



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, March 6, 2013**

—

**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Wednesday, March 6, 2013

The House met at 2 p.m.

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*Prayers*

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● (1405)

[*English*]

**The Speaker:** It being Wednesday, we will now have the singing of the national anthem led by the hon. member for LaSalle—Émard.

[*Members sang the national anthem*]

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## STATEMENTS BY MEMBERS

[*Translation*]

### THE QUEBEC NATION

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, tonight's vote will be telling. On November 27, 2006, the House formally recognized the Quebec nation. The time has come to recognize all the powers that come with nationhood, including the inalienable right to self-determination. In passing the Clarity Act, the federal government unilaterally claimed the right to interfere in the democratic process by determining what question and what majority are acceptable and on what terms Quebec can be master of its own destiny.

Under René Lévesque, Quebec's National Assembly passed the Referendum Act, which paved the way for the referendums. The “yes” and “no” sides voted in those referendums, and no one questioned the act's legitimacy. None of the parties in the National Assembly, sovereigntist or federalist, accept the idea that the Clarity Act takes precedence over Quebec's laws. No one accepts the idea of a trusteeship or a veto.

This evening, the members who recognize the Quebec nation should be voting in favour of Bill C-457.

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[*English*]

### PINK SHIRT DAY

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, Pink Shirt Day was held February 27, issuing a challenge to all Canadians to make some noise against bullying. I am proud to report that the people in my riding are rising to that challenge.

One town in my riding, Cochrane, Alberta, is now home to Bill Belsey who coined the phrase “cyberbullying” and who founded Bullying Awareness Week 10 years ago.

In Airdrie, a 13-year-old girl named Mackenzie Murphy is now courageously speaking out about the bullying that led to her suicide attempt in early December.

Bullying was also discussed when 200 rural crime watch delegates met in the town of Olds in early February.

I am proud to be part of a government that is taking action on this issue. However, to succeed, we will require the continued efforts of youth, parents, teachers, community service groups and society as a whole.

We still have work to do, but we need only look to the riding that I am proud to represent to see we are making progress.

\* \* \*

[*Translation*]

### SENIORS

**Mr. François Pilon (Laval—Les Îles, NDP):** Mr. Speaker, last Wednesday I had the honour of introducing in the House my private member's bill, Bill C-480, An Act to amend the Old Age Security Act (funeral arrangements). This bill would enable seniors receiving the guaranteed income supplement to withdraw a taxable amount of up to \$2,500 to pay for funeral arrangements in advance. This amount would not be included in the GIS calculation for the following year and would therefore not affect the income of our most financially vulnerable seniors, while lifting a burden off the shoulders of our seniors and their families.

We in the NDP promised to reduce poverty among our seniors, and we are practising what we preach. I therefore invite all members of the House, from all political parties, to support my bill so that we can work together to reduce poverty among our seniors.

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[*English*]

### FAMILY AND YOUTH SUPPORT SERVICES FAIR AND YOUTH JOB FAIR

**Mr. Chungsen Leung (Willowdale, CPC):** Mr. Speaker, I am please to rise to share with members an event that took place recently in my riding of Willowdale.

*Statements by Members*

On March 2, I had the honour to co-host, with the Toronto District School Board, the second annual Family and Youth Support Services Fair and Youth Job Fair. This event included a youth job fair, which encouraged and provided job search assistance as well as employment and volunteer opportunities for students and youth.

This was truly a co-operative approach to helping out the citizens of the community by providing information for seniors, students and families with all levels of government. This was an excellent opportunity to learn about and share the many services and organizations that existed in the community to support youth and their families as they encountered everything from learning opportunities and challenges, to mental and physical health matters, to looking for employment.

It was truly an inspiring event of which I was proud to be a part.

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**CANADIAN MEDICAL ASSOCIATION**

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I rise today to congratulate my constituent in Kingston and the Islands, Dr. Chris Simpson, who was elected Ontario nominee for president-elect of the Canadian Medical Association and is expected to assume the post of CMA president in 2014.

Dr. Simpson is chief of cardiology at Queen's University and medical director of the Cardiac Program at Kingston General and Hotel Dieu hospitals. He is the chair of the Canadian Wait Time Alliance and the chair of the Canadian Cardiovascular Society's standing committee on health policy and advocacy.

Dr. Simpson has asked important questions about the future of Canadian health care. How can physicians be leaders to achieve health and deliver timely, quality care? How can the family medicine and specialist communities work better together? How can we make sure that we have the health care professionals we will need? What is the role of the federal government in health care and health promotion?

I congratulate Chris and I look forward to working together with him for a healthier Canada.

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**OUTSTANDING CEO OF THE YEAR PROGRAM**

**Mrs. Tilly O'Neill Gordon (Miramichi, CPC):** Mr. Speaker, I rise in the House today to salute a young Miramichi man who has indeed become an accomplished student. Patrick Losier is one of 10 students nationwide to receive this year's future fund scholarship established by Canada's outstanding CEO of the year program. Patrick, a student at Mount Allison University, travelled to Toronto to receive this award, which is given to students who have demonstrated exemplary leadership in their academic and extra-curricular activities.

Patrick has ambitions of working in finance and is a member of the Mount Allison Habitat for Humanity group and will be travelling to Alabama later this year to help build a house.

Needless to say, Patrick is very deserving of this honour and he is following along in the footsteps of his families. We in the Miramichi are very proud of this young man and wish him continued success.

● (1410)

**STATUS OF WOMEN**

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, yesterday, at the Status of Women committee, I introduced a motion to study the 1993 equality action plan from the Canadian panel on violence against women. My motion calls on the committee to examine the document and develop an action plan to address its recommendations.

The report calls on our governments to fulfill their international commitments with respect to women's equality, including equality rights, access to the legal system, political participation, zero tolerance for violence and accountability and monitoring mechanisms to ensure the action plan is reviewed and followed.

The panel believes that when equality is achieved, then women will be truly empowered to protect themselves. We have been waiting for 20 years for this report to be addressed. We have an obligation as parliamentarians to every woman who has been abused or assaulted. We have an obligation to stand up and ensure they have equality.

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**INTERNATIONAL WOMEN'S DAY**

**Ms. Michelle Rempel (Calgary Centre-North, CPC):** Mr. Speaker, in lead-up to International Women's Day, we all take a moment to understand the important role that women play across our country in a variety of different organizations.

Today, I would like to highlight the work of Ms. Pamela Jeffery and the Women's Executive Network in both mentoring young women and recognizing women in leadership positions across the country.

The 10th anniversary of these awards were announced at the end of December. On February 28, a gala was held in Calgary to recognize local winners, including Ms. Lorraine Mitchelmore, who has an outstanding record of community service across the country. This program, the Canada's top 100 most powerful women, of which I am alumni, is taking new applications, I believe, March 8 on International Women's Day.

I encourage my colleagues from all parties, all political stripes, to think about women in their lives and their community and nominate those who are making a difference in their community.

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**COMMONWEALTH DAY**

**Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC):** Mr. Speaker, on March 11, 54 independent nations, including Canada, will be celebrating Commonwealth Day. This year the theme of Commonwealth Day is "Opportunity through Enterprise".

*Statements by Members*

Canadians understand the concept of entrepreneurship well. Innovation and risk taking, along with property rights, individual rights, the rule of law and free trade are many of the keys to our economic success as a nation. Encouraging entrepreneurship in less developed nations will help them move forward too, as economic growth allows for better nutrition, education and health care.

I am proud of the work our branch of the CPA has done over the years to promote entrepreneurship, as well as basic democratic and legal principles in so many of the new democracies within the Commonwealth.

On another note, after seven years as Canadian chairman of the Commonwealth Parliamentary Association, I will be stepping aside. I want to thank all my colleagues in the House for granting me the tremendous privilege and honour of serving Parliament and our nation in this role.

\* \* \*

[Translation]

**EMPLOYMENT INSURANCE**

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, in my riding, the economy depends heavily on seasonal work. This includes agriculture, tourism, construction, forestry, and the list goes on.

The employment insurance reform will have a devastating effect on many regions. The Conservatives did not assess the consequences of such a reform. They refuse to listen to the protesters who are calling on the government to back down. Even worse, the Conservatives have no problem spying on the unemployed.

They campaigned on the slogan “Our region in power”. How soon they forget. Now their slogan should be “The regions—who cares?”

I would ask my colleagues across the floor to use common sense and show some compassion. Honestly, who among them would want to change places with a seasonal worker and accept a job that pays less, is over 100 km from their home and effectively means they have to live below the poverty line, which is the case for over three million Canadians?

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[English]

**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, it is a known fact that the NDP leader is desperately trying to keep the separatists in his party. Only, last week, he let one slip to go to join the separatist Bloc Québécois.

However, this should come as no surprise. After all, the member for Hull—Aylmer was a member of the Bloc before she joined the NDP; the member for Rosemont—La Petite-Patrie donated 29 times to Québec solidaire, even in 2012; and the member for Laurentides—Labelle has supported the Bloc in the past. In fact, the NDP has more Bloc MPs than the Bloc has MPs.

Unlike the Bloc Québécois and the NDP, we are not interested in reopening old constitutional battles. While the Bloc and the NDP are

focused on trying to make it easier to split our country apart, our government remains focused on jobs and economic growth.

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● (1415)

**WOMEN IN HOBBERMA, ALBERTA**

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I am honoured to recognize the exceptional community efforts of a dedicated group of aboriginal women from Hobbema, Alberta. Their community, like many first nations communities across this country, faces great challenges grappling with youth gang violence and homelessness. Far too many community members were travelling to nearby towns looking for help and finding trouble.

They decided that a better solution would be to offer positive support and nourishment in their own community. More than a year ago, they established a soup kitchen. Each Wednesday, volunteers including lawyers, band councillors, pensioners and stay-at-home moms offer warm soup and bannock, coupled with laughter and community spirit. More than 10,000 joyous meals have been provided to date. Starting next month they will do this five days a week, and the neighbouring Ermineskin Band is following suit. Janet Swampy, at the community centre, shared that they are more than rewarded with the smiles on the faces of those they welcome each week.

I ask my colleagues to join me in commending the women of Hobbema for this commendable volunteer initiative.

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**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, 1.6 million Canadians depend on Canada's natural resources sector for their livelihood. Energy, mining and forestry drove 15% of Canada's nominal GDP in 2011, while spin-offs accounted for another 5%. With so many Canadian workers depending on this sector for their livelihood, it is astonishing to hear the leader of the NDP refer to this sector as a disease.

While the NDP leader's dangerous Dutch disease theory has been dismissed by the economists and experts, the NDP leader continues to push this crazy idea. Yesterday, a report from the School of Public Policy, at the University of Calgary, was added to the list of experts dismissing the NDP leader's dangerous economic theories.

While the NDP leader continues to attack Canadian workers in this resource sector, our Conservative government is more than happy to defend them.

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[Translation]

**FAMILY RESOURCE CENTRE**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, Espace Famille Villeray is a non-profit organization that provides a variety of services and activities for parents-to-be and families with children between the ages of zero and five.

Established in 1988 as La Jouthèque de Villeray, it is part of the community fabric of Papineau, which I am proud to represent.

### Oral Questions

I am pleased to draw attention to the fact that it is celebrating its 25th anniversary. I have been working closely with this organization for a few years, and I can attest to all the support it provides to families in our community.

All too often, our community organizations rely on funding. They need our help to develop new programs, move into new spaces and get the word out about their services to the parents and families that need them.

I would like to congratulate the members of the organizing committee and the volunteers who make Espace Famille Villeray another success story in Papineau.

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[English]

### ABORIGINAL AFFAIRS

**Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC):** Mr. Speaker, thousands of aboriginal women in this country are at a disadvantage. When going through a divorce, they can suddenly be banned from their home, or watch as it is sold without their consent and without receiving any of the funds. With the support of aboriginal women across Canada, international groups, and even the Manitoba NDP, our government has introduced matrimonial property rights legislation to protect thousands of women and children on reserve.

This act would allow judges to enforce emergency protection orders in situations of family violence. Yet shockingly, the Leader of the Opposition, his party and the Liberals are against our legislation that would give this basic right to aboriginal women. It has been long overdue, for over 25 years. They are putting political posturing ahead of these rights that, by the way, every other Canadian woman has.

This is shameful. Our government and our Conservative caucus will continue to stand up for the rights of aboriginal women.

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### DEMOCRATIC REFORM

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, dressed up like Mike Duffy at a black tie gala, the Canadian Taxpayers Federation's "Porky the Waste Hater" pig handed out this year's Teddys.

In a sign of just how out of touch they have become, Canada's mega-wasteful Senate was shut out of the "Golden Piggies". For shame, the Senate has it all: a three-day work week, partisans running election campaigns out of their public offices, hundreds of thousands of dollars in other travel and ill-gotten housing allowances, health cards from provinces they do not represent, a paperless reimbursement scheme based on the honour system, and the promise of never, ever being accountable to Canadians.

It truly is a shame that this chamber of waste was passed over for a Teddy. The Canadian Taxpayer Federation has lost its edge.

Fear not, while Conservatives defend the Senate and the Taxpayers Federation gives it a free ride, New Democrats will defend taxpayers from this \$90 million black hole of accountability.

● (1420)

[Translation]

### GOVERNMENT POLICIES

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, I am proud to rise in the House today to say that our government is getting good results for Canadian taxpayers.

We have the best Minister of Finance in the world. He has created 900,000 net new jobs since the global recession hit. We have a Minister of Justice who makes sure our streets and communities are safe and who is tough on crime and young offenders. We have a Minister of Citizenship, Immigration and Multiculturalism who eliminated years of delay caused by the Liberals. We have a Minister of National Defence who put an end to a decade of darkness.

While we, on this side of the House, remain focused on what is most important to Canadians, the Leader of the Opposition and his party want to impose a \$20 billion job-killing carbon tax.

While the leader of the NDP is losing his MPs one by one, the government continues to stand up for Canadians.

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## ORAL QUESTIONS

[English]

### DEMOCRATIC REFORM

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, why will the Conservatives, the direct descendants of Preston Manning's Reform Party, not finally agree to actually do something about the Senate? They are in the eighth year in power, yet their moribund, weak-kneed legislation on reform has not even been called in over a year. Meanwhile, the avarice and sense of entitlement of their Conservative bagmen and party hacks has never been more obvious for all to see.

Why not start the process of abolition now, by voting for our motion? What excuse do the Conservatives have now for defending that vestige of the past?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government has made it very clear that we favour reforming the Senate, including having elected senators. That is something I have named whenever I have had the opportunity.

It is interesting to see that the NDP leader's position is that the provinces should abolish the Senate, except he knows full well the provinces are not going to abolish the Senate.

*Oral Questions*

I do not know why he would not be honest with the Canadian people. If the Senate is going to exist, which it is, why would he not take the position of the NDP Premier of Manitoba, who said, "If there is going to be a Senate of Canada, I agree that future senators should be chosen through an election process".

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, that was "if" there is going to be a Senate.

For 50 years, we have said it is a scandal in a modern democracy to have unelected people sitting in appeal of the decisions of the elected people of the House of Commons.

[*Translation*]

It is scandalous in a democracy to have a group of unelected people who can reverse the decisions of elected members.

Will the Prime Minister have the decency to admit that the real reason he is not helping us start the process of abolishing the Senate is that, despite everything he has ever said, he likes to be able to reward his friends?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government is in favour of elected senators, and I have appointed elected senators whenever I have had the opportunity.

[*English*]

Once again, the leader of the NDP knows full well that the provinces are not going to abolish the Senate. They are on the record on that. He knows the Senate will exist, so why will he not agree to elected senators? It is because we know, as the New Democrats tried in 2008-09, they want to name their own senators.

\* \* \*

• (1425)

#### INTERGOVERNMENTAL RELATIONS

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, this row is very thankful for the solicitude of the Prime Minister when he admits that the NDP will form the next government.

[*Translation*]

Once again, we are seeing that the Prime Minister does not like to work with the provinces and territories on these important issues. That is why he is refusing to discuss the Senate with them; that is why he does not participate in the Council of the Federation; and that is why he makes decisions about employment insurance and workforce training behind closed doors, without consulting the provinces.

What is he so afraid of?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, in terms of job skills, we are currently consulting the provinces as well as all of the economic players in Canada.

The loss of jobs and the loss of skills are significant problems for the Canadian economy. These losses will increase as time goes on, and we are determined to take action to tackle this issue.

[*English*]

#### EMPLOYMENT INSURANCE

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, at least the Conservatives are no longer denying the end of the \$2 billion transfer to the provinces for skills training. This is money that provinces are now using to train the unemployed. Even if, and this is a big if, the money does get used for federal training programs, they are simply robbing Peter to pay Paul.

When will the government step up to the plate and up its investments in training?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, speculation about the budget certainly will not happen from this side of the House.

We continue to consult with Canadians. We hear from Canadians what is important to them. We will not speculate about specifics in the budget, but I can assure members that there will be plans in the budget to continue job growth and continue growing the economy, all the while making sure we continue on a low tax plan and getting back to balance.

