an extent that it becomes a self-defeating exercise. If they in fact do these things, they are only hurting themselves.

I received two emails this morning that dealt with a far more credible issue that the government could have addressed and may fall into the very same category that we had when we were in government. I note that the hon. member for Abbotsford and some of his colleagues said our government did very little about it. I want to encourage the members of the government to recognize not to make the same mistakes of fooling themselves into the belief that somehow what they provided here is a panacea. In fact, it is very much a tinkering, a glossing around the edges of a very serious problem.

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By that I mean the following. In every region in this country today, every community has the identical wholesale price, and I see that the rack price is out as of just a few minutes ago. I cannot think of a more vivid example of the lack of competition than when we see the exact same price in any community across Canada. I will be glad to show members, for the purposes of their edification. If I look today, for instance, I will see that the rack price is identical everywhere in Ottawa. Everyone will charge the same thing tomorrow. It will be somewhere in the vicinity of 60.8¢ a litre; Quebec's will be 61.4¢; Montreal's will be 61.4¢; Toronto's will be 62¢. The hon. member for Abbotsford will happy to know his will be 66.8¢. The point is that the price is determined by one player. No one challenges that price at the retail level nor at the wholesale level. And so, what Canadians are faced with tonight is a 2¢-a-litre increase. That is above world prices as established at the NYMEX just 25 minutes ago.

So when members talk about a skew in a pump of 1% on 80 litres, which would be the average fill-up of most cars in my community, that is .8¢.

How about the 2¢ ripoff that is going to happen tonight?

Let us deal with some real issues in this House for once and not go around contenting ourselves with some idea that we have a better widget than the people who preceded us or than the ones who preceded them. The reality is far more serious.

I know that members on the industry committee should have the benefit of all the questions, not just Measurement Canada, but to look beyond this first step. I am hoping it is a first step, because members will recall that, in the 2008 campaign, the Conservative Party pledged to deal with the issue of potential problems at the gas pumps, which I might point out came from an *Ottawa Citizen* article during the 2008 election. That *Ottawa Citizen* article seems not to have a lot of people backing it. Certainly people at Measurement Canada have not verified it. So, it is interesting that we have erected today two years of investigation based on an article for which no one really wants to take credit. More important, why should they?

When the CBC national news runs with a story saying 75% of all pumps are skewed, what a great horror. Every pump we are using now, almost every one is going to rip us off.

Let us try to infuse some facts into a debate on something that is important to Canadians. For every penny they save at the pumps every given week, that could mean hundreds for a family at the end of the year.

As members will know, if someone can get away with having a monopoly in the gasoline industry, one might be able to have the same or near monopoly in the propane industry or the natural gas industry.

I will not get into the issue of arbitrage because that is not for the debate today. However, it is important for us to understand another ripoff, which the government fails to understand.

How is it possible that a wholesale price of 60¢ a litre for regular versus mid-grade at 62.3¢, which is a 3.25¢ difference, or premium, which is always 5¢ above regular, translates into a 13.5¢ ripoff?

•(1630)

Someone has to have a lot of control and a lot of power to be able to move prices from a wholesale differential of 3¢ to 13¢. I want hon. members in the House to understand that we are dealing now with not one penny or one-eighth of a penny or 1% when it comes to premium, when it comes to mid-grade, which many vehicles must run on, or when it comes to diesel. We are dealing with a wholesale margin translated to the retail level that could be in excess of 8¢ to 10¢ a litre. Then multiply that by 50.

I can guarantee that, when we look at those kinds of numbers, it is very clear that the government has either tried to distract the public with this legislation, a bit of smoke and mirrors, a bit of a smokescreen, or it just does not want to address the fundamental problem that exists with this industry, as it may with others.

I am not saying there is not a desire to change. Members know that I have built part of my career on trying to deal with this, but I am very suspicious of the context of this legislation. It is a quick fix aimed at the wrong people, which gives false hope that somehow people are going to see better prices at the pumps come this summer.

Let us be honest. Summer driving season is coming up. Although demand for fuel across North America is low and supply is very high, we now see prices heading north for no reason. If we had competition that would not be the case.

Every week the Americans provide what is called the weekly petroleum status report. Since 1979 the Americans have ensured that every drop of energy that they produce, that they use, that they anticipate using for inputs and refineries, is accounted for.

I see three citations in this document, which gives transparency to the Americans and to the world as to what the price should be every Wednesday morning at 10:30. I see three footnotes here from Natural Resources Canada. We supply the Americans with data to help them get a better understanding of the world, to protect consumers and to ensure transparency, but we will not do it for Canadians. Why?

There was an attempt to do this in 2006. The member for Abbotsford talked about what he did in 2006 during the election. Wonderful. We had a little proposal that said we would replicate the exact same thing, a weekly petroleum report, through something called the office of petroleum monitoring. We would give Canadians a better and more accurate understanding of how much is produced in this country, including the stock market, the commodities market. Why would we want to fly blind? The rest of the world wants to know how much they are producing. That makes sense. But no, the first act of the Conservative government was to kill the petroleum price monitoring system. I still have not received an answer.

Some anecdotal discussions with people in the industry, the downstream, have told me that it was really the folks at Imperial Oil who did not like it. Esso did not like it because it did not like it. That is funny; Imperial Oil's parent Exxon Mobil in the United States has been required by law since 1979 to furnish all data on supply and demand. It just makes sense.

Government Orders

I would have thought that the government might have actually dealt with that particular issue, but it did not. It chose instead to go to defective pumps and translate that and torque it somehow into greedy little retailers conspiring in the dark of night to wreck their pumps to make sure Canadians do not receive full value for that which they have worked so hard to obtain.

It is important for us to recognize quite a few things that have not come forward yet.

The margins and the racks that Canadians are forced to pay are substantially higher than those around the world. This means that the infrastructure in which so much taxpayers' money has been invested over the years, to build a pipeline to serve the entire country, energy self-sufficiency being one of the goals, has now been translated into virtually a network, a system, an infrastructure that is controlled by a handful.

I come from Toronto, and my region used to have three or four refineries. How many do we have today? None. Half the supply in my riding comes from Montreal because of the number seven line that was produced to push petroleum from the west to the east to create energy self-sufficiency.

• (1635)

[*Translation*]

My colleagues from the Bloc and all hon. members of the House are well aware that another refinery is closing. I told them that would happen in November. The declining number of refineries is worrisome. In 2007, a report indicated that the small number of refineries in Canada would create a supply problem. Even before the Petro-Canada and Sunoco merger and the proposed closure of the refinery in Montreal, regulatory officials were concerned.

[*English*]

To put this in proper context, if Canada is in a tight supply situation and, even though there is plenty of crude going around, we cannot produce enough, it puts us at a strategic disadvantage not only for our ability to ship abroad but, more importantly, to make sure premium prices are not charged to Canadians because we do not have enough refinery capacity in this country.

It is important for the government to recognize this. It can pay lip service to the idea that fixing the pumps is going to somehow prevent prices from going up unduly. Frankly, that is hollow. It is irrelevant and untrue.

I can say with some certainty that, if we do not deal with the issue of supply in this country, we are going to wind up as truckers did in western Canada. Yes, western Canada. I am speaking of Saskatchewan, Mr. Speaker, your very region. Truckers were scrambling for supply because of the way in which crude can be bent or configured and the way in which refineries are made. Some emphasize gasoline and some emphasize diesel.

It is very clear to me that we cannot afford a repeat of what happened in 2008. It seems to me that the first responsibility of any government is to ensure adequacy of supply, regardless of what party it is. It failed. It utterly failed, and it is important for the government to clue into that as well.

I will come to my last concern. I want to devote the last three minutes remaining to something far more serious, which Parliament appears not willing to understand, much less address. The government, in particular, must understand this in the context of the comments by the Minister of Finance and I am sure it must concern the Minister of Industry. That is the speculative and changing nature of our markets.

Ten years ago it was acceptable to see NYMEX, the New York Mercantile Exchange, as being the way in which prices were derived. A producer or consumer would go in and trade, and on a 30-day or 60-day basis, act on the deal, sell a bit of oil and take delivery of the oil. That has all changed.

With the growth of Goldman Sachs Commodity Index, AIG, Lehman Brothers, Bear Stearns, Morgan Stanley and over-the-counter derivatives, traders right here in Canada, in Winnipeg, through the Intercontinental Exchange, we have seen massive distortions in the price of fuel, which hurt industry, retailers and refiners. Bringing the price of crude up to \$147 and then dropping it to \$35 is in no one's interest. Yet it happened.

Whereas that happened two years ago, what happened just last Thursday? I know some are wanting to say there are fat fingers and someone made an error and put million or billion. The way in which trades take place today is that there are high-frequency traders on computers who, if they see something drop 1%, will suddenly sell everything they have. The market then closes and many companies are left in ruin.

We have a golden opportunity at the G20 and G8 next month to lead the charge to regulatory reform, which is at the heart of the cost of energy for Canadians and the price they pay for gasoline. I know what I am talking about on this subject. The Obama administration is trying to tackle this, and I think Canada can play a leading role at precisely the right time to signal to the rest of the world that we want real people consuming and producing. We do not want index investors or sovereign investors, people who go in high, bid, hold the product at a certain price and create volatility in the market, which destroys the market.

I call on the government to look a lot further than the nano or micro step it has taken with respect to regulation of gasoline pumps. Look at the bigger picture, stand up for constituents, hear what I have said and measure it against what we have seen around the world today. Stand up for Canadians and I think Parliament will have their support.

• (1640)

[*Translation*]

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, the member says that Bill C-14 does not really solve the problem of the price of gas at the pumps. It is my understanding that he believes that competition is the solution.

Does my colleague believe that if the Competition Bureau had real investigative powers, it would foster more competition? We know that more competition often results in consumers paying the true cost.

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Hon. Dan McTeague: Mr. Speaker, I thank my colleague from Chicoutimi—Le Fjord. I still believe that the objective of people who draft laws such as the Competition Act may be to respond to or create a situation that gives an advantage to other competitors. We must recognize the power of that approach and also recognize that the Competition Act needs to be overhauled.

