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OFFICIAL REPORT
(HANSARD)

Tuesday, May 12, 2015

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Tuesday, May 12, 2015

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)
[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 18 petitions.

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REMOVAL OF SERIOUS FOREIGN CRIMINALS ACT

Hon. Julian Fantino (for the Minister of Public Safety and Emergency Preparedness) moved for leave to introduce Bill C-60, An Act to amend the Criminal Records Act, the Corrections and Conditional Release Act, the Immigration and Refugee Protection Act and the International Transfer of Offenders Act.

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

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COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 23rd report of the Standing Committee on Justice and Human Rights in relation to Bill C-590, An Act to amend the Criminal Code (blood alcohol content).

[Translation]

The committee has studied the bill and has decided to report the bill back to the House with amendments.

[English]

HEALTH

Mr. Ben Lobb (Huron—Bruce, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 11th report of the Standing Committee on Health in relation to its study on the main estimates, 2015-16.

It is one hard-working committee.

PETITIONS

IMPAIRED DRIVING

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I am presenting a petition that sadly informs the House that Geoff Gaston was tragically killed by a drunk driver who chose to drive while impaired. The Gaston family has been left devastated.

Families for Justice is a group of Canadians who have also lost loved ones who were killed by impaired drivers. They believe that Canada's impaired driving laws are much too lenient. They want the crime to be called what it is, vehicular homicide. They also want mandatory sentencing for those convicted of this crime.

PUBLIC SAFETY

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I am proud to stand today to present a petition signed by hundreds of my constituents against Bill C-51. They are calling on the House of Commons to stop this attack on civil liberties by joining the official opposition to stop Bill C-51.

KOMAGATA MARU

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure that I table a petition signed by many constituents of Winnipeg North asking the government to recognize that the Punjab assembly in India unanimously passed a resolution calling on the Canadian Parliament to apologize for the *Komagata Maru* incident.

They are asking the government to provide a formal apology in Parliament with respect to that particular incident of 1914.

IRAQ

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I have three petitions to present this morning.

In the first, the petitioners are calling on Parliament to do everything it can to protect Christians in areas of Iraq where they are being particularly targeted.

GENETICALLY MODIFIED FOODS

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, the second petition calls on Parliament to put in place mandatory labelling for food that has been genetically modified.

Routine Proceedings

SEX SELECTION

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, in the third petition, the petitioners call on Parliament to condemn the worst possible discrimination that there can be against girls, which is through gender-selective abortion.

They are calling on Parliament to condemn the practice of gender-selective abortion.

CANADA POST

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to rise in the House today to give voice to the frustration and, dare I say, anger felt by many of my constituents about the Conservative government's decision to cancel door-to-door mail delivery and install community mailboxes. In my riding of Hamilton Mountain, Canada Post has now started the installation, and the petition campaign is ratcheting up again.

The petitioners are appalled that the Conservatives would allow Canada Post to eliminate home delivery for millions of customers, set up community mailboxes without getting the requisite permits from the city, put thousands of employees out of work, and then have the gall to raise the price of stamps.

Our postal service helps to connect us, and these cuts will unfairly impact the most vulnerable in our society, including seniors and people with disabilities. For all of those reasons, the petitioners call on the Government of Canada to stop these devastating cuts to our postal service and look instead for ways to modernize operations.

The Conservatives continue to find millions of dollars for their well-connected friends. It is time they found a way to keep the mail coming to our doors.

IMPAIRED DRIVING

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, I rise to present a petition signed by hundreds of Calgarians calling for a change in the law around drunk driving in memory of my constituent Francis Pesa, who was struck by a drunk driver on January 1, 2014, and died a few days later.

The petitioners ask Parliament to recognize the devastation caused by drunk driving, to respond by changing the definition of impaired driving causing death to that of vehicular manslaughter, and to attach minimum sentences upon conviction.

Drunk driving is a serious problem and requires serious sentences in response.

[*Translation*]

AGRICULTURE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to present these three petitions on respecting the rights of small family farms to store, trade and use seed. The petitioners are calling on Parliament to commit to adopting international aid policies that support small farmers, especially women, thereby recognizing their vital role in the struggle against hunger and poverty.