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, if the Conservatives are not cutting the transfer, why will they not reassure Canadians that they still have access to the training programs they have paid for?

The government has put forward no justification for this latest move. These investments train tens of thousands of Canadians every year and help get unemployed Canadians back to work.

At a time when so many are still struggling to get back on their feet, the government is cutting the legs out from under their provincial partners. What is its justification for this outrageous money grab?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, there is outrageous speculation from that side of the House, but what we do know for a fact is that every time we put forward initiatives from this side of the House to help grow the economy, to help create jobs, the NDP has stood in the way and voted against it. Every time we have tried to help people get back to work and have tried to make sure that EI is there for them—they have paid into it, and it is important for it to be available to them when they lose their jobs—the NDP voted against it.

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#### EMPLOYMENT

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, just before the recession started in October of 2008, the unemployment rate was 6.1%. It is now 7%. The youth unemployment rate was 11.7%. It is now 13.5%. The number of discouraged and involuntarily unemployed workers has increased dramatically since the date that matters: October of 2008, the date on which the recession started. That is the date that matters. That is the comparison that matters.

I would like to ask the Prime Minister this: can he give us his categorical assurance that his budget will in fact address this growing calamity for workers and the growing inequality that plagues the Canadian economy?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I am perplexed by the question from the Liberal Party. This is a party that has voted against the targeted initiative for older workers, voted against the Helmets to Hardhats initiative, voted against the long-tenured worker program, voted against the apprenticeship incentive grant, the apprenticeship completion grant, the Canada student grants program and the youth employment strategy. Of course, I could go on and on.

We are creating jobs in the country. We clearly need to create more, and I hope the Liberal Party will be supportive of these kinds of job creation initiatives.

\* \* \*

[Translation]

**INTERGOVERNMENTAL RELATIONS**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I am sure we are all just astounded to hear the Prime Minister say that the Liberal Party voted against the Conservative Party's budget. Really, though, how is that surprising?

What is surprising is that the government is changing who is responsible for training without talking to the provinces. It is not consulting Quebec or the other provinces, which are very involved in this area.

How can the Prime Minister justify his government's unilateral action on this?

• (1430)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, in his first question, he said that we are doing nothing about employment. Now he is asking us not to do anything about employment.

The reality is that we are consulting with the provinces and with all economic players across the country.

It is a considerable challenge for Canada's economy to cope with the loss of job skills. We are determined to move forward to improve our economic performance and job creation.

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[English]

**PUBLIC SAFETY**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, ever since the Gouzenko scandal at the end of the Second World War, the response by the Government of Canada to a serious leak of information was to hold an inquiry. We now have two things that have happened. Never before has a chairman of SIRC been questioned with respect to his or her integrity or his or her appropriateness for that office. Never before have we had a situation in which information has been leaked to a foreign power, described by the government itself as an attack on our relationships with our allies, with no such inquiry being held.

Why is there no inquiry?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the leader of the Liberal Party cites examples that clearly go

before my memory. In terms of the history, I will leave him to those things.

What I can say in terms of some of the specifics he raised regarding the former chairman of SIRC, as is well known, the particular allegations, that will be subject to a legal process, have nothing to do with his role as chairman of that federal entity.

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[Translation]

**EMPLOYMENT INSURANCE**

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, for months now, the minister responsible for butchering employment insurance has been justifying her actions, saying that the reform will help create jobs. At the same time, the government is preparing to eliminate the provincial training program for the unemployed in order to do who knows what.

We could end up with workers who are not as well trained and who will have to accept lower-paying jobs.

Why do the Conservatives want to recentralize EI training programs? What are they going to do with this \$2 billion?

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, that is more speculation, but what we will not speculate on is the fact that the NDP have probably already made plans in their last caucus meeting to vote against our budget anyway.

We will again be supporting those people who have lost their jobs. It is critically important for those who are looking for a job to be able to have assistance, and the Minister of Human Resources and Skills Development has put in place a plan that will help those people find a job in their region and in their own skill set. We will continue to support those who are looking for a job and we will make sure that EI is there when they need it.

[Translation]

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, the minister responsible for butchering employment insurance says, when she deigns to respond, that her reform will give the unemployed an opportunity to learn a new trade. As she said so well, "That is false; that is completely false."

Her reform is an attack on the regions, on the productivity of our seasonal industries, on tourism, agriculture and the list goes on.

The Conservatives committed \$2 billion to the provinces to train job seekers five years ago. Can they now guarantee the integrity of this fund?

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, I certainly take exception to that sort of comment in this House of Commons. There is no such minister in this government. We do have a minister who is handling the EI file and making sure that the fund is there to help those people when they do lose their jobs. A little more respect is owed to that minister in this government, who is doing a wonderful job of making sure that people get the support they need.



*Oral Questions***INTERGOVERNMENTAL RELATIONS**

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, that minister will start getting some respect when the government starts showing respect to unemployed Canadians.

Conservative EI policies are pushing unemployed Canadians onto provincial social assistance rolls. Instead of providing measures that fight high unemployment through such things as skills training, the Conservatives are demonizing the seasonal industries and cutting regional development.

I want to ask the minister responsible for intergovernmental affairs if he would give us some indication of the meetings and consultations he has had with the provincial governments that will be affected by these changes in skills training.

• (1435)

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the employment insurance program is there to help those who have been unfortunate enough to lose their jobs through no fault of their own and give them some financial support while they look for another job. That is what the program is designed to do, but we are also taking one step further in helping Canadians identify the jobs that are available within their area and their skill set. If those jobs do not exist, EI will continue to be there for those people.

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[*Translation*]

**FINANCE**

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, yesterday, when the Minister of Finance referred to the C.D. Howe Institute report on financial accountability, it was obvious that he had not read the entire report. The institute says that improvements still need to be made in financial reporting.

The Conservatives may well have tabled the main estimates, but when will they release the plans and priorities and stop hiding the truth about Canada's finances?

[*English*]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, as the Prime Minister mentioned yesterday, the C.D. Howe Institute recognized that the Conservative government of today is actually the most transparent government in Canada, and we support that.

It is our government that has put in place the Federal Accountability Act, and we continue to make sure that estimates are tabled in this House. They are exactly what the word refers to: "estimates". We will continue consulting with Canadians and finding out what is important to them.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, that is very interesting. If the Conservatives had actually read the C. D. Howe Institute's report, they would find that it calls for better financial reporting from the government.

This undermining of oversight just gets worse. Conservatives are now asking MPs to review spending estimates, but the government has not released its departmental plans and priorities. In Conservative Ottawa, MPs are supposed to review spending before they

even get to see the plan. No wonder the Conservatives are trying to get rid of the PBO.

The question is simple: when will the Conservatives abandon these underhanded attacks on financial oversight?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, the hon. member has it all wrong, of course. We have standing orders that this government is obligated to perform against, and we do so. We make sure that we table the estimates when they are required to be tabled. We make sure that the reports on plans and priorities are tabled in due course when we are obligated to do so, and we do that because it is important for accountability. It is important to make sure that there is transparency for not only members of the House but the people of Canada.

We will continue to report to the people of Canada because that is what we do.

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**GOVERNMENT APPOINTMENTS**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, Arthur Porter's rise to the top in the reviewing of Canada's spy services mirrors a series of donations that he made to the Conservative Party. These donations were in clear contravention of SIRC guidelines, yet the Conservatives cashed them anyway. As he was being promoted by the Prime Minister, he was apparently receiving millions in kickbacks, which is why he is now on the run for fraud.

Is Mr. Porter still a member of the Privy Council? Will the government finally come clean with Canadians about its relationship to Mr. Arthur Porter?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, Mr. Porter resigned from his position long ago. These allegations have nothing to do with his time in service to the Government of Canada.

I would encourage the hon. member to use the occasion when he rises again to answer a few questions of his own. It was he, after all, who was singled out by the Ontario Electoral Boundaries Commission for having attempted to gerrymander the process that was supposed to be independent and separate from his inappropriate influence. Could he take the occasion now to do the right thing and apologize for his inappropriate conduct?

\* \* \*

**DEMOCRATIC REFORM**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, there he goes again, attempting to change the channel on Conservative links to corruption. It is very simple—

**Some hon. members:** Oh, oh!

*Oral Questions*

●(1440)

**The Speaker:** Order. The hon. member for Timmins—James Bay now has the floor.

**Mr. Charlie Angus:** Mr. Speaker, those members get very uncomfortable about being schooled in accountability.

The fact is that in 2008 Senator Angus stated that Arthur Porter was “a man who could recognize power and knew how to get close to it”, and the Conservatives got him as close to the Prime Minister as one can get. This is another example of the dodgy ethical standards of the Senate, which is tarnishing Canadians' trust in public accountability.

Why will the government not do the right thing and end that patronage trough down the hall? Why will it not abolish the Senate?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, the member says that he is going to school other people on the matter of ethics. According to the Ontario Electoral Boundaries Commission, it looks as though he is the one who needs to head back into the classroom. If he did, and if he took advantage of some new high-tech learning techniques, such as perhaps downloading lectures on his iPod or MP3 player, he might be stuck paying the tax that he wants to impose on all other Canadians.

On this side of the House, we do not want new taxes. We do not have to go to school to learn that.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, my colleague should stop being so disparaging.

When it comes to the Senate, Indiana Jones said it best: “That belongs in a museum”.

The ethics counsellor and the Board of Internal Economy are passing the buck regarding the actions of certain senators. Ultimately, the entire system operates on an honour system that is as childish as saying “cross my heart and hope to die”. The Conservative Senate reform is falling to pieces.

It is time to put an end to all the funny business. That institution has become bogged down in so many scandals that the only way to fix it is to abolish it.

Will the Conservatives vote with the NDP this evening?

[*English*]

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, our position on the Senate is clear. We want it elected.

However, back here in the House of Commons there is some exciting news. On March 22 there will be a beer and pizza party. According to lanouvelle.net, “[The NDP MP for Sherbrooke] will be present, among others, to explain the NDP's vision concerning the right of self-determination of the Quebec people”. That is the same member who said that “Sovereignty will be done in Quebec” and that the NDP will respect sovereignty.

Will the hon. member across the way be showing up for some beer and pizza?

\* \* \*

[*Translation*]

**GOVERNMENT APPOINTMENTS**

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, it is always nice to see a Conservative member practising for the day when he will be on the opposition benches, when he can ask the questions.

Let us get back to the problem at hand, which is the appointment of the crook, Arthur Porter. The members across the floor are scrambling to come up with the lamest excuses. First they blamed the opposition. Then they said that it was not their problem, that he had simply stolen money from a hospital and that the matter did not fall under federal jurisdiction. Come on. They need to stop taking people for fools.

The Conservatives appointed Arthur Porter; they posed for photos with him and cashed his cheques. What a lapse in judgment.

Only the Prime Minister has the authority to remove him from the Queen's Privy Council. Will he fix his mistake?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, the individual in question resigned quite some time ago, and the allegations have nothing to do with his service to the government.

[*English*]

The member did not answer the question about the exciting party that his colleague in the NDP is hosting. This is the same colleague about whom a QMI article said, in a title, “Separatism not dead: rookie NDP MP”.

It will be beer, pizza and separatism at this Richmond event. It sounds like a real block party over there.

\* \* \*

**EMPLOYMENT INSURANCE**

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, thousands of jobs in Newfoundland and Labrador are going unfilled because of a lack of skilled workers.

The Conservative solution to the skills shortage is to cut all funding to the provinces for skills training.

This money helps Newfoundland and Labrador to partner with local businesses, provides incentives to hire EI recipients and support job searches and retraining.

Why are the Conservatives cutting this vital program when they themselves have claimed that “provinces and territories are best placed to determine” the employment programming that best meets local needs.

*Oral Questions*

●(1445)

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, we certainly continue to consult with provinces and consult with Canadians from coast to coast to coast to make sure we put in place the right policies that will help create jobs.

Of course we will not speculate about what might be in the budget. I know opposition members are quite excited. Perhaps they could even bring themselves to consider voting for the budget. They have not done that for years. That would be novel.

[*Translation*]

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the provinces are being forced to speculate because the government did not consult them.

I will repeat the quote cited by my colleague, which is found on page 59 of HRSDC's 2012-13 Report on Plans and Priorities:

...provinces and territories are best placed to determine the mix of employment programming required to meet their local and regional labour market needs...

The provinces are best placed.

Then why is the government preparing to take back billions of dollars in transfers for employment benefits and support measures, which are praised in a report where the ink is not even dry?

[*English*]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, there is certainly a lot of speculation in this House today. I know everyone is excited, waiting with bated breath for this new budget, and we have consulted broadly on the budget. We have consulted more broadly than ever before.

The government has consulted broadly on this side of the House. I would hope the opposition has done this. We actually have not received any ideas from the opposition.

We are making sure the budget will include assistance for those who are still looking for work. It will help grow the economy, but most of all, it will get us back to balance in the medium term.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the Conservative plan for job training provides no new money, nothing incremental. The Conservatives will just claw back funds from the provinces, over \$2 billion.

For Saskatchewan, that is a cut of more than \$60 million per year, hitting the province's single most important priority.

Saskatchewan has that money at work, helping thousands of people in the job market: aboriginal people, immigrants, youth, the disabled and people with limited skills. Satisfaction rates are in the 90% range.

Why does the federal government want to screw that up?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Speaking of screwing things up, Mr. Speaker, I think we all remember when the transfers were slashed from the federal government to the provinces, and I think we all remember who did that.

That was an incredible burden on the provinces. We all know it was a Liberal government, and the hon. member was actually part of it. He has been there forever, so he had to be part of that government.

We will not reduce transfers to provinces.

\* \* \*

**NATIONAL DEFENCE**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, spending on external consultants and contractors at the Department of National Defence rose by \$500 million to a staggering \$3.2 billion and climbing. This comes after General Andrew Leslie's report called for a reduction of 30%.

The poor management by the minister has even prompted the Prime Minister to remind him that the goal is more teeth and less tail; but when it comes to defence contracting, it is beginning to look like the tail wagging the dog.

Why can the Minister of National Defence not bring external contracting in his department under control?

**Hon. Peter MacKay (Minister of National Defence, CPC):** The reality, Mr. Speaker, is that in fact contracting costs are coming down. In fact, the Department of National Defence is finding efficiencies as part of the government-wide spending reviews. We have seen examples of that, where we have reduced the number of contracts, contractors and resources extended on contracting, saving almost half a billion dollars.

The Department of National Defence continues to find ways to streamline and find efficiencies, but we all know that the defence of this country would have no teeth and no tail if this minister and his party had anything to say about it.

[*Translation*]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, I, too, believe that the member for St. John's East would make an excellent Minister of National Defence.

The Minister of National Defence is doing nothing to stem the increase in the cost of his department's external contracts. Between 2009 and 2011, the number of contracts awarded to external contractors increased by more than \$500 million. However, Lieutenant-General Leslie said in his report that this number could be cut by 30%.

Why are the Conservatives not implementing the recommendations of the report they commissioned?

●(1450)

[*English*]

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, as I just indicated, we are delivering savings approaching half a billion dollars by streamlining, simplifying and centralizing procedure processes, including the human resources process. Of course, the end of the Afghanistan mission will see more of those savings. The member and the member for St. John's East would have this department in a shambles, as did the Liberals, with their proposals for cuts across the board.

*Oral Questions*

[Translation]

**THE ENVIRONMENT**

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, let us continue on the subject of bad management.

Yesterday, in committee, the Minister of the Environment made some appalling comments. In his opinion, Canadians should be grateful for the tens of millions of dollars in cuts the government is making to Parks Canada because it seems that the other option was for the government to reduce transfers to provinces for health care and social programs. The Conservatives are therefore saying that Canadians have to choose between parks or health care. We are not impressed.

If asked to choose between parks and a useless Senate, I am sure that Canadians would choose parks. Why do the Conservatives not make cuts to the Senate instead?

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** I thank my colleague, Mr. Speaker, for reminding us how the Liberals, in their day, addressed the deficit, but I can assure my colleague that Parks Canada will—

**Some hon. members:** Oh, oh!

**The Speaker:** Order. The hon. Minister of the Environment has the floor.

**Hon. Peter Kent:** I can assure my colleague, Mr. Speaker, that Parks Canada will continue to provide world-class stewardship over the hundreds of thousands of square kilometres of national parklands, which this government has increased by 50% over the past six years.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, it is not enough that the Conservatives are gutting the parks system or that they failed to introduce oil and gas regulations year after year, but now they are taking a panicked greenwashing road show down to the United States. Taking action on the environment and expanding our green economy expands our markets. Conservative inaction on the environment puts Canadian jobs and the economy at risk. We do not have a PR problem here. What we have is an environmental performance problem.

When will Conservatives realize that greenwashing is not the solution?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, Canadians remember well when my colleague took her road show to the United States to argue against our responsible resource development and Canadian jobs, as well as American jobs on the other side of the border. This government is the first Canadian government to actually reduce greenhouse gases. Our sector-by-sector program to meet our 2020 Copenhagen targets is working. That is in contrast to the NDP's proposed \$21 billion plan to pick the pockets of Canadians without guaranteeing the reduction of a single megatonne of greenhouse gases.