The last significant amendment dates back to 1986—I know one amendment was made two years ago—and was suggested by representatives of the oil companies, Imperial Oil in particular. It was a misunderstanding. Peter C. Newman said something interesting in his book *Titans*:

[*English*]

He states:

It was the only time in the history of capitalism that any country allowed anti-monopoly legislation to be written by the very people it was meant to police.

[*Translation*]

That is quite odd. I think the government could have gone in that direction but it did not and it wants to give the impression that it is doing something.

We must also find out about certification of the people who will be doing the inspections. Are these people certified? The bill says nothing about that. The bill before us states that the company must be certified. The people carrying out the inspections will not solve the problem. That is one amendment I would like to suggest.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I wish to thank the member for his presentation on Bill C-14 today. I certainly have supported his work over the last number of years on this particular issue, but in terms of this particular bill itself, it seems to me that increasing the penalties is something that is long overdue and should help in the situation. I think the member would more than likely agree with that.

Given that we are bringing in this bill to save basically \$20 million, are we looking at the other side, which is the cost to the businesses?

The only time a Conservative government ever brings in consumer legislation is if there is an offset to business, and the offset to business here is that it is going to allow private people to get into the inspection business. It is going to let the inspection services be determined by market forces. That means that these little retailers, in some cases in the rural areas and up north, are going to have to shop around for an inspector, maybe at a cost of hundreds of dollars, to come and inspect their pumps.

It seems to me that with the random system we have right now, inspection by the government, there is no conflict of interest there and that is the system to have. Maybe we should be doubling the number of government inspectors and keeping the inspections on a random basis so that the retailer does not know when the inspector is going to show up.

This proposal says that they have to find their own inspector and that they are going to know when the inspector is going to show up to do the inspections.

● (1645)

Hon. Dan McTeague: Mr. Speaker, the hon. member for Elmwood—Transcona raises some very important concerns.

I am not in the business of giving false hope to people about what this legislation is going to do. Anybody who thinks that the complaints are going to stop because there are more inspectors is dreaming in Technicolor. What is important for us to understand is how one is doing the inspection.

We have demonstrated, time and time again, that the way in which one actually meters a pump, a slow flow, a quick flow, the prover that is used to compare what is said on the meter and what is said on the actual container requires several standard types of analyses. I do not think most inspectors are up to it. We are asking, in a very short period of time, very critically, that we get a tenfold increase in the number of inspectors. It is going to have an impact on retailers. There is no guarantee of certification.

As I said to the member for Chicoutimi—Le Fjord, we have to ensure that the people who are there are also held responsible. They cannot go around saying as the hon. minister has said, “Your pump is wrong. It is your fault. You are a chiseller”.

[*Translation*]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, my colleague explained the situation very well. It is clear that the Conservative government has no desire to make things better. The system is in place. The Conservatives have formed the government for four or five years. We have had problems with gas prices in this country for a number of years, but the Conservatives have done absolutely nothing. Now they have supposedly come up with a solution, but the solution already exists. They form the government, yet they cannot even put rules in place and ensure that the system is properly checked.

Does my colleague agree that the Conservatives have had plenty of time to come up with solutions? They are trying to fool people by talking about rules and measures that exist but that they do not want to strengthen. It is as though they do not want to solve the problem of gas prices in this country.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, the member for Madawaska—Restigouche is quite right. Clearly, the government's position is not meant to solve the competition problem or reassure people that they are getting what they pay for, and it will not do either of those things.

I said earlier that if the government were serious, it would do away with the standard of 15 degrees Celsius, which is what the provincial Conservatives did when they approved the report I submitted in 1998. When you pull up to a gas pump, it indicates that the volume is corrected to 15 degrees Celsius. This means that the volume the consumer gets is lower, because this correction is far higher than the Canadian norm.

The average temperature in Canada is five or six degrees. Even with heat and global warming, it is not 15 degrees. The 15-degree norm is good for Hawaii.

Government Orders

I think this is wrong. If the government really wanted to do something, it could do away with this standard. The other thing it could do would obviously be to reverse its decision to kill the petroleum monitoring system that told us how much was produced in Canada.

[*English*]

Mr. Jim Maloway: Mr. Speaker, for many years Manitoba had a random system of inspecting vehicles. It was a case where the government inspectors would send out letters over a period of years. One never knew when one would get the letter but over a 10-year period the car would be called in for inspection. People trusted the system because it was a motor vehicle branch person who inspected the car. If it needed repairs, the owner was ordered to a garage to get them done.

About 12 years ago the Conservative government, under the guise of helping the consumer and under lobbying from the motor dealer association, turned the whole affair over to the private sector garages. Basically, it was a licence to print money. The price of used cars went up substantially when the legislation took effect. Garages were proven to be overcharging people because there was a conflict of interest.

We cannot have garages certifying cars when they are in the repair business as well.

Does the member think it is a reasonable idea that people would trust a government inspector, inspecting on a random basis, far more so than one where people had to shop for an inspector who also might have some other conflicts?

• (1650)

Hon. Dan McTeague: Mr. Speaker, I would want to ensure that there are a number of regulatory organizations, TSSA being an example, that could qualify and ensure that the apprentices are properly trained. That would also limit the conflict of interest.

I understand where the member is coming from, but I want to make it abundantly clear that it is not who inspects. It is how many inspect and the credentials which they bring. Otherwise, there is no veracity to the system and we may be impugning people who ought not to be.

I want to remind the hon. member. Our party got rid of the GST as it relates to rebates for people on home heating fuel and other things. We were concerned about the price of fuel back in early 2000. We acted on those on two occasions.

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Mr. Speaker, I wish to thank the House for giving me this opportunity to voice my support for the fairness at the pumps act, an act that upholds the integrity of many Canadian industries, an act that boosts consumer confidence and promotes competition in the marketplace, and an act that honours the promise my hon. colleagues and I made to Canadians when we formed this government.

I urge members of the House to recall that promise now, to remember the events of two years ago. At that time, gas prices were rising steadily across the country. With each passing month Canadians were pressed to dig deeper into their pockets to drive their children to school, commute to work, and to purchase consumer

goods transported long distances to local stores. By spring, the cost of fuel was reaching historic highs.

That is when the news hit. Some retailers were capitalizing on the hardships of Canadians fraudulently. Media outlets covered the story recalling that as a result of inaccurate measurements at the pump, many people paid for fuel they never received. Canadians cried foul and rightly so. The fundamental rights of consumers had been violated. The vital trust between buyers and sellers had been broken. The time-honoured principles that formed the very basis of this country's market economy had been dishonoured.

The Government of Canada took action immediately. We vowed then and there to amend the Electricity and Gas Inspection Act and the Weights and Measures Act. We vowed to ensure that people across the country receive what they pay for at the pumps. We vowed to protect consumers in all trade sectors that depend on accurate measurements of goods.

We made a promise in 2009. Today, we keep that promise. We keep that promise through the introduction of the fairness at the pumps act, a piece of legislation that holds retailers accountable to buyers for the volume of product sold, that enshrines consumers' rights to know what and exactly how much they buy of any product, and that promotes fairness, honesty and decency. These are the values all Canadians cherish.

I am sure many members of the House agree with me. Such legislation is vitally necessary, but will Bill C-14 be effective? Will Bill C-14 accomplish the goals to which it aspires? Will Bill C-14 prevent fraud in the retail petrol sector? These are valid questions.

Too many well-intended laws lack the robustness needed to bring about real change. The Electricity and Gas Inspection Act and the Weights and Measures Act are proof enough. By virtue of these laws it has long been a criminal offence to cheat the measurement of goods and services and so deceive consumers. Still, many retailers fail to follow the letter of the law.

In 2006-07 Measurement Canada made it a priority to get to the bottom of the issue. Indeed, the special operating agency declared its resolve to address the problem of measurement inaccuracy in eight trade sectors, including the retail petroleum sector in Industry Canada's 2006-07 report on plans and priorities.

Since then, Measurement Canada has consulted extensively with industry leaders, small business owners and with members of the public. In each discussion one truth continually resurfaced. One truth that now provides the rationale for the specific amendments to the Electricity and Gas Inspection Act and the Weights and Measures Act presented in the fairness at the pumps act.

There are two types of non-compliant retailers. There are retailers who mislead consumers inadvertently and much more seriously, there are retailers who cheat consumers maliciously.

Let me speak first of all to those who mislead consumers inadvertently. By and large, these are honest retailers. These are decent, otherwise dependable men and women who through ignorance or negligence fail to monitor and maintain the accuracy of their equipment.

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At present, the only means to punish even minor contraventions to the Electricity and Gas Inspection Act and the Weights and Measures Act is in the courts. Prosecution, however, is not always the most appropriate means to penalize careless retailers. After all, these are not necessarily felons. These are not people whose actions are so monstrous as to warrant a lifelong criminal record. These are people who should be warned, who should be disciplined, and who should be taught to be accountable for the distribution of their products and services.

• (1655)

For those retailers the solution is simple: more frequent inspections. Under the fairness at the pumps act, businesses would be required to have the accuracy of their gas pumps or other measurement equipment validated and certified regularly by the authorized service providers trained to meet Measurement Canada's performance criteria. Retailers found to be non-compliant with consumer laws would face monetary penalties in line with the severity of their offence.

What about retailers who cheat consumers maliciously? What about the second type of non-compliant retailer who knowingly undermines the accuracy of his or her devices so as to profit at the expense of others? Periodic audits of measurement accuracy are not enough to protect Canadians from such racketeers. Strong enforcement mechanisms are necessary.

Here is where the existing legislation falls flat. At present, the maximum fine for non-compliance is \$5,000. A minor offence runs retailers a mere \$1,000. The penalties are a pittance compared to the money dishonourable retailers stand to gain. Make no mistake. Tampering with the accuracy of measurements is not a crime of passion or revenge. It is not a crime of hatred or a crime of fear. It is a crime of greed. Money is always the motive. Therefore, let money also be the deterrent. Let criminal behaviour be made less lucrative. Let criminal behaviour be made less compelling.