CONSUMER PROTECTION

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I am pleased to present a petition to put an end to unfair fees and rip-

offs. The petitioners are asking the government to limit credit card interest rates and ATM fees and to appoint a gas price ombudsman to ensure that there is no collusion between oil companies.

[*English*]

THE ENVIRONMENT

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, I am pleased to present a petition today with respect to the climate change accountability act. The signatories to this petition are expressing their concerns with respect to the inaction of our federal government to address climate change in light of the impact of climate change on the day-to-day lives of Canadians. They are expressing their concerns about the billions of dollars in public money given to the oil and gas industry in the form of subsidies.

The petitioners call upon the Government of Canada to support the NDP's climate change accountability act, a law that would reduce greenhouse gas emissions and hold the government accountable.

• (1010)

AGRICULTURE

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, after discussions with constituents, they asked me to publicly petition the House to respect the right for small-scale family farmers to preserve, exchange, and use cereal seeds.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise to present two petitions to the House this morning.

The first petition is from residents of Saanich—Gulf Islands to specifically encourage the Government of Canada to develop policies internationally to assist family farmers, who are often women, so that the policies work to protect the rights of small family farmers in the global south.

SECURITY CERTIFICATES

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents of British Columbia outside of my riding, primarily from Grand Forks, and a few from Ottawa as well.

The petitioners call upon the government to re-examine the whole regime of security certificates, pointing out that holding people for very long times with essentially secret trials violates the Charter of Rights and Freedoms.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

Speaker's Ruling

[Translation]

PRIVILEGE

PHYSICAL OBSTRUCTION—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the questions of privilege raised on April 30, 2015, by the member for Skeena—Bulkley Valley and on May 8, 2015, by the member for Toronto—Danforth regarding the delays they and other members experienced in gaining access to Parliament Hill.

I would like to thank the members for having raised this matter, as well as the Leader of the Government in the House of Commons, the House Leader of the Official Opposition, the Parliamentary Secretary to the Leader of the Government in the House of Commons, and the members for Saanich—Gulf Islands, London—Fanshawe, Winnipeg North, Hamilton Centre, Ottawa—Vanier, Charlesbourg—Haute-Saint-Charles, Saint-Lambert and Northumberland—Quinte West for their comments.

[English]

Before we start to look at the issues that were raised, the Chair would like to take a few seconds to deal with the comments on the timing of questions of privilege.

Some members alluded to the fact that some interventions were made at a very specific moment in order to delay or prevent business. I am sure all members would agree that it would be unfortunate for a subject as important as parliamentary privilege and the right of access of members to be trivialized in any way, either by raising what some might call “nuisance” questions of privilege or by quickly dismissing outright such claims of privilege simply because they are perceived to be impeding the normal course of business.

In raising his question of privilege, the member for Skeena—Bulkley Valley explained that, on April 30, he and several other members were attempting to access the parliamentary precinct through the East Block entrance in order to attend a vote in the House when the shuttle bus they were on was stopped temporarily by an RCMP officer. While acknowledging the need to keep Parliament secure, the member insisted that this physical obstruction constituted a denial of reasonable, timely access to the parliamentary precinct, thereby impeding him from performing his parliamentary duties and constituting a breach of privilege.

[Translation]

The Leader of the Government in the House of Commons claimed that, since the RCMP had determined that the bus in question had been delayed for only 74 seconds, this case amounted to no more than a momentary delay, which does not qualify as a breach of the privileges of the House. He contended that, while denial of access to the precinct is indeed a breach of members' privileges, a delay should not be considered as such unless it is a significant one. Calling for a measured, reasonable perspective, the government House leader explained that the privilege of access to the parliamentary precinct is not an unqualified right, and that issues of safety and security may temper this right of access in certain situations.

[English]

Then on May 8, 2015, the member for Toronto—Danforth complained of delayed access to Centre Block that day by an RCMP officer. He noted that the officer had received orders to stop all individuals from entering while a delegation of VIPs accessed the building, orders which made no distinction between the rights of members of Parliament and those of the general public. Maintaining the length of the delay was irrelevant, the member for Toronto—Danforth contended that this incident also constituted a breach of privilege.