\* \* \*

**PUBLIC SAFETY**

**Mr. David Wilks (Kootenay—Columbia, CPC):** Mr. Speaker, our Conservative government has consistently taken action to give

police the tools they need to do their jobs. That is why we brought forward the enhancing RCMP accountability act. Unfortunately, the NDP has raised ridiculous objections to this common sense piece of legislation, complaining about the title and other process issues. We believe this bill is a step toward an accountable police force, of which all Canadians can be proud.

Can the Minister of Public Safety update the House on the status of this important bill?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I would like to thank the member for his question, for the great work he does to help keep Canadians safe and for the great work he did as an RCMP officer as well.

Our government is strengthening the review and complaints body for the RCMP, establishing a process for handling serious criminal issues involving RCMP officers and streamlining the management of RCMP human resources.

Rather than agreeing to disagree with ending harassment in the RCMP, like the NDP member for Esquimalt—Juan de Fuca, I call on the NDP to drop its unreasonable opposition and stand up for law-abiding Canadians.

\* \* \*

● (1455)

[Translation]

**BORDER SERVICES**

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, March break is approaching and many Canadians plan to take advantage of the opportunity to travel. However, the United States have hit a budgetary wall and announced close to \$85 billion in cuts. Border services will be the first to be affected, which will increase wait times at the border and in airports.

What is the government's plan to ensure that travellers and our businesses and companies do not have to pay the price of the cuts being made on the other side of the border?

[English]

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, obviously we have been working very closely with our counterparts in the United States to ensure the free flow of travel and of goods.

I can say the efforts and leadership shown by the Prime Minister with the beyond the border plan have already had a favourable impact on the Canadian economy. As the sequestration process goes forward, we are going to keep a close eye on it and will take the necessary actions.

I can say, having personal experience, having gone across the border, that there has been no unusual delay since it happened.

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, the reality is that the delays are up.

*Oral Questions*

First, the Conservatives were asleep at the wheel when Florida tried to impose new fees on Canadian drivers. Now with spring break around the corner, the U.S. sequestration spending cuts could mean the loss of 5,000 border patrol agents and almost 3,000 inspectors.

That is on top of the massive cuts the Conservatives have done to our Canada Border Services Agency. It is a reality. We cut first. Where is the government's plan to mitigate the economic and travel impacts of these cuts?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, why do the member opposite and his party always take the dim view when it comes to the leadership of President Barack Obama?

We have confidence that, as these challenges arise, we can tackle these challenges and we can ensure that the free flow of people and goods continue to go forward.

I have confidence in Barack Obama, and I am surprised that the official opposition is waging a war of words about the president's leadership.

\* \* \*

**HEALTH**

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, it is shocking to hear that a private company in Ontario can pay people for their blood.

Blood from profit-making brokers was one of the causes of the tainted blood scandal that left 20,000 Canadians infected with HIV and hepatitis C. The consequence was \$5 billion in compensation.

Why is the minister allowing this to happen, given the increased risk to public health? Has the government learned nothing from the tainted blood scandal and the sound recommendations that were made by Justice Crever?

**Hon. Leona Aglukkaq (Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC):** Mr. Speaker, Canada has one of the safest blood systems in the world.

Neither Canadian Blood Services nor Héma-Québec accepts payment for blood donations that would be used for the general public. It is legal for medical companies to purchase human plasma that is used in the development of drugs.

Companies that do this operate under the rules of the Food and Drugs Act and must meet strict guidelines. If companies do not meet these standards, they are subject to enforcement up to and including the loss of their licence.

[*Translation*]

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Quite frankly, Mr. Speaker, after paying \$5 billion in compensation, the government still has not learned its lesson. Contaminated blood from private companies was one of the reasons 20,000 Canadians were infected with HIV and hepatitis C. The fact that a company that buys blood can open its doors right next door to a homeless shelter without notifying provincial authorities is proof that we need better laws.

What does the minister intend to do to remedy the situation?

[*English*]

**Hon. Leona Aglukkaq (Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC):** Mr. Speaker, I will repeat my answer from the earlier question.

Canada has one of the safest blood systems in the world. Neither Canadian Blood Services nor Héma-Québec accepts payment for blood donations that would be used for the general public. It is legal for medical companies to purchase human plasma that is used for the development of drugs.

Companies that do this operate under the Food and Drugs Act. If companies do not comply, they are subject to enforcement actions up to and including the loss of their licence.

\* \* \*

**NATIONAL DEFENCE**

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, the minister is in a mathematical impossibility when she says that the government will build 15 frigates at a cost of \$26 billion over 25 years, and when the navy says no assumption at all has been made about inflation. This matters. If inflation turns out to be the industry average of 8% rather than 0%, the government's number, she will end up buying five frigates instead of 15.

How could she display such incredible financial incompetence?

● (1500)

**Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC):** Mr. Speaker, in fact, the member himself asked those very questions to military planners who make these decisions. My understanding is that he said to the military planners at committee that the shipbuilding cost estimates they used "make[s] sense".

I also would like to point out to the member that, of course, all of the cost estimates go through a review from external experts, shipbuilding experts, we have brought in to actually review the process. Again, every step on every project will be reviewed before those estimates are done.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, in 2011, General Leslie wrote a pointed and timely report on the transformation of the military. It is clear that the Prime Minister likes it, as he has publicly stated that he wants more tooth and less tail for the money. Unfortunately, it is equally clear that the generals do not like it and have run up the budget on tail and reduced it on tooth.

General Leslie was sufficiently upset that he felt he had to take his concerns to the media. Is the minister with General Leslie and his Prime Minister, or will he continue to duck, weave and ignore the report?

*Oral Questions*

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I already spoke about the reductions in contracting and the savings that are found there. This is all being done in a very systematic, prudent fashion with the military, with all branches of the Canadian Forces, in a deliberate way. We are taking a centralizing approach when it comes to the training, when it comes to the services that are provided across the country.

What we do know is that when it comes to extraction of teeth, the member and his party presided over an unprecedented gutting of the Canadian armed forces. Now he is running around suggesting he has the solutions. This is like a pyromaniac who wants to join the fire department.

\* \* \*

**TAXATION**

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, the first step to addressing tax evasion is to figure out just how much money we are losing, which is likely millions of dollars. That is what governments that are serious about tax evasion have already done—the United States, the U.K., Australia. However, the Conservatives refuse to follow suit, and when the Parliamentary Budget Officer is asked to run the numbers for Parliament, the Conservatives even refuse to release to him the data he needs to do his job.

What is the government trying to hide? Why will it not release the data we need to take action on tax evasion?

**Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, in a recent appearance at the finance committee, even the OECD acknowledged that the tax gap is almost impossible to calculate. That is why the OECD says that all countries should have robust auditing, and that is exactly what we are doing. Our record speaks for itself.

Since 2006, we have audited thousands of cases and have identified over \$4.5 billion of unpaid tax. This compares to a mere \$174 million in the last year of the Liberal government.

\* \* \*

**SEARCH AND RESCUE**

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, it has been less than three weeks since the Conservatives closed the Kitsilano Coast Guard station, and already there have been two accidents. For the first incident, Sea Island took over 30 minutes to respond, and this morning, they arrived after the fishing boats had already sunk and the fishermen were in the cold water. Now they are being treated for hypothermia.

This is totally unacceptable. When is the government going to take responsibility for marine safety and reopen the Kitsilano Coast Guard station?

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, it is obvious that the member opposite has no understanding, completely no understanding, of SAR, search and rescue. The response time of the incident he mentioned was 11 minutes by the Royal Canadian Marine SAR auxiliary unit. They were there in 11 minutes. A previous incident had a 10-minute response time, and this morning,

the response time, from the time we received the mayday, was 24 minutes.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, further to the minister's comments just now, we Canadians have great reason to be proud of our Coast Guard. In fact, our Coast Guard provides expert SAR services 24 hours a day, seven days a week, to protect our fishermen, our sailors, shipping and recreational boaters.

Under our government, Canada has seen the first new large vessel built for the Coast Guard in over 30 years. With this significant investment in the Coast Guard, would the minister assure us that the future of our Coast Guard is in good hands under this government?

• (1505)

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, yes, we are very proud to support our search and rescue experts within the Coast Guard. The government has made enormous investments in the Coast Guard fleet to ensure that we have the capabilities to adequately carry out search and rescue.

Just today, as I previously mentioned, two people were successfully rescued after their fishing boat sank off Point Grey, British Columbia, well within the international SAR response time standards.

While the opposition voted against our government's unprecedented investments to renew the Canadian Coast Guard's assets in 2009 and 2012, I do hope it will support them in the future.

\* \* \*

**INCOME TAX**

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, tax season is here, and Conservatives are making it harder and harder for seniors to satisfy the taxman. Conservatives slashed CRA staff, stopped mailing paper forms, and told seniors to use the Internet when filing. While efficient within the Ottawa bubble, possibly, for seniors without Internet access, this is further proof that the Conservative vision for Canada excludes them.

Conservatives raised the retirement age, refused CPP changes, and are now forcing seniors to have to pay to file their taxes. Can the minister outline her future plans to continue marginalizing seniors?

**Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, the way Canadians are filing their taxes is changing, and we are changing to meet those needs. We do encourage Canadians to file on line, but we do recognize that not everyone can file online. That is why, if seniors want to call the 1-800 number, they can have a form mailed directly to their house.

Last year, roughly 1.3 million packages that were mailed out were never used. We do not think that is the best use of resources.

*Oral Questions***CONSUMER PROTECTION**

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, cellphone theft is a serious problem in Toronto and across Canada. It is a growing and troublesome street crime, particularly when young people are mugged on their way home from school.

The industry is implementing a national database to log stolen cellphones to stop their reactivation. However, we need legislation to stop criminals from tampering with cellphone identifiers. Yesterday, I tabled a private member's bill to do just that. Will the government support this crime-fighting bill?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, I find it rich that the member for York South—Weston now pretends to stand with cellphone users after voting against cellphone unlocking by voting against Bill C-11. Our government has taken concrete actions to build a strong and competitive telecommunications sector. Once again, I would like to highlight the industry's effort to address the serious issue of cellphone theft. We will continue to work with industry to protect Canadian consumers and deliver more choice through greater competition.

\* \* \*

**NATURAL RESOURCES**

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, while our government is supporting jobs and economic growth in all sectors of the Canadian economy, the NDP calls Canadian jobs in the energy sector a disease. The NDP leader continues to dismiss the facts.

Would the Parliamentary Secretary to the Minister of Natural Resources update the house on how our government is protecting Canadian jobs?

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, the leader of the NDP continues to use fiction to attack Canadian jobs. Just yesterday, the school of public policy released a paper, which further dispels the myth of Dutch disease. On this side of the House, our government understands the importance of all sectors of the Canadian economy. We support Canadian jobs. Our government will continue to rely on science and facts when making policy decisions.

The NDP leader's Dutch disease fantasy is just one more reason Canadians cannot trust the NDP.

\* \* \*

**AGRICULTURE AND AGRI-FOOD**

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** All sectors, Mr. Speaker? Last week, the Conservatives rebuffed concerns about the impact of cuts on seasonal EI on Canadian farmers and farm workers. However, it is the government that is out of touch with our farmers.

New Democrats agree with the Canadian Federation of Agriculture resolution raising grave concerns about the impact of the cuts to EI on their sector. Farmers are clear. They must retain these trained seasonal workers for their very survival. Is the government going to act on the farmers' concerns or continue to dismiss them?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, EI is to be there to support people when they have been laid off from their jobs while they are looking for other jobs. EI will continue to be there for those people.

Our government, better than any other, recognizes the importance of the contributions of workers on farms, and indeed farms, to our country. That is why we are preserving the seasonal agricultural worker program so that our producers can get the support they need when they need it.

\* \* \*

● (1510)

**ARMS TRADE**

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, on March 18, critical negotiations will resume in New York within the United Nations on the arms trade treaty. I commend our government and thank the Prime Minister that our government has been supportive of this treaty but ask why we have taken the strange position that corruption should not be an essential criterion in deciding if an arms trade should go forward. We know from Transparency International that corruption is rife in the arms trade industry, and I ask the Prime Minister if we can change our position and work for a stronger treaty.

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, I thank the member opposite for her thoughtful contribution on this issue. I can say that Canada has some of the highest global standards when it comes to the exports of munitions and that we do want to clamp down on corruption. We believe that any treaty negotiated should meet the high standards that Canada has already imposed.

We believe that after so many years of the wasteful, inefficient long gun registry, the last thing we want the United Nations to do is target law-abiding hunters and duck farmers.

**An hon. member:** Quack.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I draw the attention of hon. members to the presence in the gallery of the five finalists for the 2013 Shaughnessy Cohen Prize for Political Writing: Marcello Di Cintio, Taras Grescoe, Noah Richler, Jeffrey Simpson and Peter Trent.

**Some hon. members:** Hear, hear!

*Routine Proceedings***POINTS OF ORDER**

## ORAL QUESTIONS

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, today in the House, the Minister of State for Finance stated that there were no submissions from this side for the upcoming budget. I have written a letter to the Minister of Finance on the priorities for Cape Breton. He has received it. Therefore, I ask the Minister of State for Finance to—

**The Speaker:** Order, please. It seems like a continuation of debate.

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, for the record, I meant the legitimate actions of duck hunters and farmers. However, the member for Richmond does inform me that her father was a duck farmer.

**The Speaker:** Thank you for sharing that.

**Ms. Peggy Nash:** Mr. Speaker, I seek unanimous consent from the House to table, in both official languages, the submission from the NDP of our budget priorities made to the Minister of Finance some time back.

**The Speaker:** Is there unanimous consent?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**ROUTINE PROCEEDINGS**

[*Translation*]

**COMMISSIONER OF OFFICIAL LANGUAGES**

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 111.1, I have the honour to present, in both official languages, a certificate of nomination, with biographical notes, for the proposed appointment of Graham Fraser as Commissioner of Official Languages.

I request that the nomination be referred to the Standing Committee on Official Languages.

[*English*]

While I am on my feet, I move:

That the House do now proceed to orders of the day.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

**The Speaker:** Call in the members.

● (1550)

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

(*Division No. 622*)

**YEAS**

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bergen
Bemier	Bezan
Blaney	Block
Boughen	Braid
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Gosal	Gourde
Grewal	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
Obhrai	O'Connor
O'Neill Gordon	Opitz
O'Toole	Paradis
Payne	Penashue
Poilievre	Preston
Raitt	Rajotte
Rathgeber	Rempel
Richards	Rickford
Saxton	Schellenberger
Seeback	Shea
Shiple	Shory
Smith	Sopuck
Sorenson	Storseth
Strahl	Sweet
Tilson	Toet



*Government Orders*

PAIRED

Nil

**The Acting Speaker (Mr. Bruce Stanton):** I declare the motion carried.

\* \* \*

MESSAGE FROM THE SENATE

**The Acting Speaker (Mr. Bruce Stanton):** I have the honour to inform the House that a message has been received from the Senate informing the House that the Senate has passed the following bill to which the concurrence of the House is desired: Bill S-213, An Act respecting a national day of remembrance to honour Canadian veterans of the Korean War.

GOVERNMENT ORDERS

[English]

ENHANCING ROYAL CANADIAN MOUNTED POLICE  
ACCOUNTABILITY ACT

BILL C-42—TIME ALLOCATION MOTION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC)** moved:

That, in relation to C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts, not more than one further sitting day shall be allotted to the consideration of the third reading stage of the bill; and

that, 15 minutes before the expiry of the time provided for government orders on the day allotted to the consideration at the third reading stage of said bill, any proceedings before the House shall be interrupted, if required for the purpose of this order, and, in turn, every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively, without further debate or amendment.

• (1555)

**The Acting Speaker (Mr. Bruce Stanton):** Pursuant to Standing Order 67(1), there will now be a 30-minute question period.

I would invite hon. members who wish to participate in the 30-question period to stay and participate in the debate, and we will proceed to that debate forthwith.

The hon. member for Saint-Lambert.

[Translation]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, we have yet another gag order in the form of a time allocation motion, a tactic that the Conservatives are unfortunately using far too often.

This is a record 29th time that this government has moved a time allocation motion. This record may belong in the Guinness Book of World Records, but it does nothing to improve the image of the House.

When the government imposes time allocation on all members of the House, it is essentially gagging all Canadians, and we cannot repeat that enough.