The fairness at the pumps act would increase court-imposed fines up to tenfold and would add new administrative monetary penalties. Retailers who commit minor transgressions would pay for their non-compliance with a fine of \$10,000. Retailers who are more conniving, unscrupulous and deceptive would face fines of up to \$25,000 and could find themselves before a judge. Retailers who are found to measure fuel or other goods inaccurately more than once would risk a \$50,000 and legal prosecution.

In this way, the fairness at the pumps act would provide what existing legislation lacks: a strong arm to enforce the law and deter criminal behaviour before it starts. For this reason, I am confident that Bill C-14 is not merely a mouthpiece for consumers. Bill C-14 is a champion of consumer rights, with the backbone to defend the interests of Canadians at the gas pump and everywhere else consumer goods are sold on the basis of measurement across this country.

I urge my hon. colleagues to also defend the interests of Canadians. I urge my hon. colleagues to contemplate the merits of the fairness at the pumps act and pass Bill C-14. Indeed, I urge my hon. colleagues to vote in favour of this act with as much conviction, as much determination and as much principle as Canadians did when

they elected us as their representatives and entrusted us with the responsibility to protect the rights of consumers.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.):

Mr. Speaker, it is a real pleasure and tribute to the hon. member. I know his fine standing. We have worked together on a number of files. I appreciate the opinion of the member for Chatham-Kent—Essex. I value his concern and commitment to this issue, as do many others. It works well for me to be with him on the industry committee once again. Much was accomplished in the previous Parliament. I hope the same for the next Parliament.

I am wondering if the hon. member might be able to indicate to us the willingness among his colleagues to look at the big fry. It is important to recognize there are people who might, by accident, create problems with a pump. A pump may break down and the retailer of course would be responsible for that, but we would not say that the retailer had done it deliberately. The member made a very good argument to that effect.

However, when a bank in Canada advocates that people buy a barrel of oil or one of the commodity offerings because oil will be \$200 a barrel, it drives the price up artificially and has an enormous impact and damages the economy, industries and consumers alike. I am wondering if he has given any thought to discussing with his colleagues, in advance of the G20 and G8 meetings, the prospect of raising the issue of market manipulation and limiting those who, as swap dealers or as derivatives traders, ought not to have anything to do with the commodities markets.

• (1700)

Mr. Dave Van Kesteren: Mr. Speaker, I share the member's fondness for the industry committee. We have both done remarkable work and have seen remarkable work done in that committee. I am very glad that he is on that committee. I also give the member credit for his knowledge with respect to gas prices and the industry as a whole.

I remind the hon. member that this bill deals with a specific problem. This bill answers what our constituents have been asking us to do, which is to remedy a wrong that is taking place in the marketplace.

The hon. member probably has seen me with my book. I take it everywhere and write everything down. One of the things that I have written down in the back is his formula for the price of gasoline. I give him credit for that. I get calls every day and my constituents will say, "This price is being manipulated. What is going on? It has to stop. You are the member of Parliament".

Government Orders

I tell them that the hon. member for Pickering—Scarborough East has done fine work in figuring exactly the price of gas. It is not rocket science. It is right there. We can figure out the crude, dividing by the number of litres, adding the margin for the refining cost, the profits. That gives us the price of crude, and then we add the refining margin, the Ontario tax, the federal tax, the GST, the retail margin, and then we get the cost at the pump. It is wonderful and is very accurate.

What the member is talking about, and he would agree with me, is that on a number of occasions we tried to see if there was manipulation taking place. We are not seeing that. I know what he is attempting to do and I agree that we need to continue to look at that, but at this point we have not seen any of that.

[*Translation*]

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, I have the pleasure of serving on the Standing Committee on Industry, Science and Technology, so I know the member who spoke very well, since we have been working together on this issue in committee for a few months now. The hon. member has often seemed to be much more reasonable than his own party.

I believe the purpose of Bill C-14 is to ensure that consumers receive the correct amount of gasoline for the price they are paying, but it does not propose a measure to control gas prices. We need such a measure. Consumers are not paying and will not be paying a fair price, because competition does not work the way it should.

Can the member tell me why the Conservatives did not put any measures in Bill C-14 that would encourage competition and allow consumers to buy gas at a fair price?

• (1705)

[*English*]

Mr. Dave Van Kesteren: Mr. Speaker, it is going to sound like we have a lovefest at the industry committee, but I think it is fair to say that we have a great rapport. I have a high regard for the member opposite as well. Again, he makes a great contribution to the industry committee.

My answer to the hon. member would be that this specific bill deals with a specific problem. The legislation itself will narrow in on that problem.

He raised the issue with respect to increasing competition. That is a very fair question. It goes to the very heart of what will determine prices. If we do not have enough competition, there exists the possibility of corporations taking advantage of that in prices. He is absolutely right.

In a number of the studies that we have done in the industry committee, we have looked at what is going on in the oil industry. It is very expensive. What seems to have happened in the oil industry is that the number of refineries has been reduced. That is to combat the enormous costs that take place when we refine oil. Today there are fewer refineries in Canada than there were perhaps 20 years ago.

Very near my riding Shell Oil was looking at the possibility of beginning a refinery. That did not happen. I think it spent \$10 million just on doing the studies but it has retracted from that.

I would share my feelings with the hon. member. I think we need more competition. We need to encourage oil companies. One of the things we need in this country is another refinery. It would help tremendously with respect to the price of oil.

Perhaps at a future date we could look at that possibility and take that up as a study in the industry committee and produce another fine report from which we could all benefit.

[*Translation*]

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, I am pleased to rise today to speak about a subject that affects a number of citizens. Everyone has an opinion about the price of gasoline and how that price is calculated. In past years, some reports and newspaper articles shed a light on gas pumps that were not accurately measuring the quantity of gas at some retailers. Consumers were frustrated, especially since at the time, gas was even more expensive than it is now. Bill C-14 was introduced in response to these reports.

The Bloc Québécois believes that it is important to modernize the legislation to guarantee better consumer protection and to deter businesses that could profit from these inaccuracies. The government must act as quickly as possible. But first, I would like to outline the position of the Bloc Québécois before I talk about our concerns about this bill.

I would like to begin by saying that the Bloc agrees with the principle of Bill C-14. However, the bill does not respond directly to the issue of collusion, such as recently came to light in Quebec, nor does it effectively prevent sudden gas price increases.

This is an important issue for the Bloc Québécois and we believe that we must continue to try and respond effectively to gas price increases with Bill C-452 because Bill C-14, which we are talking about today, still does not allow the Competition Bureau to initiate an inquiry. It has to wait until it receives a complaint from an individual before launching an investigation. The Competition Bureau does not have the power to investigate if it has not received a complaint.

Although the Bloc Québécois agrees with the principle of Bill C-14, the bill is not an end in itself. It does not deal with the major issue of apparent collusion in this industry. We believe that it is time to make amendments to the Electricity and Gas Inspection Act and the Weights and Measures Act.

First, any retailer that violated the Electricity and Gas Inspection Act would automatically receive a fine of up to \$2,000. Inspectors who discover the violation would issue a ticket ordering the offender to pay the fine. The offender could then pay the fine or contest it within the timeframe and according to the terms of the ticket.

The defendant could present a due diligence defence, demonstrating that he had exercised due diligence in order to prevent the offence from being committed. Consequently, it would be up to the retailer to prove that he is not guilty, and there could be additional penalties if the retailer continues to operate in violation of the law.

Government Orders

However, the most important thing, I feel, is that the act would allow the names of offending businesses to be published. In an area such as gasoline sales, if a retailer were found guilty, there would be a serious impact. Word travels quickly in some neighbourhoods and since there are numerous gas stations, some businesses could lose customers. This measure would definitely force certain retailers to obey the new law.

● (1710)

Second, the amendment to the Weights and Measures Act will allow authorities to impose much stiffer fines on offenders.

Under the new provisions of this bill, government appointed inspectors will be authorized to enter the premises where they have reasonable grounds to believe that an infraction has been committed. They will be authorized to examine, seize and keep anything found there, use any computer or communication system found there and prepare documents based on that information. They can also restrict access to the premises and force the shutdown of defective equipment.

As is the case with the Electricity and Gas Inspection Act, a retailer who violates the law repeatedly over several days will face cumulative sentences for each of the days.

Bill C-14 also amends section 35 of the Weights and Measures Act to increase the penalties imposed on offenders. In the case of a first offence, a conviction will carry a maximum fine of \$10,000 and/or up to six months of imprisonment.

In the case of an offence prosecuted by indictment, the maximum fine will be \$25,000 and/or up to two years of imprisonment.

In cases of repeat offences, the maximum fine for an offence punishable on summary conviction will be \$20,000, although the maximum prison time remains unchanged at six months.

If the offence is prosecuted on conviction on indictment, the maximum fine will be \$50,000, still with the possibility of a maximum prison sentence of two years.

Lastly, a fine of \$10,000, or \$20,000 in cases of repeat offences, has been established for offences that are not already covered by the legislation.

Bill C-14 is not meant to frighten retailers, but simply to correct a piece of legislation that no longer meets current standards.

It is only natural that, in 2010, inspectors should be able to ensure that consumers are not being cheated. Consumers must receive the amount they pay for. They must get their money's worth.

All the same, we do have some concerns about the bill, and we intend to raise certain issues when this bill goes to committee for examination.

We believe that Bill C-14 could have included an amendment to the Competition Act. The government should use this bill as an opportunity to introduce additional measures to protect consumers.

I have been a member of the House of Commons since June 2004, and every time we have debated the price of gas and rising prices, the government, be it Liberal or Conservative, has always said the same thing: their hands are tied because the Competition Bureau

found no evidence of price-fixing among oil companies. There was therefore no problem.

What we really need to grasp here is the fact that the Competition Act has some major loopholes. The Competition Bureau cannot launch an inquiry of its own accord. Inquiries can take place only at the minister's instigation or if a consumer, a legal entity or otherwise, files a complaint.

I know the government says that it implemented measures to fix the problem as part of the 2009 budget implementation act. However, these new provisions still do not enable the Competition Bureau to inquire of its own accord or to take this kind of initiative.