[Translation]

To begin, I will remind the House of the well-defined, albeit limited, role of the Chair in determining matters of privilege. O'Brien-Bosc, at page 141, states:

Great importance is attached to matters involving privilege. ...The function of the Speaker is limited to deciding whether the matter is of such a character as to entitle the Member who has raised the question to move a motion which will have priority over Orders of the Day; that is, in the Speaker's opinion, there is a prima facie question of privilege. If there is, the House must take the matter into immediate consideration. Ultimately, it is the House which decides whether a breach of privilege or a contempt has been committed.

● (1015)

[English]

The two incidents now before the House have served as a clear reminder that members not only require but are entitled to access to the parliamentary precinct at all times, without interference. This is uncontested.

[Translation]

In 2004, the Standing Committee on Procedure and House Affairs, having considered a question of privilege related to the physical obstruction of members, stated in its twenty-first report:

The denial of access to Members of the House—even if temporary—is unacceptable, and constitutes a contempt of the House. Members must not be impeded or interfered with while on their way to the Chamber, or when going about their parliamentary business. To permit this would interfere with the operation of the House of Commons, and undermine the pre-eminent right of the House to the service of its Members.

[English]

In listening to the submissions of members on this issue, it is clear to the Chair that the larger issue of security in the parliamentary precinct is a major preoccupation for members, one that informs their perspective on individual incidents and that now looms large given the changing security environment on Parliament Hill as a result of the events of October 22, 2014.

Following those events, members will recall that I ordered a comprehensive review of our security systems and procedures. Parliamentary security operations have since been tightened and have continued to evolve, leading up to the Senate and House's decision to unify the protective services in November 2014. Then on February 16, 2015, the House adopted a motion calling on the Speaker of the House, in coordination with the Speaker of the Senate:

Speaker's Ruling

...to invite, without delay, the Royal Canadian Mounted Police to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill, while respecting the privileges, immunities and powers of the respective Houses, and ensuring the continued employment of our existing and respected Parliamentary Security staff;

That the House chose to make this decision is not a matter for the Chair to comment on, other than to say that from a procedural standpoint the motion was taken up by the House in accordance with our rules and practices and remains a valid decision, which the Speaker is bound to implement.

Since then, considerable progress has been made toward arriving at an agreement to have the RCMP lead physical security services throughout the parliamentary precinct and Parliament Hill. Yet there is no denying that ensuring the security, in a changed world and in a changed arrangement, for all who enter the parliamentary precinct, is going to present some challenges as we transition to the new security regime. However, none of this obviates what I stated in my ruling of March 15, 2012, where I confirmed the importance of members' right of access to the precinct. I stated at page 6333 of *Debates*:

...the implementation of security measures cannot override the right of members to unfettered access to the parliamentary precinct, free from obstruction or interference.

As Speaker, it is my role to support the House and its members as we proceed with various changes to our security arrangements. This includes, but is not limited to, ensuring that any and all changes uphold the privileges, immunities, and powers of the House, as has always been the case.

Several members have expressed concern that a heightened level of security could lead to more incidents where members are unnecessarily impeded as they carry out or attempt to carry out their Parliamentary duties. The incidents raised by the members for Skeena—Bulkley Valley and Toronto—Danforth have certainly served to highlight those broader concerns.

I would like to assure all hon. members that protecting the rights and privileges of the House and of its members is a priority for me as our security forces continue to work in close partnership in order to provide a safe environment for all members, parliamentary staff, and visitors to the Hill.

[*Translation*]

The Standing Committee on Procedure and House Affairs, in its thirty-fourth report regarding the free movement of members of Parliament within the parliamentary precinct, summed up the challenge when it stated:

Cases of privilege in which Members have had their right to unimpeded access to the Parliamentary Precinct denied have occurred in the recent past with all too great a frequency. The Committee considers the best solution to this issue to be improved planning, greater coordination between partners, and increased education and awareness of security services and Members.

[*English*]

As your Speaker, I can only agree. In fact, I recently had occasion to discuss this challenge with Commissioner Paulson, who agrees that all protective personnel need to know the community they serve. They need to be sensitive and responsive to the community they serve, and they need to be familiar with the expectations of the community they serve. This includes having the primary function of this place top of mind as they go about performing their duties.

At the same time, we as members need to be mindful that increased security does require adjustments. It may mean that members will notice changes that will make the grounds and buildings safer while still ensuring that they can carry out their work.