Toews  
Trottier  
Uppal  
Van Kesteren  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)  
Weston (Saint John)  
Wilks  
Wong  
Yelich  
Young (Vancouver South)

Trost  
Tweed  
Valcourt  
Van Loan  
Warawa  
Watson  
  
Williamson  
Woodworth  
Young (Oakville)  
Zimmer — 152

NAYS

Members

Allen (Welland)  
Angus  
Ayala  
Bellavance  
Benskin  
Blanchette  
Boivin  
Boulerice  
Brisson  
Byrne  
Casey  
Charlton  
Chisholm  
Chow  
Cleary  
Comartin  
Cotler  
Cullen  
Davies (Vancouver Kingsway)  
Day  
Dion  
Donnelly  
Dubé  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Freeman  
Garrison  
Genest-Jourdain  
Godin  
Groguhé  
Harris (St. John's East)  
Hughes  
Julian  
Lamoureux  
Larose  
Laverdière  
LeBlanc (LaSalle—Émard)  
Liu  
Mai  
Martin  
Mathysen  
McCallum  
McKay (Scarborough—Guildwood)  
Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Nantel  
Nicholls  
Pacetti  
Patry  
Pilon  
Quach  
Rafferty  
Ravignat  
Regan  
Sandhu  
Scott  
Sgro  
Sims (Newton—North Delta)  
St-Denis  
Sullivan  
Toone  
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Valériote — 129

Andrews  
Aubin  
Bélangier  
Bennett  
Bevington  
Blanchette-Lamothe  
Borg  
Boutin-Sweet  
Brosseau  
Caron  
Cash  
Chicoine  
Choquette  
Christopherson  
Coderre  
Côté  
Crowder  
Cuzner  
Davies (Vancouver East)  
Dewar  
Dionne Labelle  
Doré Lefebvre  
Duncan (Etobicoke North)  
Dusseault  
Eyking  
Fortin  
Fry  
Genest  
Giguère  
Goodale  
Harris (Scarborough Southwest)  
Hsu  
Jacob  
Kellway  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McGuinty  
Michaud  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Mulcair  
Nash  
Nunez-Melo  
Papillon  
Péclet  
Plamondon  
Rae  
Rankin  
Raynault  
Saganash  
Scarpaleggia  
Sellah  
Simms (Bonavista—Gander—Grand Falls—Windsor)  
  
Sitsabaiesan  
Stoffer  
Thibeault  
Tremblay  
Turnel

*Government Orders*

This government needs to take responsibility and do what people expect it to do. We should be able to have in-depth discussions of bills in the House. It is completely unconscionable and unacceptable that we are faced with yet another time allocation motion.

My question is simple: what is the government trying to hide and what reason does it have for cutting off debate on this bill?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I appreciate the opportunity to participate in the debate.

I want to point out that today is the 15th day that Bill C-42 is being debated. That is 15 days. The member is concerned that something is being hidden. If something is being hidden, I do not know what it is. We have certainly been very clear in our position as to what the people of Canada should know and the steps we are taking in respect of the RCMP.

What is the response of the NDP members? Their amendments include deleting the short title of the act, which is enhancing Royal Canadian Mounted Police accountability act.

Why do we spend time debating that kind of title? What is it about enhancing accountability that the opposition does not want the RCMP to follow?

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is important that we recognize the fact that the government has a record in terms of putting time allocation on numerous bills. The Liberal Party has been fairly clear in stating its support for the principle of the bill that is in question today, and we would ultimately like to see it pass. We have not been putting up speakers to try to delay, or anything of that nature, but we do question the level of frequency by which the government uses time allocation. We have seen it on numerous bills, whether it is Bill C-27, the first nations accountability bill, Air Canada, Canada Post, CP, the Panama free trade agreement, budget bills, back to work legislation with regard to Air Canada, the Financial System Review Act, the gun registry, the copyright bill, the pooled pension plan bill, one of my favourites, and the Canadian Wheat Board. All of these are bills, and more, on which the government has decided to invoke time allocation.

My question is more for the government House leader. Why does the government choose to introduce time allocation on many bills, which therefore takes away the responsibility of opposition members and all backbenchers, I would suggest, to provide due diligence in ensuring that every bill is given due process and is well debated and ultimately passed or defeated in the House of Commons? Why does the government go to this tool time after time?

• (1600)

**Hon. Vic Toews:** Mr. Speaker, the member for Winnipeg North is up on his feet quite a bit. I often turn on the television in my office and there is the member for Winnipeg North. I remember the member for Winnipeg North when we served together in the provincial legislature. He is a fine member. He gives his constituents good representation. I think they are pleased to see him here rather than the former party that used to occupy that seat. His constituents have taken one step up in terms of representation.

The member's position is that there has been enough debate. However, that is not the issue. The issue is that closure has been brought in. If there has been enough debate, then why is it not time to close it down and get on with a vote?

**The Acting Speaker (Mr. Bruce Stanton):** I would like to remind hon. members to try to keep the interventions to around a minute or so, both the questions and the responses.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I do not know if that exchange between my two friends across the way was the minister trying to help out my friend in the next election campaign or trying to severely curtail his chances of winning. I do not know if that goes on a brochure or not.

My point is this. The irony of the government using a closure motion, a motion to shut down debate on a bill called the RCMP accountability act, seems to be lost on it. The fact that the RCMP is in need of reform is well understood in this country. I have debated the minister often on this, and he has stonewalled efforts for years. Now, when the government has brought a bill forward, insufficient and incomplete, according to members themselves, the minister says we have talked enough about this; it is good enough, like it or lump it, this is how it is going to be.

We do not often get the chance to reform the RCMP. It does not happen every year. It does not happen every 10 years. One would think that getting the bill right would be important to the government, but it is not. What is important to the government is its continuing treatment of this place with disdain, and its fundamental disrespect of the voters we represent in saying that whatever the government's agenda is, so be it. It is the Conservative way or the highway. That is not good enough for Canadians. That level of arrogance, of uncertainty, in terms of dealing with our democratic institution, is something that will be lost.

**An hon. member:** They do not want your style, like every piece of legislation that comes through here.

**Mr. Nathan Cullen:** Mr. Speaker, the members can heckle if they want, but we all know that the ability to govern requires a certain amount of intelligence, and from time to time a certain amount of humility, something the government is often lacking.

**Hon. Vic Toews:** Mr. Speaker, I am sorry I was not born with the intelligence of the member across the way, but in my own humble way, I try to do my best and move things along.

*Government Orders*

NDP members have brought forward an amendment to get rid of the short title of the bill, which is the enhancing RCMP accountability act. Once we get down to a discussion to not include any reference to enhancing accountability, then where can the debate go from there? We are saying we need to enhance accountability. They are saying not to enhance accountability. After 15 days, the debate has ground to a halt. This is the only logical thing the government can do because there is no desire on the part of the opposition to enhance accountability. The opposition is against the concept of accountability. Those members have said so by wanting to remove the short title.

• (1605)

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, in listening to the last comments, my friend from Winnipeg North talked about the record of the government in bringing in time allocation. I would suggest it is a record in terms of the opposition delaying any bit of legislation as much as they possibly could. We have been dealing with this issue in committee as well. We have had 15 days in the House and time in committee.

The opposition House leader talked about accountability. At some point, the House has to be accountable to eventually come to a decision on something, and not drag it out forever. We have 13 police officers in our caucus who have all worked hard on this piece of legislation. The NDP said it can no longer support it, one of the reasons being that it will give the commissioner of the RCMP the ability to root out bad apples. The opposition states it wants accountability and yet it would not support measures that would give the commissioner the ability to hold individuals accountable for their actions.

Can the minister comment on this apparent dichotomy?

**Hon. Vic Toews:** Quite frankly, Mr. Speaker, I am pleased the member has raised these types of substantive issues. Canadians who have been following the debate understand the nature of the bill and what the government is trying to accomplish with the RCMP.

I am very proud of the RCMP, the commissioner, and the work the commissioner is doing with the RCMP. However, the commissioner cannot do it all by himself. He needs the support of the House. The attorneys general across Canada have told us they want reforms. We brought forward this bill for accountability, and I am pleased the Liberals are supporting it in principle. It is a very progressive bill in respect of dealing with issues of accountability.

At this point, all I can say is that I want to help the RCMP and the commissioner, and I am calling on the House to do exactly that by passing this bill.

[*Translation*]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, this is the 29th time debate in the House has been interrupted and our members' right to speak has been taken away. Democracy is under attack.

The Conservative Party is mastering the art of downplaying the issues we are working on. The minister uses rhetoric about a title, as if our work was about titles, when we work on content.

We have the right to be heard as members. We have the right to go into detail, and we have the right to use all our time. Not all the members of the House have been heard on Bill C-42.

The minister said that this was a waste of time. I am quoting him word for word, if the translation is correct, obviously. He said that it is a waste of time to listen to members.

It is shameful to hear that.

[*English*]

**Hon. Vic Toews:** Mr. Speaker, I do not know whether the translation was correct, but what I was indicating was that the member said she wants to talk about substantive issues and content, and yet time and time again the NDP brings forward frivolous amendments. The one primary frivolous amendment it is bringing forward is wanting the people of Canada to listen to a debate, not about accountability or how to make a more effective national police force in Canada, but whether we should have a short title for the act that is called enhancing RCMP accountability act. Once we are into that kind of discussion, whatever substantive arguments there might be have all been exhausted.

We are talking about getting down to the issue. Let us vote. The substantive issues have clearly been discussed given the nature of the amendments that the NDP brought forward.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, perhaps I could enlighten the hon. minister. Perhaps he has been off the opposition benches for so long that he has forgotten the very cogent and sensible reason why members of the opposition parties, who have been part of committee processes by the rules of this place, could only put forward deletions at third reading, and in order to get priority for speaking opportunities in third reading debate choose such things as a deletion of the short title in order to get a speaking spot. I can assure anyone watching these proceedings that the official opposition will not waste its time saying why it wants to delete a short title. It will use that speaking opportunity to put forward concerns that are real and legitimate about this legislation.

I happen to know the rules quite well because I have the somewhat unique perspective of being able to bring forth both deletions and substantive amendments at report stage. In this case, it is a disservice to those who might be looking at this debate, or reading *Hansard* later, to think the official opposition is obsessed about the short title. It is simply looking for a chance for democratic debate.

• (1610)

**Hon. Vic Toews:** Mr. Speaker, I do not know what that party's or that member's position is. She is not a member of the official opposition.

The official opposition is the New Democrat Party. I see from what they have brought forward that all of those issues have been fully considered and that we are beginning to spin our tires by bringing forward amendments that would delete the short title of the act.

**Mr. Ryan Leef (Yukon, CPC):** Mr. Speaker, I think the minister has made his point quite clearly.

*Government Orders*

As members of the Canadian public reflect back on *Hansard*, they will see clearly that members of opposition have taken an opportunity to engage in this debate. One after another, they are not talking about the substance of this bill. They are talking about process, not content.

The only questions that have involved the content of this bill at all have come from members on this side. On that note, I would like to ask the minister what he has heard. I can share the experience of the Yukon's "Sharing Common Ground" report, and the review of Yukon's police force asks for some very specific things, which are reflected directly in this bill in terms of accountability and in terms of improving the RCMP.

I was wondering if the minister would take an opportunity to comment on what he has heard across all provinces, particularly the Yukon experience, and how this bill is going to help that territory with its relationship with the RCMP?

**Hon. Vic Toews:** Mr. Speaker, I want to thank that member for his question. I also want to thank that member for the work he has done on this file and, prior to that, for his work as a correctional officer and even a member of the RCMP.

In fact, he was a member of both the correctional and enforcement areas of the law and certainly brings a lot to bear. The people of the Yukon are well served by an individual who puts his territory, his jurisdiction, right to the forefront of the discussion and ensures that people here in Ottawa hear what the people of Yukon are saying.

I have had the occasion to travel to the Yukon. At least once a year, I try to get there to hear what the people of the Yukon are saying. Generally speaking, I find good broad-based support for this legislation, not only from government officials but from people generally who want to see accountability in the RCMP. They want the RCMP to be everything it can be. This bill would do exactly that.

[*Translation*]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, I am pleased to have the opportunity to ask the minister a question about shortening the debate on Bill C-42. I found it interesting that the committee spent only a few meetings discussing this bill. The last time the Royal Canadian Mounted Police Act was amended, which was several years ago, it took months and months of serious study. I find the seriousness to be lacking this time.

In addition, the minister said at the outset that he was open to amendments because he felt that the bill was worth studying properly and that it might be lacking in some way. The only amendments the Conservatives accepted were their own, and they mainly had to do with correcting spelling mistakes.

Does the minister not feel that we did not have enough time and that we still need more time to debate this extremely important bill? Does he not think it arrogant not to listen to what the opposition has to say on the matter?

• (1615)

[*English*]

**Hon. Vic Toews:** Mr. Speaker, I think there are certain very key principles that this act encompasses or encapsulates and brings forward to this House for our consideration.

Each one of those principles in the act have been thoroughly discussed, things like strengthening the RCMP review and complaint body; the new statutory framework for serious incident investigation involving RCMP members; and the modernization of the discipline, grievance and other human resource management processes.

These issues have been brought forward in this legislation. They have been debated for 15 days. That is not even taking into account the broader context of the knowledge that each member brings to a particular file like this.

The issues that have been raised in the past to the RCMP all bear down on this particular experience. We tried to encapsulate them as quickly as possible and ensure that both sides of the argument have been heard. In terms of amendments, both sides of the argument have been canvassed fully in this House.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, one of the reasons we argue for more scrutiny, oversight and due diligence is the fact that the particular party and particular minister have a reputation now of launching bills that are half-baked and that have not been given the oversight and scrutiny they deserve.

I was here when the minister had to stand up and amend his own legislation because, even though he was warned all through the process of the legislation that certain elements offended the charter and were unconstitutional, et cetera, the Conservatives would not allow a single amendment. In fact, they have not allowed a single amendment to a single bill in the entire 41st Parliament. It is as if they have some of kind of monopoly on wisdom in this regard, but in actual fact, they make a lot of mistakes. I have a list here of some of the charter challenges on legislation from the government since 2007; two of them dealing with the RCMP and the Expenditure Restraint Act.

The Conservatives cannot tell me that they are not launching stuff into this House of Commons that may not have been vetted properly by the Department of Justice officials, as according to whistleblower Edgar Schmidt. In actual fact, bills arrive here in a state that should not be passed, that deserve to be analyzed further, criticized and scrutinized and have the merits of their arguments tested by legitimate debate in the House of Commons, the way God wanted it.

**Hon. Vic Toews:** Mr. Speaker, I know that member is closer to God than I am, and so I will have to take his word on that.

However, I find the member's arguments a little puzzling. He said we have never allowed any amendments, that we are rigid in our position, but in the next breath he is saying the minister amends his legislation.

I have to say that we have listened to arguments, and where there are valid concerns and arguments, we amend it, as the member himself has indicated.

*Government Orders*

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, what is happening here this afternoon seems quite paradoxical. Just when we are being told that debate has gone on long enough, the majority of the remarks coming from the Conservative bench are focusing on arguments or the bill. Yet this short, 30-minute window we have been given should be used to debate the time allocation motion, which, I would like to remind the House, is meant to be used as an exception.

What happened in committee or while this bill was being studied that would justify muzzling the members and shortening the time for debate when we know that enlightenment comes when ideas collide?

They are not debating that. They are debating the amendments we proposed, which were rejected. It makes no sense. I am having a hard time wrapping my head around this whole situation.

I would like the minister to explain how the government can justify a time allocation motion and muzzling members.

• (1620)

[*English*]

**Hon. Vic Toews:** Mr. Speaker, actually, I found the comments from members on the Conservative side to be very instructive to this particular debate on time allocation. What I heard the members from the Conservative side say is that there are some very important principles at stake here in terms of the substance of the bill, and why is it that the NDP would consistently oppose those principles?

That is my concern as well, because I have not heard any substantive arguments in the past 15 days of debate that would in fact indicate there is any problem with this substantive bill that is moving forward. Therefore, time allocation is the appropriate measure in these circumstances.

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, I have had the opportunity to participate in the debate on this bill as well as hear my colleague, the Parliamentary Secretary to the Minister of Public Safety, make a very strong argument on why this bill is necessary. Not only is the bill necessary, but it is timely.

We have heard members of the opposition stand up on this bill and talk about how these changes will make the RCMP function more effectively. We have heard from stakeholders within the organization, and without, talk about why these amendments and changes to the legislation are so important. The fact remains that amendments were made.

This bill is an important piece of legislation. The opposition has agreed to this principle. Therefore, my question to the minister is: Given this basic fact, why is it so important for us to pass the bill in a timely and efficient manner? Can the minister confirm that in this House there have been hours and hours of debate as well as committee testimony on this bill?

**Hon. Vic Toews:** Mr. Speaker, I thank the member for her work on this bill and for the question.

I do want to reiterate that, in fact, there have been many hours of debate—15 days—and that is quite a significant amount of debate. I am a little confused about one issue. I hear the Liberal position and I

think it is a responsible position. The Liberals say that even though they disagree with us on some aspects, this would move the process forward in terms of enhancing the accountability of the RCMP.

On the other hand, the New Democrats consistently criticize the RCMP and suggest there is something untoward happening in the entire organization, and yet they are not even willing to agree on the fundamental principles that we need to enshrine in legislation to move that organization forward.

[*Translation*]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, unfortunately I must contradict the member for Trois-Rivières, who said earlier that time allocation is an exceptional measure. It is no longer an exceptional measure. Members were just saying that it has been invoked 29 or 30 times; I have counted 32 instances.

My first question for the minister is how many times has it been invoked? It would be good to know the exact number of times.