The inquiry process cannot be launched until a complaint is received. That is how it works right now.

● (1715)

In fact, that is why we believe that the Bloc Québécois' Bill C-452 is still needed. It would enable the Commissioner of the Competition Bureau to inquire into an industry sector if he or she deems it necessary to do so. As it stands, Bill C-14 does not address that issue.

Bill C-452 gives the Competition Bureau the power to take the initiative to carry out real inquiries into the industry if it has good reason to do so, which is not something it can do right now. It cannot act until it receives a complaint.

It goes without saying that if we pass such a bill, the Competition Bureau will be far better equipped to fight companies that seek to take advantage of market dominance to fleece consumers.

I hope that my colleagues of all political stripes in the House will tell us what they think of Bill C-452 and whether they agree with us about the Competition Act's shortcomings. As I said before, the current Competition Act does not allow the Competition Bureau to hold inquiries of its own accord. It cannot launch an inquiry unless it receives a complaint or is authorized to do so by the minister.

For years we have also been calling for a petroleum monitoring agency to closely monitor the price of gas and to address any attempt at collusion or unjustified price increases.

The Bloc Québécois is not alone in recommending changes. For years we have been repeating the recommendations of the Standing Committee on Industry, Science and Technology made in November 2003. The federal government has never done anything to help consumers and has a fine opportunity here to set up a system to monitor the petroleum industry.

In November 2003, the Standing Committee on Industry, Science and Technology strongly recommended the creation of an agency to monitor the oil sector. A committee would be asked to submit an annual report to Parliament on the competitive aspects. The creation of such an agency would enable the government and us as legislators to keep a close eye on the industry.

Government Orders

To the Bloc Québécois, there is no doubt that the Competition Bureau must have more freedom to act and more discretionary power over its inquiries. The Competition Bureau must have access to all documentation when conducting an inquiry. The Competition Bureau could then effectively play its role as an advocate for competition. When there is competition, the consumer pays a fair price.

Only if it is given more responsibility can the Competition Bureau undertake a real inquiry into the true nature of the activities of an industry sector.

Today we are no further ahead than we were seven years ago. Bill C-14 is a step in the right direction, but it is just the first step. For a long time now, the Bloc Québécois has been urging the government to take action to deal with the high prices of petroleum products. Bill C-452 is just the first step in fighting the high price of gas.

Bill C-452 aside, the Bloc Québécois is more convinced than ever that the industry must do its fair share. With skyrocketing energy prices and the oil industry's profits, the economy as a whole is suffering while the oil companies profit. We have to do away with the fat tax breaks the oil companies are getting.

● (1720)

One year after coming to power, in its 2007 economic statement, the Conservative government announced additional tax cuts for the oil companies, which will see their tax rate go down to 15% in 2012. Canadian oil companies will pocket nearly \$3.6 billion in 2012 alone because of these tax breaks.

Third, we must reduce our dependence on oil. Quebec does not produce any oil, and every drop we consume makes Quebec poorer, in addition to contributing to global warming. The Bloc Québécois therefore proposes that we reduce our dependence on oil.

In 2009 alone, Quebec imported \$9 billion worth of oil, less than usual because of the recession, but in 2008, oil imports totalled \$17 billion, up \$11 billion from 2003.

To reduce our dependence on oil, the Bloc has proposed substantial investments in alternative energy to create a green energy fund, launch a real initiative to reduce our consumption of oil for transportation, heating and industry, including an incentive to convert oil heating systems, and introduce a plan for electric cars.

We have to get ready, because by 2012, 11 auto manufacturers plan to introduce some 30 fully electric and hybrid models, more reliable cars with better energy efficiency and much lower operating costs than gas-powered cars.

I do not want to get away from the objectives of Bill C-14, but for the Bloc Québécois, any discussion of oil consumption has to include a real plan and a structure for attaining these three goals.

In closing, I will briefly go over the three steps to a more effective law. First, we have to bring the industry in line by giving the Competition Act more teeth. Second, the industry has to pay its fair share of taxes, which means doing away with fat tax breaks. Third, we have to reduce our dependence on oil by, among other things, introducing incentives for consumers to buy electric vehicles.

Better ways to prevent fraud, as Bill C-14 is proposing, are needed, but we must introduce measures that will really benefit us in future, with a comprehensive action plan.

● (1725)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the member talked, as other members have, about the big picture and the big problem. We have known for a number of years that we need to deal with amendments to the Competition Act because over 125 studies have been done, which prove that the Competition Act is what needs to be changed to ensure more competition.

Would the member take the lead and introduce whatever motion, amendment or bill that would cause that to happen? We have a minority government. We could get together with the member for Pickering—Scarborough East, who is an expert in this area. He recognized the problem many years ago. I have certainly been aware of the problem for a long time. We have three caucuses of a similar mind. Why can we not get together, drive this issue and force the government to deal with the real problem rather than simply nipping around the edges?

[*Translation*]

Mr. Robert Bouchard: Mr. Speaker, I listened to the member talking about putting in place measures to foster competition, to give more powers to the Competition Bureau. I would like to remind the member that the Bloc recently introduced Bill C-452, which would give the Competition Bureau more powers, including the power to initiate inquiries. At present, the real problem is that the Competition Bureau cannot initiate its own inquiries. It must receive instructions from the minister or conduct an inquiry in response to a complaint filed by a company, consumer or legal entity.

I therefore invite the member and his party to support our bill, which will be debated in future.

[*English*]

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, this rip-off of consumers by some of these companies that are shortchanging consumers thousands and thousands of dollars was raised in the House of Commons several times. In fact, if it is across Canada, it is millions of dollars.

A study by Measurement Canada came out quite a few years ago. I read in *Hansard* that the former minister of industry said very clearly:

I have instructed regulatory changes to be prepared. These will increase the onus on gas retailers. Fines will be increased from \$1,000 per occurrence to \$10,000 per occurrence.

Government Orders

That was promised on May 12, 2008. That was a good two years ago and still we are here, two years later, debating this bill. Is it not unfortunate that no action has been taken for two years and consumers across Canada have been ripped off millions of dollars as a result?

● (1730)

[Translation]

Mr. Robert Bouchard: Mr. Speaker, the government could have acted more quickly, especially since, as the member mentioned, a report was submitted in 2008 and a measure is now being proposed two years later.

In Bill C-14, the government talks about better prices resulting from competition, having more competition and having prices that foster competition. I believe that Bill C-14 does not truly address the issue of competitive pricing. It responds to the fact that the consumer purchases a certain quantity. However, the aspect of competition is truly set aside. There should be measures that deal not just with the quantity purchased but also the real price to be paid. To arrive at the real price, there must be competition and, on that matter, the bill is silent.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Madam Speaker, I thank my colleague for his fine speech on Bill C-14. It is clear that an investigative process will not help individual people. I agree with what the member said about not letting the industry govern itself.

There is also the fact that a lot of taxes were paid on gasoline that people never received. So I am wondering if the member agrees that we need a better process for ensuring that people can file complaints, and for refunding certain taxes or services that consumers never received.

Mr. Robert Bouchard: Madam Speaker, when consumers do not receive all of the gas they purchased, it is clear that they have been shortchanged by the business owner. I think this concern or these problems are particularly evident with the purchase of oil products.

The report of the Standing Committee on Industry, Science and Technology, which was put out in 2003, recommended that the government give more investigative powers to the Competition Bureau; it also recommended that the government create an agency to monitor gas prices. If these two measures had been implemented, I believe that consumers would have had justice and would not feel they are at the mercy of the oil companies and are not getting a fair price when they purchase petroleum products.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I would like to ask the member a simple question. Has he noticed a supply problem in Canada and Quebec in relation to the number of suppliers in this industry?

Also, is he worried that companies like Ultramar sometimes pursue predatory lawsuits that are really harmful to retailers, not only in Quebec but also in Ontario?

Mr. Robert Bouchard: Madam Speaker, I think I understand that my colleague is talking about oil companies. At this time, for instance, it is likely that a refinery in Montreal will be closed. But when a refinery closes, the supply is reduced and oil products are taken off the market. This contributes to price increases, which

further drive up the price paid by consumers. So there is an advantage to having more refineries and greater supply, so that consumers pay a reasonable and fair price.

● (1735)

[English]

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Madam Speaker, I am very grateful for the opportunity to speak to the government's Bill C-14. What it is calling a fairness at the pumps act seems to me to have more to do with politics than real fairness.

I was particularly impressed with the long, detailed and interesting speech by the member for Pickering—Scarborough East. He seems to have identified what I have identified, that this is mostly about what the current government has been very good at, very skilfully and successfully, quite often, at changing the channel on what the real issues are.

As I read between the lines, along with the hon. member for Pickering—Scarborough East, this deals with a lot more than just pumps and a lot more than just fixing gas pumps with small errors in them. It would amend the Electricity and Gas Inspection Act and the Weights and Measures Act and would increase mandatory inspection of measuring devices in a whole host of industries like dairy, retail, food, fishing, logging, grain, field crops, mining, et cetera. However, the way it is being marketed and sold here is that it is supposedly about the petroleum sector.

There are about 125,000 gas pumps in Canada, with about 60,000 of them to be inspected every year for accuracy under this bill. Why does this come all so late? It was over two years ago that the *Ottawa Citizen* and our party in the House reported on investigations that showed government inspections found that about 5% of pumps delivered more or less fuel than reported in the pump display on pumps across Canada. In the 2008 election campaign, the Conservatives were emphatic in saying that they would take immediate action. That is two years of consumers getting hosed, on average, twice a year per consumer. The government has collected taxes on all those overcharged consumers during that time. Why did the government not act sooner?

One thing that is interesting about the bill is it would outsource inspections on all sorts of measuring devices, including gas pumps, to private companies and private inspectors. There would be about 400 to 900 private sector inspectors required to carry out the inspections of the pumps alone. This would add perhaps \$2 million in costs for the taxpayers each year. There would be the question of oversight of all these private inspectors. What is to stop a company in the oil business from having its inspectors in this position in a biased position?