This is consistent with the ruling I delivered on March 15, 2012, in which I stated:

As we all know, the parliamentary precinct and its buildings exist primarily to support the functions of the legislative branch. The Centre Block in particular, housing as it does the House of Commons and Senate chambers, is a working building where parliamentary proceedings are carried out and where members must be free to perform their duties without interference even when other activities are taking place. Needless to say, these heritage buildings, especially Centre Block, are also ideal venues for all sorts of events and we are all proud to showcase them for our distinguished visitors. However...extra care is needed to ensure that competing requirements regarding the use of the buildings and precinct are understood, with due accommodations and with the proper balance.

In this light, emphasizing the notion of balance, questions raised by the Leader of the Government in the House of Commons are pertinent with regard to defining what constitutes an impediment to unfettered access for members to the parliamentary precinct and buildings. It would indeed be unfortunate for members to carry the concept of physical obstruction to illogical and unreasonable lengths. However, I would caution that the House ought not either to fall into the trap of assessing these matters on the sole basis of the duration of a delay or impediment. One can easily imagine a situation where even a very brief obstruction, depending on its severity or nature, could lead a Speaker to arrive at a *prima facie* finding of privilege and to allow a debate in the House.

Therefore, for these reasons and given the arguments presented by hon. members and in view of the vital importance of this issue to all members, particularly in this current context, I have concluded that the broader subject matter of the rights of access of members merits immediate consideration. I have come to this conclusion so that the House has the opportunity to hear the views of members on the balance that must be struck between the need for reasonable and timely access to the House for members and the support and guidance this House can provide to its security partners. This contribution will be important as we continue to navigate the transition with which we will be faced in the coming months.

Accordingly, I will now invite the member for Toronto—Danforth to move his motion.

● (1020)

[*Translation*]

Mr. Craig Scott (Toronto—Danforth, NDP) moved:

That the questions of privilege raised on April 30, 2015, by the hon. member for Skeena—Bulkley Valley and on May 8 by the hon. member for Toronto—Danforth regarding the fact that hon. members were delayed when trying to access Parliament Hill be referred to the Standing Committee on Procedure and House Affairs.

[*English*]

He said: Mr. Speaker, I would like to share my time with the member for Skeena—Bulkley Valley.

I think it is important for me to briefly recap, for those who were not present or listening last week, why I felt that even a momentary delay of what I admit was less than a minute raises major issues that the procedure and House affairs committee really will have to take seriously.

What happened basically involved an indistinguishable stopping of everyone coming up one side of Parliament Hill heading toward the Centre Block within immediate proximity of the doors that MPs always enter. The reason, as was made very clear by the officer, was that she was under orders to stop everyone. I will emphasize again, as I did in my intervention last week, that the officer was firm and polite, and I have no concerns at all with the officer.

I am sorry; I am actually going to split my time with the member for Burnaby—New Westminster.

I have no idea how long the group was there as I was walking up the Hill before I arrived, but the fact of the matter is that when I arrived, I presented myself to the officer as I was trying to pass, and the conversation that ensued is now on the record of *Hansard*. The officer indicated that she was under orders to make no distinction between any members of the public, anyone else, and MPs. Indeed, structurally, there was nothing about the way the crowd control was working to suggest that any distinction had been made. There was no ability for an officer to stand and wave MPs through or to ask, “Are there any MPs here? Please go through.” There was nothing like that. It was a one-size-fits-all approach.

This was confirmed when she then called through to whatever was command central for this welcoming of the President of the Philippines to the Hill. They did not bother addressing the issue of whether an MP could go through while the others were waiting, because the moment she called, they solved the problem by letting everybody through. I assume that was a coincidence of timing. Nonetheless, it was clear from the overall situation that there were, again, indistinguishable orders.

On that front, I would like to now move to two arguments that I believe the Speaker has put in context in his ruling just now but that have been raised twice now by the government House leader on the question of privilege by the member for Skeena—Bulkley Valley and on my question of privilege.

One is, effectively, that he has come before the House and asked the Speaker to take his word for facts that he and the government have investigated in tandem with the RCMP. The first problem is that it is not the role of the government to conduct these kinds of investigations.