Furthermore, I was listening carefully when he answered the opposition members. He said that there have been 15 days of debate and that that is enough. He then said that is a good bill, that he does not see why it should be amended, that the opposition members have debated it long enough, that the government is sick and tired of listening to them and that it is time to move on to other things.

Is 15 days now the Conservative government's standard even if the opposition does not listen to reason at some point and wants to continue hearing from witnesses? If members of civil society want to express their opinions about a bill, is that the point when MPs are muzzled? Is that the criterion? I would like to know exactly what triggers time allocation, so that we do not get prepared for nothing.

The Conservatives need only introduce bills and immediately invoke time allocation. That would speed things up.

[*English*]

**Hon. Vic Toews:** Mr. Speaker, I don't ever recall saying I am sick and tired of listening to the members opposite. In fact, if this were just a friendly debate between friends, as we all are of course, and if there were no consequences and we could go on forever, I could well see us talking the night away, for however much time we have patience. I am never sick of the member or tired of the member. The member brings valid contributions to this House.

However, we have a very specific responsibility. There comes a time, and I think that time has come in the life of this bill, that we move it forward to the vote. It is reflected in the type of amendments that are being made and the type of arguments that are being made. There is nothing new that the opposition members, in particular the NDP, have brought forward in the last 15 days. We have heard these arguments over and over. I invite members of the public to review the transcripts and see if there is anything substantively new, which all of a sudden is going to develop. The positions have been laid out very carefully. Members in all parties and private members now can determine in what direction they want this bill to go. We said it should come to a vote. We think it is time to pass this bill.

*Government Orders*

•(1625)

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, the lack of credibility that the minister presents and the need for shutting down debate comes from a party that moved 471 amendments to the Nisga'a Final Agreement in some attempt to block the efforts and the will, not just of the Nisga'a but of the Canadian people.

The minister also now pretends that he has listened to 15 days of debate and he is going to play judge, jury and executioner as to whether the debate is finished in his view, whether valid points are being raised anymore. This also is coming from a minister in a government that at no time accepts any amendments to any of its legislative pieces, ever. The Conservatives simply sit there and say that what they introduced the first time is good enough.

We now find out that within their own department there used to be a 95% certainty of a Charter challenge for legislation coming from the Government of Canada, and this law and order government is now saying that the threshold for success of a bill to stand a Charter challenge is 5%. So if it even has a whiff of possibility of passing through a Supreme Court challenge, the Conservatives will introduce it. Why? It is for politics, not for policy, not for governing, but for pure politics

The Minister of Public Safety, so-called, does this time and again and then stands up and says he is open to discussion and open to amendments and that he is a very reasonable guy, but his actions are otherwise. The current government's actions are otherwise.

The members of the government do not like the problems of democracy and the inconvenience of debate, but maybe, from time to time, they could have the humility to take the views of the experts and of the members of the opposition and once in a while have the humility to change their legislation to make it better, make it stronger and finally serve Canadians.

**Hon. Vic Toews:** Mr. Speaker, if I want to learn lessons in humility, I will go to the NDP. Perhaps I will come there for that lesson. In respect of being concerned about what lawyers are saying about the bill, I want to say one thing. We want to do the right thing for the people of Canada. The people of Canada have asked us to bring forward an agenda, and we are bringing it forward.

We are prepared to go to the courts and explain why this is necessary. Courts do not set policy. This House sets policy. The member is an individual who is prepared to abdicate his responsibility as a policy-maker and let lawyers and judges determine our future. I have more faith in the House of Commons, indeed even in an elected NDP member, than in that kind of claptrap.

**The Acting Speaker (Mr. Bruce Stanton):** This will bring the period allocated for debate to an end, but before we put the question, 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 Vancouver Kingsway, International Trade; the hon. member for Saint-Hyacinthe—Bagot, Housing; the hon. member for Algoma—Manitoulin—Kapusking, Citizenship and Immigration.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the yeas have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** Call in the members.

•(1710)

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

*(Division No. 623)*

## YEAS

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bergen
Bernier	Bezan
Blaney	Block
Boughen	Braid
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Gosal	Gourde
Grewal	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller

Moore (Fundy Royal)  
 Norlock  
 O'Connor  
 Opitz  
 Paradis  
 Penashue  
 Preston  
 Rajotte  
 Reid  
 Richards  
 Saxton  
 Seeback  
 Shipley  
 Smith  
 Sorenson  
 Storseth  
 Sweet  
 Toet  
 Trost  
 Tweed  
 Valcourt  
 Van Loan  
 Warawa  
 Watson  
 Wilks  
 Wong  
 Yelich  
 Young (Vancouver South)

Nicholson  
 Obhrai  
 O'Neill Gordon  
 O'Toole  
 Payne  
 Poilievre  
 Raitt  
 Rathgeber  
 Rempel  
 Rickford  
 Schellenberger  
 Shea  
 Shory  
 Sopuck  
 Stanton  
 Strahl  
 Tilson  
 Toews  
 Trottier  
 Uppal  
 Van Kesteren  
 Wallace  
 Warkentin  
 Weston (Saint John)  
 Williamson  
 Woodworth  
 Young (Oakville)  
 Zimmer— 152

**NAYS**

Members

Allen (Welland)  
 Angus  
 Ayala  
 Bellavance  
 Benskin  
 Blanchette  
 Boivin  
 Boulерice  
 Brahmi  
 Brosseau  
 Caron  
 Cash  
 Chicoine  
 Choquette  
 Christopherson  
 Coderre  
 Côté  
 Crowder  
 Cuzner  
 Davies (Vancouver East)  
 Dewar  
 Dionne Labelle  
 Doré Lefebvre  
 Duncan (Etobicoke North)  
 Dusseault  
 Eyking  
 Fortin  
 Fry  
 Genest  
 Giguère  
 Goodale  
 Harris (Scarborough Southwest)  
 Hsu  
 Jacob  
 Kellway  
 Lapointe  
 Latendresse  
 LeBlanc (Beauséjour)  
 Leslie  
 MacAulay  
 Marston  
 Masse  
 May  
 McGuinty  
 Moore (Abitibi—Témiscamingue)  
 Morin (Notre-Dame-de-Grâce—Lachine)  
 Morin (Saint-Hyacinthe—Bagot)  
 Murray  
 Nash  
 Nunez-Melo  
 Papillon

Andrews  
 Aubin  
 Bélanger  
 Bennett  
 Bevington  
 Blanchette-Lamothe  
 Borg  
 Boutin-Sweet  
 Brison  
 Byrne  
 Casey  
 Charlton  
 Chisholm  
 Chow  
 Cleary  
 Comartin  
 Cotler  
 Cullen  
 Davies (Vancouver Kingsway)  
 Day  
 Dion  
 Donnelly  
 Dubé  
 Duncan (Edmonton—Strathcona)  
 Easter  
 Foote  
 Freeman  
 Garrison  
 Genest-Jourdain  
 Godin  
 Groguhé  
 Harris (St. John's East)  
 Hughes  
 Julian  
 Lamoureux  
 Larose  
 Laverdière  
 LeBlanc (LaSalle—Émard)  
 Liu  
 Mai  
 Martin  
 Mathysen  
 McCallum  
 Michaud  
 Morin (Chicoutimi—Le Fjord)  
 Morin (Laurentides—Labelle)  
 Mulcair  
 Nantel  
 Nicholls  
 Pacetti  
 Patry

*Privilege*

Pécelet	Pilon
Plamondon	Quach
Rae	Rafferty
Rankin	Ravignat
Raynault	Regan
Saganash	Sandhu
Scarapaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaesan	St-Denis
Stoffer	Sullivan
Thibeault	Toone
Tremblay	Trudeau
Turmel	Valeriote— 130

**PAIRED**

Nil

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

THIRD READING

The House resumed from February 28 consideration of the motion that Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts, be read the third time and passed.

**The Speaker:** I wish to inform the House that because of the proceedings in the time allocation motion, government orders will be extended by 30 minutes.

The Chair has notice of a question of privilege from the hon. member for Winnipeg Centre.

\* \* \*

**PRIVILEGE**

DEPARTMENT OF JUSTICE

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I rise today on a point of privilege. It is an unprecedented matter, and I believe it is a matter of extreme importance to the House of Commons.

Section 3 of the Canadian Bill of Rights states that:

the Minister of Justice shall...examine every regulation...and every Bill introduced in or presented to the House of Commons by a Minister of the Crown, in order to ascertain whether any of the provisions thereof are inconsistent with the purposes and provisions of this Part and he shall report any such inconsistency to the House of Commons.

Section 3 of the Canadian Charter of Rights and Freedoms states that:

the Minister shall...(a) examine the Bill in order to

**Mr. Gerald Keddy:** That's good. That's fantastic.

**Mr. Pat Martin:** Mr. Speaker, do I have to put up with heckling during a point of privilege?

**The Speaker:** Order, please.

In fact, the hon. member does not have to put up with heckling. I will ask members who feel the need—

**Some hon. members:** Hear, hear!

**The Speaker:** —to make comments on the particular question that the Chair has yet to hear from the member to do so when he has finished making his point. I would be happy to give the floor to them. Until then, they can remain silent.

*Privilege*

The hon. member for Winnipeg Centre.

**Mr. Pat Martin:** Mr. Speaker, I was saying that section 3 of the Canadian Charter of Rights and Freedoms examination regulations states that:

—the Minister shall...(a) examine the Bill in order to determine whether any of the provisions thereof are inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms...

Then subsections (2) and (3) of the Statutory Instruments Act requires an examination of regulations to ensure that they are not ultra vires and do not trespass unduly on existing rights and freedoms and are not in any case inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights.

An action has been filed in the Federal Court by one Edgar Schmidt, until very recently a senior official of the Department of Justice, a department that advertises its mandate as being to promote respect for rights and freedoms, the law and the constitution.

Mr. Schmidt's duty since 1988 included drafting and advising on legislation, acting as a general counsel and special adviser to the department's legislative services branch. The statement of claim of Mr. Schmidt states:

Since about 1993, with the knowledge and approval of the Deputy Minister, an interpretation of the statutory examination provisions has been adopted in the Department to the effect that what they require is the formation of an opinion as to whether any provision of the legislative texts being examined is manifestly or certainly inconsistent with the Bill of Rights or the Charter, and in the case of proposed regulations, whether any provision is manifestly or certainly not authorized by the Act under which the regulation is to be made.

Mr. Schmidt alleges the Department of Justice counsel have adopted a policy of interpreting the constitutional duty as meaning “no advice is given to the minister that he or she...has a duty to report to the House” so long as “some argument can reasonable be made in favour of its consistency with the charter, even if all the arguments in favour of consistency have a combined likelihood of success of 5% or less”.

If these allegations are in fact true, my privilege as a member of Parliament, indeed the privileges of each member of Parliament, have been breached.

Supposedly, when a bill is placed before the House as government bill, every member can be reassured by law that the bill is not in violation of either the Bill of Rights or the Charter of Rights and Freedoms by the fact that the Minister of Justice and Attorney General of Canada has examined the bill and finds it to be compliant with these fundamental Canadian laws.

If the allegations of Edgar Schmidt are true, we members cannot rely on the performance of these statutory and constitutional duties to know that a bill is consistent with the Bill of Rights and charter in deciding our vote as the bill proceeds through the committees and the House. Based on these allegations, the Department of Justice is approving proposed legislation that has only a mere remote possibility of being consistent with the charter or the Bill of Rights.

In contrast, Schmidt argues that the statutory examination provisions require the Department of Justice to determine whether the proposed legislation is actually consistent with the charter or the

Bill of Rights, not on the possibility of whether or not the legislation could be consistent.

This hinders us as members of Parliament in the performance of our parliamentary duties. It constitutes an interference in the performance of our duties to exercise due diligence of the bills before us.

I believe every member of the House would agree that if these allegations are proven to be true, they show contempt for the authority and dignity of Parliament.

If the allegations of Edgar Schmidt are true, the credibility of the Attorney General of Canada and his officials on other matters related to our duties as members of Parliament is also put into question.

For example, in our committees, government officials are frequently accompanied by legal counsel from the Department of Justice. Questions are not infrequently posed to them, for example, as to whether a bill, if enacted, would abrogate or derogate from aboriginal or treaty rights recognized and affirmed by section 35 of the Constitution.

It is essential that the House and its committees are able to have full confidence in the impartial information provided by officials from the Department of Justice and that they are not limited by some secret policy, which would limit completely forthcoming answers.

In this same respect, section 25 is a part of our charter and it protects the respective collective rights of each of the aboriginal peoples and their nations and communities in the event that the upholding of an individual right might negatively impact a collective right. All members of the House depend upon the vigilance of the Minister of Justice, acting on the advice received by his or her officials to determine that there is no such negative impact.

● (1715)

Again, if these allegations are true, there has been no such vigilance. As Mr. Schmidt points out in his statement of claim, it is not practical for the minister and deputy minister to personally perform all aspects of their duties under the statutory examination provisions; they must rely on the legal counsel employed in the department to support them in the performance of those duties. As a result, the signatures of certification are mostly carried out by the chief legislative counsel of the Department of Justice under the authorization of the deputy minister.

Mr. Schmidt alleges in his statement of claim that “since about 1993”, for the past two decades in other words, “with the knowledge and approval of the Deputy Minister”, an interpretation of the provisions for statutory examinations “has been adopted”...to the effect that what is required is an opinion “as to whether any provision of the legislative text being examined is manifestly or certainly inconsistent with the Bill of Rights or the Charter”.

Mr. Schmidt alleges that if it is the opinion of counsel and the Department of Justice that

- a. a provision is likely or even most certainly inconsistent with the Bill of Rights—even if the probability of inconsistency is 95% or more—, but
- b. some argument can reasonably be made in favour of its consistency— even if all arguments in favour of consistency have a combined likelihood of success of 5% or less—,



no advice is given to the minister that he or she...has a duty to report to the House of Commons...and therefore no report is made...

The same is true with regard to regulations, and I will save reading that in the interest of time. They allege, again, that with the authorization and approval of the deputy minister, legal counsel in the Department of Justice have been ordered to follow these policies.

In essence, if these allegations are true, the interpretation and practice of the Department of Justice has unlawfully transformed the examinations under the statutory examination provisions to one as to whether there is even a very slender possibility that a bill or a regulation might be consistent with the charter and the Bill of Rights.

That is not the intent of the protection that Parliament believes it has been provided. The obligation of the Minister of Justice is to certify that the proposed legislation is actually consistent with the charter or the Bill of Rights, not the possibility of whether the legislation could be consistent. If the allegations are true, the minister and the deputy minister have knowingly, or unknowingly, been systematically in default of their lawful duties with respect to past legislation and the legislation which is before this House today.

Disturbingly, Mr. Schmidt alleges that he has personally brought these matters to the attention of the chief legislative counsel, the associate deputy minister, to whom the chief legislative counsel reports, and to the deputy minister, but that no action has been taken to bring the conduct of the required examinations into conformity with the law.

If we find that what we are being told is true, that senior officials in the Department of Justice have secretly adopted such an absurdly low standard, obviously we, as members, can no longer rely on any opinions rendered by the Minister of Justice and Attorney General of Canada about legislation. This would be the equivalent of knowingly asking Parliament to pass a bill which has a very high chance of not being in compliance with the Charter of Rights and Freedoms for an improper purpose, namely seeking some collateral advantage or some partisan political advantage.

There is no question that if the allegations are true, it would raise questions of confidence in the Attorney General of Canada, not only for members of Parliament but also for our constituents, the people of Canada. The public has a right to expect that a person should be held to the highest standard of conduct in exercising a public trust.

We, as members of Parliament, have a responsibility and a duty, and I might point out a right, to determine whether the alleged situation is true. When we pass a law that is later found to be null and void because it infringes upon charter rights, it is not only embarrassing to the dignity of the House of Commons and parliamentarians, it is costly. The government could find itself paying its own heavy legal costs, the costs of the other side, and dealing with the many persons other than that actual plaintiff, who have been affected by the invalid legislation.

• (1720)

As just one example, the courts have recently struck down three planks of the tough-on-crime legislation, and portions of the human smuggling law have been struck down as well. In fact, I have a comprehensive list of all of the pieces of legislation that have wound up before the courts—some resolved, some being appealed, some

### *Privilege*

still being argued—since 2007. There has been a free-for-all of challenges because of legislation that offended, or that people believe offends, the Charter of Rights and Freedoms or the Bill of Rights.

Under Canadian law the Minister of Justice is charged with making policy, but he or she is also the Attorney General of Canada, charged with evaluating the legality of the law and with resolving this conflict. The incumbent of those two offices must rely on the impartial advice of the lawyers the government employs for this purpose, and those solicitors are also sworn to uphold the high professional standards of solicitors as enforced by their bar associations.

When considering your decision, Mr. Speaker, regarding this question of privilege, I know you will be looking for clear indications that I and every member of the House have been hindered, obstructed or otherwise interfered with in performing our parliamentary duties or that contempt has been shown for the authority and dignity of Parliament. The 22nd edition of Erskine May states on page 63:

It is of paramount importance that ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity.

Erskine May further states, on page 111:

The Commons may treat the making of a deliberately misleading statement as a contempt.