Government Orders

A lot of questions are left unanswered by the bill. One problem the bill tries to solve is that while occasionally the pumps give consumers extra gas they did not pay for, far more often they give them less gas than they paid for. That can hardly be coincidental. As a former scientist, the degree of difference here does not seem to be random or accidental.

The bill would increase fines for pump discrepancies to \$10,000, or \$25,000 for big offences, and would add new fines of \$50,000 for repeat offenders.

However, the biggest problem is not inadequate fines right now. Getting caught with inaccurate pumps already results in fines. The problem is authorities do not have the investigative power to gather evidence to impose fines where they are needed in the first place, not with inaccurate pumps, but with the price of gas itself.

Gas station owners should have properly calibrated pumps, and in fact the vast majority do. However, targeting them with more frequent inspections and higher fines is missing the big mark. The bill would use them as scapegoats, and the government seems to be unwilling to tackle the real problem. The bigger problem is not faulty pumps. It is high gas prices and unconscionable margins and probably collusion and price-fixing, prices among competitors that mysteriously go up in lockstep with one another and prices that shoot up quite quickly when the price of oil rises, but never seem to fall very fast or very far when the price of oil drops.

● (1740)

The real problem is that once again we are changing the channel away from the real issues. My region of northwestern Ontario knows this all too well, perhaps better than almost anywhere in Canada. My office hears over and over again from people who feel they are getting hosed. I do not blame them. Over the last 48 hours, eight out of the top ten most expensive pump prices in Ontario were in northwestern Ontario and the other two were in northeastern Ontario. In fact, our gas is usually more than 20¢ a litre more than in most parts of Ontario or in Manitoba.

This weekend while gas prices were as low as 89¢ a litre in Ottawa and 95¢ in Toronto, they were \$1.10 or more in Thunder Bay, \$1.13 in Terrace Bay and \$1.15 in Longlac, among some of the highest prices in Canada. It is outrageous and fines for faulty pumps will not fix this. The problem is not with the pumps and it is not with the small gas station owners either for the most part, who as I said, the vast majority are honest and have accurate pumps. Most do not make very good margins themselves. Most do not even set the prices. It is the big oil companies that set those prices.

If we want to help a minority of consumers getting cheated at faulty pumps twice a year, that is okay. However, what about helping the vast majority of Canadian consumers who are getting gouged every time we fill up on gas? There are lots of unanswered questions. Why are prices in some regions like northwestern Ontario 25% higher most of the time? Obviously, different provincial taxes and periodic problems with refinery supply and shipping play a role in gas prices. The freight cost of transporting gasoline to the northwest is often given as a reason as well, but other regions in Canada just as far away do not have a whopping 25% price difference. As Thunder Bay's the *Chronicle Journal* newspaper wrote on July 10 of last year when things were really out of hand:

—the one definitive study into city gas prices...determined that prices here should be a maximum of only four cents a litre higher than the rest of Ontario.

What is needed is a public inquiry into price fixing in the gas market and industry oversight with real teeth. I know that when my colleagues in the NDP have called for public inquiries before, the government has suggested that consumers should take their concerns to the Competition Bureau. It knows full well that the Competition Bureau cannot do anything without a smoking gun. About the only time something really gets done is when an informant comes forward from inside the scheme, like we saw in the Quebec gas fixing cartel in 2008.

Virtually all the convictions from price fixing in the last two decades come from that one single case because someone on the inside came forward. In that case, the Competition Bureau commissioner at the time, Sheridan Scott, said an overwhelming majority of gas businesses in the markets involved were accused of participating in the scheme.

Eleven companies were charged with things like illegally fixing gas prices. They were able to convict four and only because they had an informant. I wonder how much similar activity goes on today across Canada that we cannot prove because there are no informants tipping the Competition Bureau off and the bureau does not have the authority to perform more than a cursory investigation of any consumer complaints. It can only investigate violations to the Competition Act, so a great majority of gas price complaints can go nowhere.

I hope the government will be open to starting a real inquiry into the matter and a public investigation of what can be done to really improve the situation for consumers.

● (1745)

One thing my party has been calling for is a gas price ombudsperson. Since the Competition Bureau is so limited in what it can do, we need an ombudsperson who could handle public complaints and give us strong and effective consumer protection.

Our member for Hamilton Mountain has tabled Bill C-286, which would do just that. It would enable Parliament to appoint an independent ombudsperson to investigate complaints about gas pricing and report to the ministry of industry if it is not satisfied with the response from the oil or gas supplier.

Government Orders

If given adequate investigative powers, the ombudsperson would help provide strong, effective consumer protection, including fines of half a million dollars if necessary, to ensure the really big offenders did not get away with swindling consumers. It would help ensure that we paid a fair price for gas so small and independent retailers would finally have proof that they were the good corporate citizens, as most of them are. It would ensure there would be greater oversight and accountability on the big oil companies. It is these big offenders and big distributors we need to go after, even more than those small business people with faulty pumps or the rare unscrupulous gas station owner who might nickel and dime customers.

There is one more thing I would like to bring up when it comes to fairness at the pumps.

No discussion of gas fairness is complete without talking about the harmonized sales tax. As we know, the HST being imposed by the Conservative government on consumers will raise the price of gasoline by 8% in Ontario. This price hike is orders of magnitude more costly than any savings Bill C-14 might ever bring to consumers.

Passing Bill C-14 off as a magic bullet to fix gas gouging, as the government is doing, while hiking gas prices across the board, is the biggest bait and switch in gas marketing history. It has been calculated that the average family of four, through the HST in Ontario, will be hit with an increase of \$232 per year, even more in Thunder Bay where it is based on a higher price, and about \$900 million across Ontario each year. It is a tax grab.

The Conservative government is tabling a fairness at the pumps bill to crack down on the 5% of pumps that are faulty, but hitting 100% of pumps with the biggest gas tax hike in history. Is this what Conservatives think of as fairness?

To conclude, this bill pays lip service to controlling unfair business practices in the sale of gas. Significant measures need to be added to the bill to make it really worthwhile for Canadian consumers who need it desperately. Do the Conservatives really care about consumers? Do they care about taxpayers? Do they care about average Canadian citizens, or do they really just care about big oil and oil and gasoline distributors?

It is my understanding that the amount of oil and gasoline that we export to the United States is roughly equivalent to what the east coast imports from Saudi Arabia and Venezuela. We know where the real priorities of the Conservatives lie, especially the Alberta-based Conservatives.

I hope the government will prove me wrong and will be open to stronger consumer protection measures in Bill C-14. It will be a litmus test to see whether the government really wants to tackle gas price gouging or if it is all just political positioning.

• (1750)

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I thank the member for Thunder Bay—Superior North for the compliment on some of the work that has been done. I think we agree with far more than we would disagree.

Could I get from the hon. member a better understanding of where he sees the greatest impetus to be placed on the cost of energy? Would he encourage his colleague, the finance critic for his party, to gently persuade the Minister of Finance to make market manipulation, particularly in the commodities futures market, a priority, particularly as one understands the role that derivative and swap dealers have played in distorting the market as much as 40% and 50% today on the price that we see?

The hon. member will know there is a 4¢ increase coming to his constituents tonight, even though markets and the Canadian dollar have shown virtually no increase whatsoever. I am very familiar with the concerns in his riding having lost a number of independents like Domo and Mohawk, which have been taken over by large players.

Perhaps he could focus his comments on where there is a real problem driving the cost of energy over and above the issue of taxation, over and above the scandalizing of the odd gas retailer that somehow he or she is a chiseller? Could he encourage his members to focus on the G20 and G8, focus on market manipulation, one of the reasons we are spending \$1 trillion to help bailout a couple of countries?

Mr. Bruce Hyer: Madam Speaker, one of the ironies about the party that I sit with is that I have three small businesses. I do not have much to do with them these days because I am pretty busy here and in my riding, and my managers take care of them

But in the small business community there is lots of competition. Adam Smith's rules of supply and demand work relatively well in the small business community. Having read *The Wealth of Nations* not once but twice, I would urge the Conservative Party members to read it. There are a couple of big caveats in Adam Smith's invisible hand.

Adam Smith pointed out that the only time his theories of the invisible hand work is when we have lots of small and medium-size buyers and sellers, so that no one distributor or producer can control supply or demand or price. That is the real theory of Adam Smith. That is the real theory of capitalism.

Ironically, on top of that, 87% of all the jobs created in Canada over the last several decades have been by small business people across Canada.

Therefore, the myth that our future, our economics, lies with big business is just that, a myth, particularly when and if there is little or no competition in those marketplaces.

Franklin Delano Roosevelt in the United States and a few other leaders across North America in the last century understood this and acted effectively to control trust, to control predatory non-competition. It is time we had it again.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I think the member would agree with me that increasing the penalties is a positive element in the bill, but that the real flaw in the bill going forward is basically the privatization of the inspection services.

Government Orders

I mentioned before that for many years Manitoba had a government run inspection service for vehicle safety. Vehicle owners would get a letter in the mail on a random basis. They would be called in for a safety inspection and a government inspector would fill out a safety report on their car and the people would go to a garage of their choice to get the repairs done.

Around 11 or 12 years ago the Conservative government in Manitoba, under the guise of consumer protection that basically was under pressure from the motor dealers association, decided to make the vehicle inspections mandatory when new cars were purchased.

There were no more government random inspections. They were mandatory inspections. They had to be done by local garages. Guess what? The price of used cars went up considerably when this took effect. There was rampant abuse of the program because the same garages that were inspecting the cars were also the garages where the cars were being fixed.

Therefore, there was incentive to find a lot of things wrong with these cars. As a matter of fact, we had the CBC go into different garages basically on a ghost car basis to find these abuses. It found lots of them. It went back another year to the same garages and found the abuses had not gone away.

Does the member agree with me that the penalties are not the big flaw in the bill? We agree with the increased penalties. However, the fact is that the government is going to basically privatize the inspections. Small businesses in northern Ontario are going to have to shop around to find an inspector to inspect their pumps, when a random inspection done by a government inspector is the way to handle this by hiring a few government inspectors. Perhaps that is the way to go.

• (1755)

Mr. Bruce Hyer: Madam Speaker, what we have to shop around for in northwestern Ontario, similar to what the hon. member for Elmwood—Transcona has just said, are inspections on scales and measures of any sort.

When I was younger, whether a person went to the meat market, the supermarket or the gas station, there was a nice, fresh, clean sticker on all those pumps that gave real confidence that it had been inspected relatively recently. I do not know about the rest of Canada, and it would be interesting to find out, but most of the scales, pumps and measuring devices in northwestern Ontario either do not have the stickers anymore or the stickers have peeled off or faded so much that a person cannot even tell when they were put on there.

It has been clear to me for a long time and it has been observed by many of my constituents that we need more inspectors and more zealous inspecting. However, as the hon. member knows, this is true in just about all federal employee hiring and statistics across Canada. We are cutting services.

It is a simple, straightforward game that the Conservatives are good at. First, they cut taxes to large corporations so that they are approximately half of what they are in the United States. They create huge deficits and then say that they cannot afford to do their jobs anymore or have real government professionals doing those jobs to ensure that they are done properly.

The Acting Speaker (Ms. Denise Savoie): Questions and comments. The hon. member for Pickering—Scarborough East on a very brief question as there is a minute and a half left.

Hon. Dan McTeague: Madam Speaker, I have two very brief questions. First, in his capacity as a scientist, does he agree or disagree with the 15°C temperature compensation, which is currently invoked and foisted on consumers?

Second, will he work hard to end the Enron loophole that is destroying the integrity of our markets and hurting consumers with inflated prices one way or another? It is a skew that could be 30%, 40% or 50% higher than it ought to be. Is that right for his constituents?

The Acting Speaker (Ms. Denise Savoie): The hon. member for Thunder Bay—Superior North, a brief answer.

Mr. Bruce Hyer: Madam Speaker, I am afraid the brief answer is simple. Until today, I really had not thought about the ambient temperature by which we measure these things, so I am going to have to research that one.

On the second one, until today, this has not really been my field. I have become fascinated through this debate today and I want to investigate further into why we have the kind of obscene margins and lack of competition in this field that we seem to have.

Ms. Olivia Chow (Trinity—Spadina, NDP): Madam Speaker, one in 20 gas pumps in Canada are shortchanging consumers. People drive to their local gas station and fill up at one of the pumps. Victoria Day is coming. It is a long weekend when people tend to travel. Millions of consumers each year will drive up to gas pumps.

Government inspections do not happen very regularly. There was a big study conducted from 1999 to 2008 and Measurement Canada discovered that consumers were getting less gas than they were paying for. Consumers are being ripped off regularly. Twice a year, on average, each motorist is being shortchanged. People are driving off with less gas than they paid for. Some even have to buy an extra two litres to top up their tanks because they are being shortchanged.

One would think that if a gas pump is not functioning, consumers some time would pump more gas and at other times less gas. One would think it would even out, that some consumers lose money and others may gain more gas. Surprise, surprise, far more people, in fact three out of four consumers, get less gas at the pumps rather than retailers getting shortchanged.

Consumers are getting cheated. They are getting hosed at the pumps. Some speculate that the reason this is happening is because if a pump is malfunctioning, retailers are likely going to fix that pump first if it is pumping more gas than what consumers are paying for; whereas, if it is pumping less gas and retailers think they can get away with it, they will not fix it or it takes them quite a long time to fix it.

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The report was released by Measurement Canada two years ago and yet nothing was done. The Canadian Petroleum Products Institute said it would do some work, that consumers should trust it, and it would find some ways to make the situation better. The Canadian Independent Petroleum Marketers Association said to trust it, it would do its thing and it would get fixed. Yet, again, nothing got done.

There is a report that says that if 40 billion litres are sold per year, \$240 million worth of gasoline is being stolen out of consumers' pockets. This is really a theft. People pay and yet they are not getting the product they paid for.

The Conservative government talked about being tough on crime and yet consumers have been hosed at the pumps for two years, May 2008 until now, May 2010. No action has been taken. The Minister of Industry was questioned on May 12, 2008 by the member for Toronto—Danforth who asked:

—one in twenty pumps is not correctly calibrated and consumers are paying the price. In addition to shortchanging people at the pumps, the big oil companies are not even giving people the gas they paid for. At \$1.30 a litre, every cent counts. When will this government create an ombudsman position to protect consumers from the big oil companies?

• (1800)

The Minister of Industry said that he had met with the president of Measurement Canada and that he had given him instructions to increase enforcement over the course of the summer with additional inspections and that he had asked that regulatory changes be prepared. He said, “These will increase the onus on gas retailers. Fines will be increased from \$1,000 per occurrence to \$10,000 per occurrence”. Of course we know that did not happen for the entire two years.

Finally, the former minister of industry for the Conservative government said that he would be writing to all Canadian gas retailers asking them for their co-operation. He said that they would get the job done. We know the job did not get done and yet now, just before the summer break, the bill has finally been presented. Who knows how long the bill will take to get passed at second reading and go to committee. It will probably come back in the fall for third reading, et cetera. However, that is no excuse.

Further on, the same former minister of industry, now the Minister of the Environment, said that the government would increase the enforcement to protect consumers, et cetera, but there was no action. Consumers have \$240 million a year being stolen from their pockets and yet there has been no action all this time.

Now we have a bill before us that is full of flaws. I want to contrast this two years versus what happens in the House when the government wants to make something law. It can be done in two days. The HST, the harmonized sales tax, is an example of what can happen. It was introduced just before Christmas last year. It was a Christmas present for people in Ontario and the good citizens of British Columbia. It was introduced in one day and the next day it was passed. In two days action was taken to take money out of the taxpayers' pocket. Whereas this bill is trying to protect the pockets of taxpayers and in two years it got no action.

It is quite amazing what kind of priorities this Conservative government is looking at, a government that has claimed to be tough

on crime and yet it takes very slow steps in trying to protect the consumers.

Some hon. members: Oh, oh.

• (1805)

The Acting Speaker (Ms. Denise Savoie): Order, please. I would like to allow the member to finish her comments and then perhaps other members could ask questions or make their comments at that time.

Ms. Olivia Chow: Obviously I have touched a raw nerve somewhere here.

That contrast is quite stunning. We know, with the HST coming in July, that \$2,000 to \$5,000 will disappear from a family's pocket, and that was passed in two days. In this case, however, when millions of dollars are being lost at that pumps, no action has been taken. It takes a long time.

Maybe we should not be surprised. Even though we have raised the issue of tax subsidies to big oil and gas companies over and over again, we still see at least \$1.2 billion in tax incentives going to the big oil and gas companies that are making billions of dollars of profits. We have noticed that there is a bill that is about to get third reading with the support of the Liberal party and members of Parliament here, Bill C-9, which would again give these very profitable oil companies a total of \$6 billion with all the corporate tax cuts.

In the other bill, we have seen that oil companies would be able to skirt around environmental assessments. Also in that bill, environmental assessments are being removed. Companies do not need a federal environmental assessment if they get a few dollars of federal funding.

A different kind of assessment or check and balance is supposed to be done through the environment side. Instead, however, whether or it is drilling or oil sands explorations, it will to be done now through the National Energy Board. It apparently has nothing to do with the environment. We just recently had a huge oil spill that is having a devastating negative impact on the environment, wildlife, birds and the species in the water. This whole addiction to oil is really quite astounding.

Bill C-14 does not deal with the price fluctuation. Sometimes the price could be at an all-time low in terms of gasoline prices and yet at the pump it is high. All of a sudden it goes up to \$1.20 for no reason. It is supposed to be about supply and demand but it seems that often there is no connection.

The bill also has no increase in the number of government inspectors. It is all done by non-governmental inspections. Government has a role to play, which is to inspect to ensure that industry is doing the right thing, and yet that is not in this bill.

The bill does not establish an ombudsperson, something that the NDP has asked for over and over again. We need an independent office to evaluate the problems, investigate complaints and to ensure consumers are given justice and fairness. It is not here in this bill and it is not fair.

Government Orders

What else is not fair? If people were being cheated, they would think that they would get some of that money back. In this bill, even though the government would be collecting more fines, which we support, the bill says that the government would be fining minor offences up to \$10,000, major offences up to \$25,000 and new fines for repeated offences up to \$50,000. Hopefully the government will send a message out there and fine a few gasoline companies.

● (1810)

However, one would think that if the government were collecting a few dollars out of it, that it would at least compensate and ensure the gas companies compensated and refunded those who were being ripped off, but no, there is nothing in here to protect the consumers. This is, in many ways, really unfair because every dollar counts, especially if and when the price of gasoline goes up.

What else does it not do? It does not actually repay the GST. The gas tax right now is 10¢ per litre but if the consumers are being shortchanged, which the last I saw amounted to \$240 million, one would think that with the taxes that are charged on these so-called phantom purchases at least there should be a refund on the taxes being collected on the purchase. The bill says nothing about a tax refund or any type of compensation for those who have been ripped off. It contains nothing to deal with the price fluctuations and nothing to protect the consumers. It says nothing about an ombudsperson and there is no place to file a complaint. It is no wonder the government is known to just make a lot of noise. It makes it appear as if something is being done but it takes very little action.

Our consumer critic and industry critic will be making a lot of amendments when this bill comes to the committee and if the Conservatives and the Liberals really want to protect consumers, they will support the kinds of recommendations and amendments that the New Democrats will be pushing.

I suspect that this bill, unfortunately, may not pass until the fall. With long weekends and the summer coming up, how will people who are travelling to visit their friends and families protect themselves? I looked up some pointers. One of the pointers that I found quite fascinating was that we should put in 10 or 20 gallons and then multiply the price by 10. We would then know precisely how much we were paying and know exactly the amount of gas that we paid for. It looks like the consumer needs to resort to those kinds of activities to protect themselves since the Conservative government, unfortunately, is dragging its feet and not taking real action.