In both regards, I have no evidence to suggest that the incumbent Minister of Justice nor any of his predecessors have deliberately provided inaccurate information to the House, even implicitly. However, given the allegations of Mr. Schmidt, I believe it is my privilege and the privilege of all members that the Minister of Justice must do absolute due diligence in assuring himself of the exact situation that has prevailed in the provision of the pertinent information during this Parliament and to report his findings to the House in a frank, forthcoming and transparent manner. The fact remains that if the allegations are true, I as a member and all members have been misled by a minister.

O'Brien and Bosc, in *House of Commons Procedure and Practice*, second edition, state on page 115:

Misleading a Minister or a Member has also been considered a form of obstruction and thus a prima facie breach of privilege. For example, on December 6, 1978, in finding that a prima facie contempt of the House existed, Speaker Jerome ruled that a government official, by deliberately misleading a Minister, had impeded the Member in the performance of his duties and consequently obstructed the House itself.

I point out that Edgar Schmidt's allegations cover many years of practice involving governments of several prime ministers and parties. My question of privilege should not be considered to be partisan or an attack on the current government. However, I understand there are other members of other parties present today who wish to support this question of privilege as their own and I invite them to join me in doing so.

*Privilege*

I recognize that generally speaking, when matters are before the courts, they are considered *sub judice* and are considered to be improper subjects for consideration of Parliament. However, I ask you, Mr. Speaker, to consider that the question of privilege that I am making, and the remedies that I will propose in the motion that I will make if the matter of privilege is upheld, are in no way dependent upon the findings of the court, nor will they interfere with the court in carrying out its duties.

Further, whether Edgar Schmidt wins or loses his case before the courts may depend on many extraneous factors. Does he have standing to bring such a case to court? Are there technicalities that may interfere with its success? Will the case proceed in an expedient manner, or will there be extensive delays for one reason or another? The government itself is reported to have held out to the court in question that the minister's reporting practices are an issue between the minister and Parliament. My question of privilege will give this House the opportunity to act on the government's own suggestion.

As well, the courts do not have jurisdiction to decide questions of privilege, nor to deal with the reporting arrangements between the Minister of Justice and Parliament, nor to provide for the kinds of remedies members of Parliament might wish to have if the privilege is upheld.

I am raising this matter at the earliest opportunity, as soon as has been possible after the breach occurred.

• (1725)

I move that this House express its deep concern that its privilege with respect to statutory and constitutional duties regarding the certification of the Minister of Justice that government legislation is consistent with the Canadian Bill of Rights and the Charter of Rights and Freedom may not have been properly exercised and that an opportunity be given to the Minister of Justice, in that capacity and as Attorney General of Canada, to examine the allegation that policies adopted and acted upon by his officials, with or without his knowledge, have resulted in his constitutional and statutory duties and his consequent responsibilities to the House having not been properly fulfilled, so that he may report to this House at the earliest opportunity regarding the allegations, and, if the allegations are true, to set out the actions he proposes to take a) to remedy the situation resulting from past applications of this or similar policies; b) the actions he proposes to take to deal with government bills currently before the House; and c) to prevent this situation from ever again occurring in the future.

The House would not know if the bills before it today are compliant with the charter. One could not be more current and expedient than that.

Further, the subject matter of my question of privilege arises from a very complicated, unprecedented situation, which has involved considerable research, discussion and debate as to how to deal with it. I have given it careful thought and consideration. I have attempted to exercise responsible due diligence before bringing this question of privilege before the House, trying to find the balance between being expedient and acting responsibly. I ask, Mr. Speaker, that you find that I am acting expediently and am meeting the test required for a question of privilege.

Beyond the question of expedient notice is the question of why now? Why not wait until later? The answer is that we cannot even estimate how long it will take for Mr. Schmidt's matter to be decided, even at the lowest court, and there is the possibility of appeal. In that interval, many important bills will have gone through Parliament without members knowing, without doubt, that they are consistent with the charter.

I am acting to maintain the respect and credibility due to and required by the House in respect of its privileges and to enforce the enjoyment of the privileges and the ability of its members to act on behalf of our constituents and of Canada. I recognize that any question of privilege, and especially one of this importance, is a serious matter.

I believe that my notice and question of privilege has been provided to you, Mr. Speaker, pursuant to the Standing Orders and the practice of the House.

I believe that this question of privilege is one of those rare occasions on which a question of privilege can and must be raised. Its importance justifies interrupting the business of the day so that it may be considered without delay. I ask that you find that all the key elements for my question of privilege be placed before the House.

Mr. Speaker, I also point out that if you believe any part of the proposed motion I intend to make should be changed to avoid procedural difficulties in the wording, my advance notice will give you the opportunity to suggest changes so that this issue may be dealt with in an informed and expeditious manner.

In conclusion, instead of moving the customary motion that the matter be referred to the procedure and House affairs committee, I intend to move the following motion, should you, Mr. Speaker, find a *prima facie* case.

My motion will also propose that pursuant to the principles of public right to administrative information and to complete transparency and accountability in the administration governing the public interest, the Ministry of Justice and Office of the Attorney General be ordered to release all materials related to these allegations of unethical and illegal conduct and misuse of authority so that the committee may determine if there is a serious systemic legal problem which may have impacted the methods of statutory interpretation and the legal concept of "reasonableness".

My motion will also propose that a special committee of the House be struck and that the special committee be chaired by a member of the opposition, to hear such witnesses and examine such documents as are necessary to consider whether constitutional and statutory duties regarding certification of government bills have been properly fulfilled and if the privileges of this House have been breached or if this House has been disrespected, and to report to this House regarding its findings, and if the findings are that the duties have not been properly fulfilled, to set out recommendations for actions which should be taken to remedy that situation as it has occurred in the past, actions which should be taken to deal with government bills currently before the House, and actions which should be taken to prevent this situation from ever again occurring in the future.

*Privilege*

•(1730)

In this regard, I would say that the officials of the Minister of Justice are not acting in a solicitor-client relationship to the government, but acting with regard to the exercise or non-exercise of statutory and constitutional duties of the Minister of Justice and the Attorney General as an officer of the Crown and must be totally independent of the government in the exercise of these responsibilities.

My motion will also propose that the legal counsel of the House provide advice to the special committee and that it hold all of its meetings in open session, except for those few occasions where examination of documents or witnesses might be privileged or confidential.

Mr. Speaker, I thank you for your consideration of this question of privilege and the motion I propose to make. I will await your prompt communication with me regarding this matter.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I am sure the Attorney General will want to add something to this, but I would like to respond initially to some of the claims made by the hon. member.

First, a matter like this of course has to be raised at the earliest opportunity, and this is old news. The member claims he is raising it at the earliest opportunity. In fact, he is relying on allegations made by one Edgar Schmidt in a court docket that was filed December 14, 2012. We are talking about matters that are already a quarter of a year old. He has not raised them at the earliest possible opportunity. They could have been raised when the House resumed in January. They could have been raised throughout February. He is only now raising them, well into March, so he does not pass that test at all. In fact, there are literally dozens of entries in the court docket that have occurred in the intervening period of time. There were dozens of additional instances. He has not raised any of this in the House. What is before you, Mr. Speaker, certainly is out of order on that basis alone.

Additionally, I would note that the member is asking you to deal with a matter of law. It is well established under the proceedings of the House that you have no jurisdiction over questions of law and matters of law; those are for the courts. You have jurisdiction over matters that relate to the procedures and rules of the House of Commons, Standing Orders and practices, not questions of law. On that alone, it is also not appropriate to deal with it.

The third point he touched on is that of the *sub judice* convention. This is before the courts right now. The questions are being resolved in the courts under our practices and rules. We cannot relitigate them in a parallel fashion in the House when they are before the courts. The *sub judice* convention prevails, and that is what should be done with them.

I have to say that I take very strong personal exception to the intent of this question of privilege that has been brought. The Attorney General is an experienced barrister and solicitor of very high standing. He is subject to oaths, as a solicitor, to exercise his professional obligation, and he is subject to similar oaths as the Attorney General and Minister of Justice of this country. The suggestion is that he has not been exercising his professional

obligation in that regard. This is a scurrilous, scandalous and defamatory allegation on the part of the hon. member, and it is inappropriate when we have an individual as esteemed and professional as the Attorney General whose obligation it is to exercise his own professional judgment.

The essence of his argument is that because, according to the hon. member, he is not agreeing with somebody else's professional judgment, somehow his judgment is to have no value. Actually, it is quite the opposite. As the Attorney General, and a barrister and solicitor, it is his obligation and duty to apply his own professional judgment as to the law. To suggest otherwise, in my view, would be an abandonment of his oaths and obligations. I am very saddened and disappointed that we have heard this point of order raised by the opposition today. It is below him.

I expect the Minister of Justice will want to say more on this matter. I put it that there are several bases on which it can be easily dismissed. It simply does not raise a question of privilege, and I expect we will hear more from the Minister of Justice.

\* \* \*

**TECHNICAL TAX AMENDMENTS ACT, 2012**

BILL C-48—NOTICE OF TIME ALLOCATION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, while I am on my feet, I would like to provide the following notice.

•(1735)

[*Translation*]

I would like to advise that an agreement has not been reached under the provisions of Standing Order 78(1) or 78(2) with respect to the second reading stage of Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation.

Under the provisions of Standing Order 78(3), I give notice that a minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at the said stage.

\* \* \*

[*English*]

**PRIVILEGE**

DEPARTMENT OF JUSTICE

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I would point out that it was always my understanding that a question of privilege had primacy over all other points raised in the House, and I believe that there are other people wishing to speak to the question of privilege I put forward today.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I completely support what we have just heard from the hon. member for Winnipeg Centre. What we have been forced to see is bill after bill, and those of us who have practised at all in the law who are watching recent court proceedings have a grand sense of misgiving that the legislation that has come before us has not been adequately scrutinized.

*Privilege*

I am not going to put myself in a position that the hon. government House leader wants us to of making any personal aspersions toward any individual. However, I actually attempted to raise this as a point of order. I certainly appreciate that the hon. member for Winnipeg Centre made it a question of personal privilege. I also feel that my personal privileges have been violated by having legislation brought to this place that clearly has not taken into account the charter implications.

I raised this on March 7, 2012 on the subject of the omnibus crime bill, so-called Bill C-10, because we just had seen the Ontario Superior Court rule on the matter of *R. v. Smikle*, and it was quite clear that the legislation before us might be, in fact, non-compliant with the Charter of Rights and Freedoms. It is an offence to all of our roles, individually, severally and as a body, to have legislation brought before us forced through by majority vote, which is a disservice to the people of Canada and a disservice to our traditions of law and respect for the rule of law by having legislation here that has not been thoroughly reviewed to ensure its constitutionality.

I thank you, Mr. Speaker, for this opportunity to support the question of privilege that has been raised and to subscribe myself to it. My personal privileges have been violated.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I want to address the comments from my hon. friend across the way on two specific points.

One point is on the immediacy with which my friend from Winnipeg brought this motion forward. As was explained in his motion, if the government House leader had been listening, the complexity of this particular case gave reason. He had brought that reason forward, both in his motion and I believe in dealings with the table, to express that this was as quickly as we could bring the research together around this particular point of privilege.

The second point is that it was with some irony that in his argument against this point of privilege, the hon. government House leader then brought another time allocation motion into this House. I would suggest it was somewhat out of order, in that we were dealing with a motion of privilege. It is somewhat ironic that after talking about the openness, transparency and decency of their government, the Conservatives then shut down debate in Parliament again on another piece of legislation, having just minutes ago voted time allocation on another separate bill.

Lastly, in the debate on the last time allocation motion 45 minutes or an hour ago, the Minister of Public Safety made it quite clear—and I seek, Mr. Speaker, that you check the blues on this point—that he had no concern for lawyers and judges when he was designing policy, and that the concerns of courts and those who seek guidance from the legal profession as to whether they are valid or not or whether they can stand a charter challenge or not are not a concern to him as the Minister of Public Safety.

Also of grave concern—and we can submit them to my hon. friend across the way—are all of the pieces of legislation that the government has introduced that have been struck down by the courts because the Conservatives had not vetted the legislation. This is at great cost to the Canadian taxpayer, never mind to those people who are affected by legislation that locks them up, essentially illegally, while the courts move through the government bills that are not to be

applied and judges then have to wrestle with badly written pieces of legislation.

Therefore, Mr. Speaker, the *prima facie* case of privilege that we are seeking from you is to say that members of Parliament on all sides are addressing pieces of legislation that have not been properly vetted for their ability to stand a charter challenge; that the debate that takes place in this House is encumbered by the fact that the government is choosing to ignore and not solicit the advice of all those legal minds in the Department of Justice, which we pay for, to give that very advice to allow Canadians to see legislation that actually does what it is required to do rather than play politics with the legislation, as has too often been the case.

If the Conservatives were not playing politics, one would assume that they would seek to make their legislation charter-proof. They do not. This is a problem that faces the House because we are constantly encumbered by legislation that is dealing with something that cannot survive a charter challenge. Therefore, the debate enters into some realm of fiction and partisanship that does not allow for actual improvement of the law and the lives of Canadians.

I would offer to my friend across the way, the House leader for the government, that we did bring this motion of privilege forward expeditiously. I think the member from Winnipeg made his case soundly and succinctly with good research and backing as to why this is a problem. While this is a challenge for you as Speaker to determine whether it is *prima facie*, I very much look forward to the contribution that the Minister of Justice will make in this case.

I would suggest to the House leader for the government that he has upped the ante in this by somehow suggesting that the Minister of Justice is now breaking his oaths and that this was an attack on him personally. We look at this as a direct contribution to the further erosion of Parliament's ability to do its job on behalf of Canadians. If government members seek to somehow make this a personal case against the Minister of Justice and the oaths that he has taken as a barrister and solicitor, that is their choice. It was not mentioned by my friend from Winnipeg. It was not mentioned by the official opposition. Therefore, that is a choice for him to make. However, I would ask him not to bring that into the debate, but it is not in my power to discern what he thinks is valid or not.

Mr. Speaker, on a *prima facie* case of privilege, this is something that I think bears your consideration. Obviously, it looks like we will hear from the Minister of Justice and we can move forward.

For heaven's sake, one would think that a bare minimum requirement of being the Government of Canada would be to introduce laws that would actually stand a test by the charter and bill of rights of this country.

• (1740)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, privilege is indeed a very serious matter. We appreciate the manner in which the member for Winnipeg Centre has brought it forward.

This is an issue of which we have had the opportunity to respond to in the past, and the member for Mount Royal will be representing the party tomorrow with his presentation on this motion of privilege in more detail.

Having said that, I think that it is very important for us to recognize that we are talking about government legislation that comes before the House and that there is an obligation for the government to do its homework to ensure that it does abide by and fall within the charter, which is in essence what the member for Winnipeg Centre is talking about. This is of critical importance.

Whether the leader of the Liberal Party or the member for Mount Royal, we have stood in this place and attempted to address this particular issue in the past. I have personally raised the issue in regard to legislation on refugees and other immigration legislation that the Minister of Citizenship, Immigration and Multiculturalism had brought forward.

This is a very serious issue. The member for Mount Royal will be addressing this motion of privilege tomorrow on behalf of the Liberal Party.

• (1745)

**The Speaker:** I thank the hon. member for Winnipeg Centre, the hon. government House leader, the member for Skeena—Bulkley Valley and the member for Winnipeg North for their contributions.

I understand that I will hear more from the hon. member for Mount Royal and in all likelihood the Minister of Justice, and I will of course look forward to that.

It being 5:45 p.m., pursuant to order made earlier today, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading the bill now before the House.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it.

*And five or more members having risen:*

**The Speaker:** Call in the members.

• (1825)

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

*Privilege*

(Division No. 624)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Andrews
Armstrong	Ashfield
Aspin	Baird
Bateman	Bélanger
Bennett	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Brison
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooce
Butt	Byrne
Calandra	Calkins
Cannan	Carmichael
Carrie	Casey
Chisu	Chong
Clarke	Clement
Coderre	Cotler
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dion	Dreeshen
Duncan (Vancouver Island North)	Duncan (Etobicoke North)
Dykstra	Easter
Eyking	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Foote
Fry	Galipeau
Gallant	Garneau
Gill	Glover
Goguen	Goldring
Goodale	Gosal
Gourde	Grewal
Harper	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	Hsu
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lamoureux	Lauzon
Lebel	LeBlanc (Beauséjour)
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacAulay	MacKay (Central Nova)
MacKenzie	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Fundy Royal)
Murray	Nicholson
Norlock	Obhrai
O'Connor	O'Neill Gordon
Opitz	O'Toole
Pacetti	Paradis
Payne	Penashue
Poilievre	Preston
Rae	Raït
Rajotte	Rathgeber
Regan	Reid
Rempel	Richards
Rickford	Saxton
Scarpaleggia	Schellenberger
Seeback	Sgro
Shea	Shipley
Shory	Simms (Bonavista—Gander—Grand Falls—Wind-
sor)	

*Business of Supply*

Smith	Sopuck
Sorenson	Stanton
St-Denis	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Trudeau
Tweed	Uppal
Valcourt	Valeriote
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (Saint John)
Wilks	Williamson
Wong	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 187	

## NAYS

## Members

Allen (Welland)	Angus
Aubin	Ayala
Bellavance	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brosseau	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Comartin	Côté
Crowder	Cullen
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Edmonton—Strathcona)	Dusseau
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hughes	Jacob
Julian	Kellway
Lapointe	Larose
Latendresse	Laverdière
LeBlanc (LaSalle—Émard)	Leslie
Liu	Mai
Marston	Martin
Masse	Mathysen
May	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Mulcair	Nantel
Nash	Nicholls
Nunez-Melo	Papillon
Patry	Péclet
Pilon	Plamondon
Quach	Rafferty
Rankin	Ravignat
Raynault	Rousseau
Saganash	Sandhu
Scott	Sellah
Sims (Newton—North Delta)	Sitsabaiesan
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Turmel— 101	

## PAIRED

Nil

**The Speaker:** I declare the motion carried.  
(Bill read the third time and passed)

## BUSINESS OF SUPPLY

## OPPOSITION MOTION—SENATE

The House resumed from March 5 consideration of the motion.