We will support different aspects of this bill, such as the mandatory inspection frequencies and the additional fines, but we will not support using private sector authorized service providers. We will not support the kind of privatization of inspections that we see in front of us because we believe that regulations put out by government should be done by government. We have seen far too many times that when we privatize inspections, it just means that the retailers end up having to pay more and the consumers continue to get ripped off and hosed.

● (1815)

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I found it interesting to listen to some of the comments the hon. member made, including dealing with issues of

transit. She would not have complimented the Liberal Party for being the one that initiated the GST tax on tax to be used for the very purpose which she well knows as a former councillor in Toronto is extremely beneficial and helpful in the early days of pioneering transit as an alternative.

The hon. member also may have erred on a number of occasions about the facts, that 5% of the pumps that were the target of the study by Measurements Canada was in fact only 4%.

The hon. member seems to suggest that there is a problem. I am concerned as she is with the fact that we are asked to measure on our own to see if these things work. The reality is if we put something in a plastic container that is 10 litres or 20 litres, or whatever the case may be, there is room for expansion, as well. Exposing gasoline from ambient temperature in the tanks eight or ten feet below ground versus the temperature outside may contract or in fact expand the volume. Those are not effective measures.

I want to ask the member this one thing because I think she is concerned, as I am, about what impact this is going to have on gas retailers, as well as on consumers.

The theory goes that some things that are too onerous, like spill containment and environmental standards that have been advocated in the past, have had the unintended effect of actually reducing the number of retailers in this country.

I wonder if, as a councillor, or now as a member of Parliament, she might not take into consideration the actions of municipalities that have had a devastating impact on the licensing and zoning and the ability for small independents and other retailers to survive. This may in fact have contributed to the demise of many retailers, many wholesalers and, at the same time, may have driven up prices.

I wonder if she would like to comment on that, given her experience on Toronto council.

Ms. Olivia Chow: Madam Speaker, I believe that if the government did the inspections, it would give the retailers a bit more protection regarding price fluctuations.

However, I noticed that when the Liberals were in government, they tended to adopt an approach of everything being done in a voluntary way. If toxic toys were the concern, they tended not to do a mandatory recall but would let the industry regulate itself and check whether or not the toys were toxic. If they were toxic, industry would tell Health Canada, but Health Canada would not do a mandatory recall. It was all about voluntary enforcement, which is no enforcement at all.

In many ways, there has to be firm guidelines, regulations or policies that if retailers are cheating consumers, they will be fined. There needs to be accurate measurements. There should be performance follow-up inspections. All of that is really important. Inspectors at Measurements Canada, which is the federal agency, should be solely responsible for the enforcement actions. All of those are important.

Also, increasing the number of annual inspections of gas pumps to approximately 65,000 is important. Right now there are only 8,000 inspections. I do not think that is anywhere near enough.

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As for the 5%, I thought that between 1999 and 2007 the government's inspection of over 200,000 fuel pumps found that about 5% of the pumps delivered less fuel than reported on the pump display. In some places like Windsor, almost 25% of the fuel pumps inspected were discovered to be faulty.

As for the question in terms of the gas tax, right now 5¢ goes to municipalities. We think there should be an extra 1¢ gas tax, which would be about 440 million per 1¢ of gas tax. We think that at least 1¢ or 2¢ of that should be designated for public transit. Right now it is done per capita, which means that the city of Toronto, for example, where there is a large number of people taking public transit, is not getting the share it needs in order to fund public transit projects, such as the Transit City.

As a result, we have in the city of Toronto a lack of public transit. To go from one part of the city to another part sometimes takes two hours one way. Imagine people spending four hours taking public transit from home to work if they live in different parts of the city. That is not good enough. Traffic clogs the highways and the roads. It is important for us to invest in public transit

This bill does not deal with the gas tax. It does not deal with the price of gasoline. It just deals with the inspections and fairness for the consumers.

• (1820)

Mr. LaVar Payne (Medicine Hat, CPC): Madam Speaker, I have been listening quite intently to the blustering of the hon. member from the NDP party. It is quite amazing some of the things the NDP party members try to purport as facts, such as the HST. I do not know if they really understand that it is up to the province to decide whether in fact it wants to bring in the HST.

Those members did not support our budgets which meant that they did not support any of the activities and the building Canada projects which would have been in their own ridings. I am wondering why they try to confuse the issue with non-facts.

In terms of protection of consumers in Canada, in fact it was the Liberal Party and the Senate that blocked Bill C-6 which would have afforded Canadians protection with respect to dangerous products in Canada.

Why have the NDP members been fighting our budget, fighting their own constituents? Why do they not want to have projects done in their own backyard?

Ms. Olivia Chow: Madam Speaker, that is a very good question. First, NDP stands for the New Democratic Party of Canada. The extra "P" that the member added could stand for protection. That is what we want to do. We want to protect the consumers, unlike the Conservatives and the Liberals.

We supported Bill C-6. We supported making sure there are clear mandatory regulations governing toxic toys and making sure that Health Canada has the power for mandatory recalls. Yes, it was unfortunate that it was shot down in the Senate.

I want to know why the Conservative government is not bringing back a bill that would protect the children of Canada. Because right now—

• (1825)

Mr. LaVar Payne: We will.

Ms. Olivia Chow: Well, we haven't seen it yet.

Mr. Jean-Claude D'Amours: Prorogation.

Ms. Olivia Chow: Oh, that is what happened. It was prorogation that actually made Bill C-6—

Some hon. members: Oh, oh!

The Acting Speaker (Ms. Denise Savoie): Order, please. The hon. member for Trinity—Spadina.

Ms. Olivia Chow: It was prorogation that killed Bill C-6 in the Senate. It was not just a senator. I thank the member. That was the real reason. Where is that bill? It has not come back here.

If we are talking about consumer protection, whether it is hockey sticks, gas pumps, toxic toys, all of those things, we have to be tough on crime because it is a theft from the pockets of consumers. They need to get the gasoline they pay for, every drop of it. If not, it is not fair.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP): Madam Speaker, the speech by my colleague from Trinity—Spadina was all about accountability, which we have not seen from the Conservative government. The deregulation of Measurement Canada and having industry investigate itself is the same as the Conservatives saying they are going to be tough on crime and then turning around and saying that the offenders should regulate themselves.

I am pleased to have an opportunity to comment on Bill C-14, the fairness at the pumps act. As members of the House may remember, an investigation by the *Ottawa Citizen* revealed that between 1999 and 2007, government inspections of over 200,000 fuel pumps found that about 5% of the pumps delivered less fuel than reported on the pump display. The government inspection data showed that about one-third of Canada's gas stations, or about 14,000, had at least one faulty pump.

New Democrats certainly have some concerns with this bill. Most of them have been heard by now. Still, it is certainly worth repeating some of them for the benefit of the people who may have just tuned into this debate.

When we hear Measurement Canada say that 5% of the pumps are delivering less fuel than reported on the pump display, we feel even more vulnerable. There are major concerns with what is happening. I hear it constantly from people in my riding with regard to the price of gas, the fact that the measurements are not correct, and temperature comes into play as well.

It will come as little surprise to most of us that gas prices in my constituency are through the roof. In the rural parts of Canada, people pay more for gas than people pay in the cities. Today the price of gas in Elliot Lake is \$1.053. In Kapuskasing it was \$1.10 this morning. In Sault Ste. Marie it was around \$1.069 and in Sudbury it was around \$1.049.

I travel a lot. My riding is over 102,000 square kilometres in size. I still cannot figure it out because I can drive from Sudbury, where the price is anywhere from 99¢ to \$1.03, but when I get to Nairn Centre, which is not even an hour away, the price of gas there will be either 2¢ higher or 2¢ lower than the price in Sudbury. Then another 20-minute drive away and the price of gas will have jumped by 5¢. Is that fair?

The Acting Speaker (Ms. Denise Savoie): I regret to interrupt the hon. member, but she may continue her comments when this debate resumes. She will have about 17 minutes for her comments.

ADJOURNMENT PROCEEDINGS

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

• (1830)

[*Translation*]

THE ENVIRONMENT

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Madam Speaker, this adjournment debate follows up on a question I asked on March 24, a question about the environment that the Minister of Industry was keen to answer.

As we know, many programs are being attacked by this Conservative government. We see it every day, every week and every month. One program that seems to be a particular pet peeve of the Conservatives is the Atlantic coastal action program.

As soon as we talk about the environment and improving life for our constituents, it seems as though a little bell goes off in their heads and it bugs them. But let us look at reality. If we do not take care of our environment, we are putting our future and the future of our children and future generations at risk. We are talking about the air we breathe, the water we drink and the food we eat. These three elements are closely linked to the environment and who better, in most cases, than those in rural areas to understand that without this environment, we cannot move forward or develop economically.

We know that the Conservatives are not interested in the environment. That is nothing new. The Prime Minister has already said that the science was not valid and that people should consider something else. However, as I said, the truth is that dismissing the environment means dismissing our planet and future generations.

Projects funded in my riding focus on natural resource conservation and wood turtle protection as well as on blue-green algae in the Lac Temiscouata and Madawaska River region, including Lac Baker. We know how important these issues are, but the third example is one that many people know about and fear will have a negative impact in the future. We have to keep working and funding various organizations to make sure that we continue to protect our environment. We also need to know how to deal with contaminated environments and how to respond quickly to events that cause pollution. We have to know how to remedy these situations.

Unfortunately, the Conservative government seems to have a peculiar illness. It is afflicted with a propensity for last-minute announcements or worse, a simple refusal to continue supporting

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these organizations. This is a very serious illness and it seems to be spreading. The Conservatives seem to take a perverse delight in waiting until the last second to tell our people, our fellow citizens, our organizations and our companies whether they will receive any federal government support. The federal government should take the opposite approach. It should announce funding in advance so that people can get their projects ready ahead of time and know exactly what to expect in the future. But the Conservatives have this disease, and it causes them to simply eliminate programs, turn groups down or wait until the last minute, forcing people to beg and plead for help.

I hope that the Conservatives will give us a clear answer about whether they plan to continue funding the environment in the long term.