**The Speaker:** Pursuant to an order made on Tuesday, March 5 the House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

● (1830)

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

(Division No. 625)

## YEAS

## Members

Allen (Welland)	Angus
Aubin	Ayala
Bellavance	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brosseau	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Comartin	Côté
Crowder	Cullen
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Edmonton—Strathcona)	Dusseau
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hughes	Jacob
Julian	Kellway
Lapointe	Larose
Latendresse	Laverdière
LeBlanc (LaSalle—Émard)	Leslie
Liu	Mai
Marston	Martin
Masse	Mathysen
May	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Mulcair	Nantel
Nash	Nicholls
Nunez-Melo	Papillon
Patry	Péclet
Pilon	Plamondon
Quach	Rafferty
Rankin	Ravignat
Raynault	Rousseau
Saganash	Sandhu
Scott	Sellah
Sims (Newton—North Delta)	Sitsabaiesan
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Turmel— 101	

## NAYS

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Amber
Ambrose	Anders

Anderson  
 Armstrong  
 Aspin  
 Bateman  
 Bennett  
 Bergen  
 Bezan  
 Block  
 Braid  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calandra  
 Cannan  
 Carrie  
 Chisu  
 Clarke  
 Coderre  
 Crockatt  
 Davidson  
 Del Mastro  
 Dion  
 Duncan (Vancouver Island North)  
 Dykstra  
 Eyking  
 Fast  
 Finley (Haldimand—Norfolk)  
 Fletcher  
 Fry  
 Gallant  
 Gill  
 Goguen  
 Goodale  
 Gourde  
 Harper  
 Hayes  
 Hillyer  
 Holder  
 James  
 Kamp (Pitt Meadows—Maple Ridge—Mission)  
 Kent  
 Kramp (Prince Edward—Hastings)  
 Lamoureux  
 Lebel  
 Leef  
 Lemieux  
 Lizon  
 Lukiwski  
 MacAulay  
 MacKenzie  
 McCallum  
 McGuinity  
 McLeod  
 Menzies  
 Miller  
 Murray  
 Norlock  
 O'Connor  
 Opitz  
 Pacetti  
 Payne  
 Poilievre  
 Rae  
 Rajotte  
 Regan  
 Rempel  
 Rickford  
 Scarpaleggia  
 Seeback  
 Shea  
 Shory  
 (sor)  
 Smith  
 Sorenson  
 St-Denis  
 Strahl  
 Tilson  
 Toews  
 Trottier  
 Tweed  
 Valcourt  
 Van Kesteren  
 Vellacott  
 Warawa

Andrews  
 Ashfield  
 Baird  
 Bélanger  
 Benoit  
 Bernier  
 Blaney  
 Boughen  
 Brison  
 Brown (Newmarket—Aurora)  
 Bruinooge  
 Byrne  
 Calkins  
 Carmichael  
 Casey  
 Chong  
 Clement  
 Cotler  
 Daniel  
 Dechert  
 Devolin  
 Dreeshen  
 Duncan (Etobicoke North)  
 Easter  
 Fantino  
 Findlay (Delta—Richmond East)  
 Flaherty  
 Foote  
 Galipeau  
 Garneau  
 Glover  
 Goldring  
 Gosal  
 Grewal  
 Hawn  
 Hiebert  
 Hoback  
 Hsu  
 Jean  
 Keddy (South Shore—St. Margaret's)  
 Komarnicki  
 Lake  
 Lauzon  
 LeBlanc (Beauséjour)  
 Leitch  
 Leung  
 Lobb  
 Lunney  
 MacKay (Central Nova)  
 Mayes  
 McColeman  
 McKay (Scarborough—Guildwood)  
 Menegakis  
 Merrifield  
 Moore (Fundy Royal)  
 Nicholson  
 Obhrai  
 O'Neill Gordon  
 O'Toole  
 Paradis  
 Penashue  
 Preston  
 Raitt  
 Rathgeber  
 Reid  
 Richards  
 Saxton  
 Schellenberger  
 Sgro  
 Shipley  
 Simms (Bonavista—Gander—Grand Falls—Wind-  
 sor)  
 Sopuck  
 Stanton  
 Storseth  
 Sweet  
 Toet  
 Trost  
 Trudeau  
 Uppal  
 Valeriote  
 Van Loan  
 Wallace  
 Warkentin

Watson  
 Wilks  
 Wong  
 Young (Oakville)  
 Zimmer — 187

Weston (Saint John)  
 Williamson  
 Yelich  
 Young (Vancouver South)

PAIRED

Nil

**The Speaker:** I declare the motion rejected.

**PRIVATE MEMBERS' BUSINESS**

● (1835)

[English]

**CLARITY ACT**

The House resumed from February 28 consideration of the motion that Bill C-457, An Act to repeal the Clarity Act, be read the second time and referred to a committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-457 under private members' business.

[Translation]

The question is on the motion.

● (1840)

[English]

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

(Division No. 626)

**YEAS**

Members

Bellavance  
 Mourani  
 Plamondon — 5

Fortin  
 Paty

**NAYS**

Members

Ablonczy  
 Adler  
 Albas  
 Alexander  
 Allen (Tobique—Mactaquac)  
 Ambler  
 Anders  
 Andrews  
 Armstrong  
 Aspin  
 Ayala  
 Bateman  
 Bennett  
 Benskin  
 Bernier  
 Bezan  
 Blanchette-Lamothe  
 Block  
 Borg  
 Boulerice  
 Brahmi  
 Brison  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calandra  
 Cannan

Adams  
 Aglukkaq  
 Albrecht  
 Allen (Welland)  
 Allison  
 Ambrose  
 Anderson  
 Angus  
 Ashfield  
 Aubin  
 Baird  
 Bélanger  
 Benoit  
 Bergen  
 Bevington  
 Blanchette  
 Blaney  
 Boivin  
 Boughen  
 Boutin-Sweet  
 Braid  
 Brosseau  
 Brown (Newmarket—Aurora)  
 Bruinooge  
 Byrne  
 Calkins  
 Carmichael





*Private Members' Business*

Boulerice	Boutin-Sweet	Pacetti	Papillon
Brahmi	Braid	Paradis	Patry
Brison	Brosseau	Payne	Péclét
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)	Penashue	Pilon
Brown (Barrie)	Bruinooge	Plamondon	Poilievre
Butt	Byrne	Preston	Quach
Calandra	Calkins	Rae	Rafferty
Cannan	Carmichael	Raïtt	Rajotte
Caron	Carrie	Rankin	Rathgeber
Casey	Cash	Ravignat	Raynault
Charlton	Chicoine	Regan	Reid
Chisholm	Chisu	Rempel	Richards
Chong	Choquette	Rickford	Rousseau
Chow	Christopherson	Saganash	Sandhu
Clarke	Cleary	Saxton	Scarpaleggia
Clement	Coderre	Schellenberger	Scott
Comartin	Côté	Seeback	Sellah
Cotler	Crockatt	Sgro	Shea
Crowder	Cullen	ShIPLEY	Shory
Daniel	Davidson	Simms (Bonavista—Gander—Grand Falls—Windsor)	
Davies (Vancouver Kingsway)	Davies (Vancouver East)	Sims (Newton—North Delta)	
Day	Dechert	Sitsabaiesan	Smith
Del Mastro	Devolin	Sopuck	Sorenson
Dewar	Dion	Stanton	St-Denis
Dionne Labelle	Donnelly	Stewart	Stoffer
Doré Lefebvre	Dreeshen	Storseth	Strahl
Dubé	Duncan (Vancouver Island North)	Sullivan	Sweet
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)	Thibeault	Tilson
Dusseault	Dykstra	Toet	Toews
Easter	Eyking	Toone	Tremblay
Fantino	Fast	Trost	Trottier
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)	Trudeau	Turmel
Flaherty	Fletcher	Tweed	Uppal
Foote	Fortin	Valcourt	Valeriote
Freeman	Fry	Van Kesteren	Van Loan
Galipeau	Gallant	Vellacott	Wallace
Garneau	Garrison	Warawa	Warkentin
Genest	Genest-Jourdain	Watson	Weston (Saint John)
Giguère	Gill	Wilks	Williamson
Glover	Godin	Wong	Yelich
Goguen	Goldring	Young (Oakville)	Young (Vancouver South)
Goodale	Gosal	Zimmer — 287	
Gourde	Grewal		
Groguhé	Harper		
Harris (Scarborough Southwest)	Harris (St. John's East)		
Hawn	Hayes		
Hiebert	Hillyer		
Hoback	Holder		
Hsu	Hughes		
Jacob	James		
Jean	Julian		
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)		
Kellway	Kent		
Komarnicki	Kramp (Prince Edward—Hastings)		
Lake	Lamoureux		
Lapointe	Larose		
Latendresse	Lauzon		
Laverdière	Lebel		
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)		
Leef	Leitch		
Lemieux	Leslie		
Leung	Liu		
Lizon	Lobb		
Lukiwski	Lunney		
MacAulay	MacKay (Central Nova)		
MacKenzie	Mai		
Marston	Martin		
Masse	Mathysen		
May	Mayes		
McCallum	McColeman		
McGuinty	McKay (Scarborough—Guildwood)		
McLeod	Menegakis		
Menzies	Merrifield		
Michaud	Miller		
Moore (Abitibi—Témiscamingue)	Moore (Fundy Royal)		
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)		
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)		
Mourani	Mulcair		
Murray	Nantel		
Nash	Nicholls		
Nicholson	Norlock		
Nunez-Melo	Ohrai		
O'Connor	O'Neill Gordon		
Opitz	O'Toole		

NAYS

PAIRED

**The Speaker:** I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Justice and Human Rights.

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

\* \* \*

[Translation]

**DISABILITY TAX CREDIT PROMOTERS RESTRICTIONS ACT**

The House resumed from March 4 consideration of the motion that Bill C-462, An Act restricting the fees charged by promoters of the disability tax credit and making consequential amendments to the Tax Court of Canada Act, be read the second time and referred to a committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-462 under private members' business.

The question is on the motion.

## Private Members' Business

● (1855)

[English]

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

## (Division No. 628)

## YEAS

## Members

Ablonczy	Adams	Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Adler	Aglukkaq	Kellway	Kent
Albas	Albrecht	Komarnicki	Kramp (Prince Edward—Hastings)
Alexander	Allen (Welland)	Lake	Lamoureux
Allen (Tobique—Mactaquac)	Allison	Lapointe	Larose
Ambler	Anders	Latendresse	Lauzon
Anderson	Andrews	Laverdière	Lebel
Angus	Armstrong	LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Ashfield	Aspin	Leaf	Leitch
Aubin	Ayala	Lemieux	Leslie
Baird	Bateman	Leung	Liu
Bélanger	Bellavance	Lizon	Lobb
Bennett	Benoit	Lukiwski	Lunney
Benskin	Bergen	MacAulay	MacKay (Central Nova)
Bernier	Bevington	MacKenzie	Mai
Bezan	Blanchette	Marston	Martin
Blanchette-Lamothe	Blaney	Masse	Mathysen
Block	Boivin	May	Mayes
Borg	Boughen	McCallum	McColeman
Boulerice	Boutin-Sweet	McGuinty	McKay (Scarborough—Guildwood)
Brahmi	Braid	McLeod	Menegakis
Brison	Brosseau	Menzies	Merrifield
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)	Michaud	Miller
Brown (Barrie)	Bruinooge	Moore (Abitibi—Témiscamingue)	Moore (Fundy Royal)
Butt	Byrne	Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Calandra	Calkins	Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Cannan	Carmichael	Mourani	Mulcair
Caron	Carrie	Murray	Nantel
Casey	Cash	Nash	Nicholls
Charlton	Chicoine	Nicholson	Norlock
Chisholm	Chisu	Nunez-Melo	Obhrai
Chong	Choquette	O'Connor	O'Neill Gordon
Chow	Christopherson	Opitz	O'Toole
Clarke	Cleary	Pacetti	Papillon
Clement	Coderre	Paradis	Patry
Comartin	Côté	Payne	Péclet
Cotler	Crockatt	Penashue	Pilon
Crowder	Cullen	Plamondon	Poilievre
Daniel	Davidson	Preston	Quach
Davies (Vancouver Kingsway)	Davies (Vancouver East)	Rae	Rafferty
Day	Dechert	Raiit	Rajotte
Del Mastro	Devolin	Rankin	Rathgeber
Dewar	Dion	Ravignat	Raynault
Dionne Labelle	Donnelly	Regan	Reid
Doré Lefebvre	Dreeshen	Rempel	Richards
Dubé	Duncan (Vancouver Island North)	Rickford	Rousseau
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)	Saganash	Sandhu
Dusseault	Dykstra	Saxton	Scarpaleggia
Easter	Eyking	Schellenberger	Scott
Fantino	Fast	Seeback	Sellah
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)	Sgro	Shea
Flaherty	Fletcher	ShIPLEY	Shory
Foote	Fortin	Simms (Bonavista—Gander—Grand Falls—Windsor)	
Freeman	Fry	Sims (Newton—North Delta)	
Galipeau	Gallant	Sitsabaesan	Smith
Garneau	Garrison	Sopuck	Sorenson
Genest	Genest-Jourdain	Stanton	St-Denis
Giguère	Gill	Stewart	Stoffer
Glover	Godin	Storseth	Strahl
Goguen	Goldring	Sullivan	Sweet
Goodale	Gosal	Thibeault	Tilson
Gourde	Grewal	Toet	Toews
Groguhé	Harper	Toone	Tremblay
Harris (Scarborough Southwest)	Harris (St. John's East)	Trost	Trotter
Hawn	Hayes	Trudeau	Turmel
Hiebert	Hillyer	Tweed	Uppal
Hoback	Holder	Valcourt	Valeriote
Hsu	Hughes	Van Kesteren	Van Loan
Jacob	James	Vellacott	Wallace
Jean	Julian	Warawa	Warkentin
		Watson	Weston (Saint John)
		Wilks	Williamson
		Wong	Yelich
		Young (Oakville)	Young (Vancouver South)
		Zimmer — 287	
		Nil	NAYS
		Nil	PAIRED

*Adjournment Proceedings*

**The Speaker:** I declare the motion carried. As a result, the bill is referred to a standing committee.

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

• (1900)

**The Speaker:** I wish to inform the House that because of the delay, there will be no private members' business. Accordingly, the order will be rescheduled for another sitting.

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## ADJOURNMENT PROCEEDINGS

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

[English]

### INTERNATIONAL TRADE

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, I am pleased to stand to speak about a very important part of our trade agreements in our country right now. Many Canadians are concerned about the foreign investment protection agreements and trade agreements the government signs and is currently negotiating. One of the main areas of concern in these agreements relates to what are known as investor state dispute mechanisms.

Canada has 21 FIPAs in force with countries as far afield as Russia and Argentina, Thailand and Romania. Many more are awaiting ratification or are currently being negotiated. The FIPA model has been enshrined in the North American Free Trade Agreement.

The NDP believes in setting up a rules-based system that protects investment while preserving public policy flexibility, democratic decision-making and the rule of law. However, an ISDS, as it is typically written, does not conform to principles of the rule of law. People point out that these mechanisms provide no security of tenure for arbitrators. There is a lack of an effective appeal procedure. They are rife with conflicts of interest, and they are not necessary when the state parties have mature judiciaries where investors can bring their complaints and have those complaints adjusted according to the rule of law.

The China-Canada FIPA that is currently before the Canadian Conservative cabinet even allows for arbitration to happen in secret. That is unprecedented in Canadian treaties, and it is a major step backward.

Many people question investor states in general. Criticism comes from across the political spectrum. Australia has decided not to pursue investor state provisions in trade and investment agreements, and so have India, South Korea and South Africa. Even those who are generally supportive of free trade agreements are worrying about the implications of investor state provisions.