[*English*]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, CPC): Madam Speaker, I think the hon. member may have forgotten what his question was.

His question was about environmental groups in New Brunswick that he was alleging were not going to receive funding from the federal government. Those environmental groups would be under the Atlantic coastal action plan program, a program that I am very familiar with, a program that Bluenose Coastal Action Foundation group in my riding of South Shore—St. Margaret's does a great job delivering.

On April 7, it was announced that all 16 Atlantic coastal action program organizations would receive funding through the 2010-11 year, while making the transition to an ecosystem based model of environmental management.

Environment Canada is committed to ensuring that Canadian ecosystems are healthy, prosperous and sustainable and the government has taken enormous steps to protect sensitive ecosystems for present and future generations. For example, in Atlantic Canada we are moving forward with the protection of Sable island through a consultation program process that will see the important natural treasure and its many ecosystems protected for all Canadian forever.

Every year Environment Canada spends millions and millions of dollars on restoring habitat, addressing other threats to recover species at risk under the habitat stewardship program as well as taking action at the community level under the eco-action program to provide for clean air, water and land.

We are proud of our history with these community based organizations and the environmental successes that we have realized together.

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We regret the time it took to fully review the Atlantic coastal action program and any undue burden that this placed on the ACAP organizations. However, the important issue is the result of this review is the transition to an integrated approach to environmental management that will offer greater benefits to Atlantic Canadians consistent with the approach taken across the country.

We certainly know and understand that all environmental policies are important. We also know there is a greater environmental awareness, not only from members in this place but from the general public and a demand that we preserve and protect the environment for future generations.

That is why we supported the ACAP group again for this 2010-11 year and that is why the Atlantic coastal action program will be transferred over to an ecosystem based approach. That approach, while it is not simple to do, is a good approach and will serve future generations well.

• (1835)

[*Translation*]

Mr. Jean-Claude D'Amours: Madam Speaker, I realize that the parliamentary secretary did not understand what I just said. It is obvious that the three elements I mentioned were tied to one of the organizations that received funding in the past and that was directly connected to the Atlantic coastal action program.

The parliamentary secretary identified groups in the Atlantic, for which funding was announced on April 7. This funding was obtained because the opposition exerted the required pressure last March 24 on the Conservative government.

Every time the public is told that the Conservative government will not fund certain groups, individuals or organizations, the government reacts instantly. It is a Conservative illness: they cancel funding or they wait until the last minute. Had they been proactive at the right time, we would not have had to remind them that they cannot cut funding to these organizations this year. They will have to continue in the long-term.

I need the answer. I need to know whether there will be long-term funding.

[*English*]

Mr. Gerald Keddy: Madam Speaker, my rebuttal will be simple. Let us just set the record straight. The funding for the Atlantic coastal action program has not been terminated. The shift to an ecosystems based approach is not simple. It takes time to do it the right way and the best way for Atlantic Canadians and for all Canadians. Above all else, we are else committed to doing this the right way. That is our responsibility to Canadians and we take that responsibility seriously.

CANADA-COLOMBIA FREE TRADE AGREEMENT

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, I was going to rise in the House to ask the parliamentary secretary why the government was trying to evoke closure in the Standing Committee on International Trade on discussions around the Canada-Colombia trade deal. Dozens of groups, labour unions, human rights organizations, experts in human rights have all requested to come before the trade committee and the government

has moved to close things down immediately without hearing from those groups.

We have heard from business lobbyists, who play an important role, and it is good to hear from them. However, to say that in any way the government actually understands the human rights situation in Colombia, when it refuses to hear from human rights or labour organizations, underscores the hypocrisy of the government.

However, I do not have to ask my question any more because it has become very clear over the last few days why the government has moved to shut down debate. First, there was the explosion of the secret police scandal in Colombia. The Colombian secret police is involved systematically in intimidating and killing Colombian dissidents, people who stand up for labour and human rights.

I will cite one as part of the DAS secret police scandal. Journalist Claudia Julieta Duque said that it all started when the secret police started making phone calls telling her that her 10-year-old daughter would be cut into pieces. She stated:

They called saying they would leave her fingers all over my house, that they would rape her. Sometimes I received 70 threats in one day.

This journalist was considered a threat because she was investigating the murder of a renowned Colombian journalist. She found out that the threats came from the DAS, the Colombian secret police. She also said this about President Uribe:

The President had a speech against those opposing him...Those speeches were simultaneous with the actions of the secret police against us. There is a clear relation between a speech that accuses and a secret police that attacks.

The exposure of these secret police actions, killings and threats against friends and family, absolutely despicable criminal activity, is something that has exploded in the last few days. This would explain the government's haste to try to remove any discussion on Colombia and its refusal to hear from labour and human rights activists who have requested to come before committee.

Canadians expect that Canadian values will be upheld by Parliament and that when people request to come before committee, people who have expertise the government obviously does not have, the government should move to allow them to testify.

The second piece of evidence is the denunciation of the so-called election practices taking place in Colombia. After a pre-electoral observation mission, it has been reported that there is widespread fear in the Colombia population around this election, that there is coercion and intimidation of voters, misuse of identity documents, vote buying and selling, illegal possession of identity documents, public moneys transferred for illicit uses in the election and control of public transportation to prevent voters from moving freely. In short, there is a situation where the government is deliberately using violence, fear and intimidation to try to get the result it wants.

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Not one Canadian would stand for elections that are not free and fair, yet the government has tried to ram this bill through committee and refuses to hear evidence from people who can speak directly to this issue. The question is simple. Why the refusal to hear from Canadians who know about human rights and can inform the government as to why it is doing the wrong thing?

● (1840)

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, CPC): Madam Speaker, it is certainly the hon. member's privilege to go from the question he had actually planned to ask, strictly on human rights, to another issue. I will try to deal with both.

The public can decide whether or not to take the hon. member's allegations as fact, or maybe the public would be wise to do a bit of investigation into the issue themselves, read up on the facts, listen to what everyone is saying about this particular subject, and ensure that what the hon. member has said is correct.

The same hon. member came to committee a couple of months ago on this very same issue, with breaking news that two families of indigenous people had been murdered in the jungle by the government forces. Of course, all hon. members at committee were outraged that such a thing could occur. We realize there is a lot of violence in Colombia, but that is a pretty serious allegation.

When we actually studied that allegation, we found out that the two families of indigenous people were not murdered by the government in Colombia at all. They were murdered by the socialist insurrection, or FARC, in the jungles in Colombia because they were narco-traffickers who are as much the cause as the paramilitaries of individual human rights abuses in Colombia. However, let us be clear. Certainly, I would invite hon. members and citizens to check the record on that.

The government has already explained many times that human rights are at the centre of our relationship with Colombia. We monitor the human rights situation in Colombia and regularly raise human rights issues with Colombian officials at the highest level in both Bogota and Ottawa. We hold formal senior level consultations on human rights with Colombia. We also raise human rights issues in Colombia in a multilateral form, such as the universal periodic review mechanism of the UN Human Rights Council and the International Labour Organization.

Furthermore, when we signed the FTA, we also signed a labour cooperation agreement and an agreement on the environment. In the labour cooperation agreement, both countries committed to ensure that their laws respect the International Labour Organization's declaration on fundamental principles and rights at work, which uphold human rights in a number of areas.

Without question, human rights challenges remain in Colombia. However, in recent years the government of Colombia has demobilized over 30,000 paramilitaries and weakened the two main armed groups. Philip Alston, the UN Special Rapporteur on extra-judicial summary or arbitrary executions, said in June 2009, following his visit to Colombia, that while vulnerable groups remain threatened in Colombia, there was also a dramatic improvement in the security situation since 2002. The hon. member does not have to take that hon. gentleman's word for that, but I will certainly take it.

The total number of homicides has been substantially reduced. The security levels in many parts of the country have been transformed and we continue, as Canadians, to support substantial development, peace and security activities in Colombia. DFAIT's global peace and security fund has disbursed over \$18 million since 2006 on peace-building activities and efforts to pursue justice for victims of the conflict in Colombia.

This is not a simple conflict. This is not an easy conflict. This is a conflict that has gone on for decades. At the end of the day, what needs to be recognized here is that Colombia is making important headway on—

● (1845)

The Acting Speaker (Ms. Denise Savoie): The hon. member for Burnaby—New Westminster.

Mr. Peter Julian: Madam Speaker, what is clear is that murder is not something the government should be rubber-stamping. The murder rate of labour activists has increased over the last few years. The disappearances have increased over the last few years. The number of false positives, which is an innocent term which describes a horrifying reality of paramilitaries murdering innocent peasants and then dressing them up as guerrillas.

The fact is that the Colombian Association of Jurists talks about rampant sexual torture carried out by the secret police in Colombia, the paramilitary forces affiliated with the government that this member supports, and of course the Colombian military.

All of this is available if the member or any government member actually had the foresight to read the human rights reports coming through Human Rights Watch, Amnesty International, Mining Watch, or the Canadian Council of International Co-operation. All of those human rights reports explain what is actually happening in Colombia. If the hon. member had read those reports, he would know—

The Acting Speaker (Ms. Denise Savoie): The hon. parliamentary secretary.

Mr. Gerald Keddy: Madam Speaker, I have been to Colombia. I have met dozens and dozens of Colombians. We have had dozens of human rights advocates and NGOs at committee. I have read thousands of words of testimony and listened to thousands of words of testimony.

The reality is that the situation in Colombia has improved. It has improved dramatically. Is the situation perfect? Absolutely not. No one is trying to pretend that it is; however, no one should ever say that it has not improved dramatically and substantially in a quantitative way from the situation that was there, certainly in the 1990s and early 2000s.

I think everyone in this House believes that human rights and increased prosperity through trade and investment are not mutually exclusive. At the same time the FTA was signed, we also signed a labour co-operation agreement and an environmental co-operation agreement. Under the terms of that agreement, we both have to uphold fundamental principles.

Adjournment Proceedings

●(1850)

[Translation]

The Acting Speaker (Ms. Denise Savoie): The motion to adjourn the House is now deemed to have been adopted. Accordingly the

House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:50 p.m.)

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