Lawrence Herman, counsel at Cassels, Brock & Blackwell and a senior fellow of the C.D. Howe Institute, someone with long experience in international trade and international business transactions, said this:

A repeated criticism is that FIPAs grant foreign investors greater rights than those available to local companies under domestic law. This may not have been a concern

when Canada was a capital exporter. But now that things have changed, how do we feel about this?

Regarding NAFTA claims, he said:

It is a fact that many more claims have been filed against Canada than against either the United States or Mexico. Canada seems to have become the target of choice for U.S. investors, not Mexico, as had been expected.

Mr. Herman further pointed out a concern he has:

—that these arbitration decisions are rendered by ad hoc tribunals, appointed for a given dispute only. The members are drawn from a variety of places around the globe and have different backgrounds. Yet these impermanent tribunals are often deciding issues of social or economic policy of national importance [with no security of tenure].

He pointed out that businesses are concerned about sovereign risk in other countries, and following Australia's lead, that Australia has decided that businesses should make their own assessments about whether they want to invest in those places.

He said:

The problem is that Canada has proceeded down the FIPA path for years without a critical look at how these agreements really help us, both abroad and at home.

Civil society is weighing in. Recent transatlantic statements signed by dozens of European, Canadian and Quebec organizations strongly oppose the inclusion of an excessive investment protection chapter and IS dispute settlement process. They point out that such provisions weaken democracy, that in terms of the CETA agreement currently being negotiated, Europe and Canada both have legal systems that are more than capable of handling disputes between investors and governments, and that ISDS forces taxpayers to pay for the public health, environmental and other regulations of their governments to foreign corporations if they are sued. They say that there is an inherent bias in the system, and it is prone to corporate bias. There is also scant evidence that these mechanisms encourage inward or outward investment.

What I want to ask the government is why it is pursuing an investor state provision in these agreements, when they subject Canadian taxpayers to potentially billions of dollars in lawsuits. Can it not construct a protection for investment that preserves a democratically elected government's ability to make policies for the economic, environmental and social development of the Canadian public? Why can we not do that?

• (1905)

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC):** Mr. Speaker, there is nothing in the FIPA or any of the free trade agreements that prevents Canadians, the federal government, provincial governments and municipalities from making economic, social or environmental policy to suit themselves. I have responded to the member many times on this subject.

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It is hard to combat rumours, innuendoes, half-truths and misleading statements. As a great example, the hon. member himself said something about folks who are generally supportive of free trade. What is that? What does that mean? That is some kind of great half-legalese speak craziness. No one really knows. Who are those people? We have heard time and time again from the NDP about claims against Canada by the United States or Mexico. How many claims have there been against Canada? We have not heard that number. Another number we have not heard is how many have been successful.

We are a trading nation that needs clear, solid, unequivocal rules to trade by. Part of that is negotiating free trade agreements around the world. Part of that will be the final stages of the CETA, the comprehensive economic trade agreement with the European Union that the hon. member discussed. He discussed some of the challenges in a negotiation that has not yet been completed. However, what he does not say is that there is a 20% increase expected in Canadian trade that is expected to bring \$12 billion to the Canadian economy. In order to do that, we need clear parameters on investment. We need surety for Canadian investors abroad and for foreign investors in Canada.

Let us take a look at the fearmongering and the record of the NDP. Let us talk about protection against discrimination in the marketplace and how to do that. We do that with foreign investment promotion and protection agreements. We do that with investor state provisions. That is how we do it. There is no guesswork. There is no tying it up in the courts for years and years at a time. There is an arbitration process, and the issue is settled.

The former NDP critic from Windsor West said he supports the efforts of big union bosses to stop any future trade negotiations with Korea, Japan and the European Union because apparently it affects some people who are NDP supporters. The former NDP trade critic from Dartmouth—Cole Harbour described the free trade agreements as “job-destroying”. Another former trade critic, the member for Burnaby—New Westminster, said that free trade has “cost Canadians dearly”. That should be explained.

Let us have a reasonable, rational debate about this, and hopefully soon, but let us not speak in innuendo, rumours and half-truths.

● (1910)

**Mr. Don Davies:** Mr. Speaker, here are some facts for the hon. member.

The number of investment arbitration cases has surged in the last two decades from 38 cases filed in 1996 to 450 known investor state cases in 2011.

Ontario has just been sued by an international company over its decision to try to generate a local wind farm technology sector.

Quebec has just been sued over its decision to put a moratorium on fracking in its province.

Newfoundland was sued successfully by Mobil when it tried to have that company invest in R and D in that province.

Those are examples of Canadian taxpayers being on the hook for hundreds of millions of dollars, if not billions. Those are facts and realities.

The hon. member can only babble and gab on with generalities and name-calling. He cannot seem to respond directly to the issue before us, which is this: why is the government putting investor state provisions in agreements that subject taxpayers to damages when the government should be simply making policy in the interests of Canadians? Will the member answer that direct question?

**Mr. Gerald Keddy:** Mr. Speaker, the question has still not been answered. With 350 cases brought against Canada, how many have been successful?

Surely the member does not think the Mobil Oil case in Newfoundland is a proper example. The Newfoundland government had 4% of the shares in Mobil Oil, which prevented it from having a seat on the board. The Newfoundland government wanted 5%, which would have given it a seat on the board. I can understand the government of Newfoundland wanting that. However, one cannot change a written agreement in the country without both parties agreeing to it.

Therefore, arbitrary action on behalf of one party, whether for the good of that party or not, which is yet to be decided, has to be agreed to by both sides. In the case of Newfoundland, it was not agreed to. It went to court and Newfoundland got its seat, but it also lost its case.

[*Translation*]

## HOUSING

**Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, last November, I described Canada's housing situation to the Minister of Human Resources and Skills Development. Canada will have to report to the UN in April. That is not far off; time is running out. The government will have to explain why it is twiddling its thumbs when it made a clear commitment to the United Nations in terms of the right to housing.

Do I need to repeat that we are the only G8 country that does not have a national housing strategy? That is appalling.

Last week, the government voted against my bill, Bill C-400, which proposed a very effective strategy that is working in the other G8 countries. The Conservatives have flat out rejected solutions and tools that would help families who are in desperate need.

The UN states that safe, adequate, accessible and affordable housing is a right. It is not a privilege, it is a right. Let us make that clear. Yet right now, as we speak, millions of families—at least 1.5 million—are having to choose between paying the rent and putting food on the table. That is a problem in a country as rich as Canada. Yet the government stubbornly continues to believe that decent housing is a privilege.

*Adjournment Proceedings*

● (1915)

[English]

Having access to safe and affordable housing is not a privilege; it is a fundamental right and families should not have to make a choice between their house or buying food for their children.

[Translation]

I hope that my colleagues heard what I said. I think I was clear. We have to stop burying our heads in the sand and face the facts. All of the experts agree that we need a national housing strategy.

As I said earlier, over 1.5 million families have core housing needs. What does that mean? People who live in dwellings that are too small, unsanitary or unaffordable have a core housing need. They have to choose between buying groceries to feed their families and paying rent. Forcing people to choose between eating and keeping a roof over their heads is cruel. Yet that is what the government is doing.

At least 150,000 people live on the street. That number could be as high as 300,000. Getting precise numbers is difficult and that in itself is unacceptable.

Will the government report to the UN? What does it intend to do to keep its promises to Canadians? Will Canada remain the laughingstock of the UN on this issue and many others that I will not name because I do not have enough time?

[English]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, as the hon. member knows and has commented, on this side of the House, the government voted against Bill C-400, on February 27 of this year.

It is important to note that investments have been made to address housing and homelessness in our country, in every community across this land. In 2008, our government committed an additional \$1.9 billion, over five years, for housing and homelessness programs. As a result of that commitment, the homelessness partnering strategy was renewed for an additional five years.

We have worked closely with the provinces and territories to deliver funding earmarked for housing, most recently through the investment in affordable housing framework agreement, which provides for a combined federal, provincial and territorial investment of \$1.4 billion over three years. It is focused on reducing the number of Canadians in housing need.

This funding is over and above the \$1.7 billion we provide annually in the form of ongoing subsidies to support over 605,000 households who are living in existing social housing. These subsidies help to ensure that lower income families and individuals living in these homes do not pay a disproportionate amount of their salary or income towards housing, getting at the very root of what the member speaks about in terms of the issue of making a decision as to whether it is home or it is feeding their children or families. We have made a determination that it should be housing and the ability to ensure healthy meals are there on a daily basis for those individuals and families.

In addition, let us not forget the \$2 billion-plus in social housing investments that were included in the stimulus phase of Canada's economic action plan. As reported earlier, this funding supported an estimated 16,500 social housing projects across our country. I am sure that in Windsor, as in my community of St. Catharines, those investments were spent immediately and they assisted in delivering on repairs to the units in existence in cities like my home riding.

I know the minister came down a couple of times to make announcements. I know I had the ability to let the region know we are making investments in partnership with the region and with the provinces on social housing.

That was not a commitment the NDP was prepared to support at that time. That was not a commitment that I saw as a need in this country. The NDP made a determination that it was going to vote against it.

During a time when we were in recession, we included an investment in social housing as part of a stimulus program because we believe in the future and making sure we are able to deliver on behalf of these individuals and these families.

On this side of the House, we have made a commitment, and we are going to ensure we stay by that commitment to assist those in need of housing.

● (1920)

[Translation]

**Ms. Marie-Claude Morin:** Mr. Speaker, that is enough of this petty political rhetoric.

Let us be clear.

First of all, I have been asking questions about housing since I was first elected to this House, and every time, I am told that the government has invested in housing and that the NDP voted against it. If the NDP votes against a measure, it is because that measure is stupid and does not meet the needs of our constituents. I would like to make that very clear.

Secondly, I worked in the community sector for years, on the ground. I saw what sort of conditions the people in my riding and other ridings were living in. I can assure this House that whatever this government is investing in housing and to fight homelessness is not enough.

That is all I have to say.

[English]

**Mr. Rick Dykstra:** Mr. Speaker, on this side of the House we do not call investments in homelessness, investments in housing, investments in people across this country who are in need of assistance, whether it be at the municipal, provincial or federal level, "stupid".

I think the member should stand in her place at the next opportunity and apologize for making that comment.

*Adjournment Proceedings*

Homelessness across this country is something we need to assist in, make investments in, and not stand in the House of Commons, lose our temper, and determine that the individuals and families we are trying to help actually fall in the class of “stupid”. On this side of the House, we would never, ever make a comment like that.

## CITIZENSHIP AND IMMIGRATION

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I am happy to take this opportunity to revisit the issue of devastating cuts to the health care of refugee claimants that I have raised during question period.

The government cuts to the interim federal health care program have resulted in confusion over who is covered and who is not.

[*Translation*]

What we do know is that some of Canada's most vulnerable people are going to suffer from serious health problems because of this government.

Now the government is creating different classes of refugees.

[*English*]

If the government had conducted consultations, it would have known that these cuts will actually lead to increased long-term costs as we provide emergency services to people for health issues that likely could have been prevented.

For over 56 years, Canada has provided health care to refugee claimants under the interim federal health program. The program covered the cost of basic health services for refugee claimants until they were eligible for provincial health care or were not accepted as refugees.

Despite the crucial role this program played, especially in covering the cost of basic medication, the Conservatives have once again shown that they are only too happy to abandon the most vulnerable people in Canada.

That is what happened on April 5, 2012, when without even consulting stakeholder groups, the Conservatives announced drastic cuts to the benefits available to refugee claimants. While they claim that they are still providing care to refugee claimants, the new program does not even include things like life-sustaining medication, which could lead to worse scenarios.

These cuts have created situations like one that I have had to work with in my constituency office. In this case a claimant was actually refused coverage for his dialysis treatment, which pushed him off the transplant list. Thankfully, his coverage was reinstated through the good work of my office, but he is on the line for the cost of treatment for the period he was cut off.

Is this how the Conservatives treat some of the most vulnerable populations in Canada?

However, that is not all. If the minister designates a claimant's country of origin as safe, then refugee claimants from that country receive no coverage at all, unless their health poses a risk to Canadians.

This is yet another example of arbitrary powers being placed in the hands of ministers, something that has become more and more common with the current government.

In fact, the cuts to refugee health care are so misguided that the government is facing several challenges by stakeholders and related groups. Only last week, a legal challenge was launched on behalf of the Canadian Doctors for Refugee Care and the Canadian Association of Refugee Lawyers. They argued these cuts violate fundamental human rights that are protected by the Canadian Charter of Rights and Freedoms.

In addition to that, eight health care organizations have joined forces to urge the government to reconsider the cuts to the program. A letter from these organizations to the Minister of Citizenship, Immigration and Multiculturalism states:

To ensure the health and well-being of our society's most vulnerable population, and in line with our country's principles of compassion and inclusiveness, we urge your further reconsideration to ensure that the Interim Federal Health Benefit continues to provide extended health coverage for all refugees. Just as hardships and health issues do not distinguish between sub-categories of refugees, neither should the program.

What is clear is that these cuts put doctors and health care professionals in a horrible position: their gut and their Hippocratic oath tell them to do the right thing, while government policies that are designed to try to attract votes order them to do something different, to the detriment of the patient.

Cutting health care funding for refugee claimants creates inequalities among an already vulnerable population. The policy ignores the benefits of preventive medicine, which could lead to mounting costs associated with treating dire medical emergencies.

Denying health care to refugee claimants represents a major shift in Canada's long history of respecting human rights and providing universal access to health care. Will the government finally show Canadians that it cares about the most vulnerable populations and restore funding to health care for all refugee claimants retroactively?

● (1925)

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, while I disagree with almost everything the member has put forward in terms of her argument, she has done a reasonably decent job at least of doing some homework in coming to put forward her position today. I want to commend her on that.

To that end, the member made an important point that supports the government's position. She indicated there was an individual in her riding who had been told that treatment would not be available to him. Due to the work of her office and herself, I am sure, that individual actually ended up receiving treatment. What I am basically stating is that the program does work. A mistake was made with the individual in the member's riding and that care was returned.

What is important to understand is that the interim federal health program, which was put into place in 1957, more than 50 years ago, was meant to be a supplement to assist those who came to the country and did not have provincial health care when they arrived here. The interim federal health plan was able to help these permanent residents in the early seventies when we began to take refugees into our country. This was an opportunity to say we had a program that was available to them, so from a health care perspective at least on an interim basis, we could assist these individuals in the practical health care they needed.

We watched that program grow to the point where it was not just providing the basic health care benefits that most Canadians received who did not have or had not purchased additional coverage in terms of things like eyeglasses, dental work, prescribed medication. These were offerings and health care benefits that many of the Canadian public did not receive, but those who applied for refugee status did.

The changes we made in June 2012 were that those who were refugees would continue to receive those benefits. Those who were granted refugee status by the UN would receive supplemental benefits to assist them in their transition into permanent residency in Canada. However, we were not going to allow, and Canadians across the country have agreed with us, bogus refugee claimants who came to the country simply to take advantage of our system with the same types of benefits that those who truly deserved them should have.

To that end, the last three months have proven this to be true. In November, December and January we have seen a 70% reduction in bogus refugee claimants who were making claims in our country simply to stay here to take advantage of the Canadian system and our good-heartedness and our spirit of trying to assist.

We put this in place. We have seen a 70% reduction. That means two things. It means those who do not deserve the benefits are not getting them. Those refugees who truly deserve asylum in our country, those who are fleeing from persecution, are now in a much better position because there is an additional \$2 billion in health care benefits over the next five years that will be available to those who have earned permanent residency. Canadian citizens will be able to undertake and receive some of those \$2 billion in savings that we have achieved.

**Mrs. Carol Hughes:** Mr. Speaker, when people access these benefits, it is because they need them. Imagine my constituent who was told that he could not have his dialysis anymore. Now he has a

### *Adjournment Proceedings*

bill to pay to cover the period between his denied coverage to the point when his claim was finally reinstated. That is a shame.

The government continues to drive wedges and promote distrust. Nobody is arguing that there are no refugee claimants who do not have appropriate circumstances to support their claim. However, drastic changes like these are unguided at best.

What does the government have to say to the gentleman I represent who is out-of-pocket for dialysis for the period he lost his coverage? How did his situation change in any way beyond the outcome of an arbitrary decision and the funding gap that was unnecessary? He is still on the hook for expensive treatments, while his own case is being straightened out. This shows a true lack of concern for real refugee claimants and paints Canada in a negative way. Worse, there are many more cases like his across the country.

Why will the government not restore funding to health care for all refugee claimants and find other less dangerous ways to seek out illegitimate refugee claims?

• (1930)

**Mr. Rick Dykstra:** Mr. Speaker, if there are illegitimate claims from bogus refugees in this country, it does us no good to continue to allow that to happen when individuals across this country are clamouring for health care and trying to find a way to address their health issues.

In fact, when we go across this country, there is no one who thinks that a gold-plated interim federal health program is somehow the answer to the question of delivering services to those refugees who are truly in need.

It is not right for the so-called asylum seekers to come here simply to take advantage of our Canadian way of life: our health care system, our social services system and our education system. To take out of the hands of those who truly deserve it by those who do not is not the answer. The answer to the question is that those who deserve it should get it; those who deserve it will.

[*Translation*]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:32 p.m.)





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