Second, I would like to read an excerpt from the House leader's intervention on the question of privilege by the member for Skeena—Bulkley Valley. He stated:

...I can tell you that the public safety minister's office has advised that the Royal Canadian Mounted Police reviewed the surveillance camera footage and determined that the green bus in question was indeed delayed for some 74 seconds....

He went on to say that was a mere momentary delay and that for that reason, the privilege motion should be dismissed.

The fact of the matter is that the procedure and House affairs committee needs to look at what the lines of authority are here. The

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House leader comes into the House, gets word from another minister of the crown about what that minister of the crown had discussed with the RCMP, and then, in a not-so-subtle fashion, expects the Speaker to say, “Thank you very much for doing my work and thank you very much for reporting to me what the RCMP has said.”

I am very glad that the Speaker has obviously decided that this is not the role of the government and not the role of the House leader.

I would also like to point out that the Speaker went back into precedents and quoted one precedent that said that even a momentary delay can be a breach of privilege. However, the government is now trying to reshape the law of privilege around the idea that just any delay at all, as long as it is short, is not a breach of privilege. It went so far as to argue last week that the recent report on the question of privilege by the member for Acadie—Bathurst actually stated that the PROC report put forward the idea that momentary delays are not a breach of privilege.

● (1025)

No such words at all appear in that report. In fact, it is very clear that the committee was expressing concern by the very sentence that the Speaker just read in the House now on his ruling, when he read, in French, this sentence:

Cases of privilege in which Members have had the right to unimpeded access to the Parliamentary Precinct denied have occurred in the recent past with all too great a frequency.

For that to appear in the PROC report from the most recent case and for the Speaker to now read it again is diametrically opposed to the spin that the House leader is trying to put on the law of privilege in this House when he says that report ruled that a momentary delay meant there was no privilege breached in that case. That is a completely out-of-bounds argument, as far as I am concerned.

I took care, and I took care at the beginning of these remarks as well, to emphasize—and this is actually consistent with the recent report on privilege with respect to the member for Acadie—Bathurst—that there was no fault on behalf of the officers. The officers are working within a system. They are following orders. The question is the system. How are, in these two instances, VIPs handled? What kind of priority are they given over members of Parliament to access? What kinds of easy procedures could be available that the RCMP has so far declined to put into place? An example would be to have, at all access points, a designated RCMP officer to check or let through or look out for members of Parliament while everybody else has to wait. There is nothing like that.

Instead, they put a lone officer out under orders to block everybody, regardless of whether or not they are an MP.

My guess is they are putting out recent recruits to do this, people who have not even been properly versed on what parliamentary privilege is or why it is important for members to get to the House on time.

At one level, it is of absolute importance. If I wanted to be in the House because I had limited time to hear a debate or to possibly ask a question, et cetera, that, in and of itself, is enough reason for me to be in any hurry I want.

Speaker's Ruling

However, beyond that, votes are crucial in this place, and they can come up at unexpected times that overlap with times when VIPs are visiting.

The idea that 30 seconds or a minute or whatever is always *de minimis* is already in trouble with respect to the logic of the timeframes within which we operate in this place. The idea that the House leader has raised on occasion is almost a suggestion that MPs are sitting on their posteriors, waiting to the very last minute before they rush to the House, and, therefore, if they are delayed a bit at that point, they are to blame. In actual fact, votes disrupt everything else MPs are doing, and they often try to finish what they are doing in the knowledge that they will have enough time to get there in the ordinary course of events.

This just-in-time arrival of a good number of the people who are voting on any given motion is also a part of our life on the Hill, and the moment that gets interfered with, we are going to potentially have problems with multiple people not making votes. At the moment, we have been lucky with respect to those who have been delayed but who have managed to arrive just in time.

With respect to the whole question of VIPs, the mere fact that the RCMP officer said it was a VIP, as broad a category as that is, versus a visiting head of state, just to give it some context, suggests that a broad-brush approach is being taken by whoever is in charge of federal policing on the Hill. Ultimately, it is the Deputy Commissioner. I am now no longer personally convinced that the Deputy Commissioner is listening to any of these debates on what privilege amounts to. It would have been so easy to set up procedures to ensure MPs can get through. That has not been done.

I think we need to have the procedure and House affairs committee hear this matter—not in any extended way, but in a way that would focus upon systems so that we get precise information from the RCMP about what the orders are and what training procedures are in place. How do we know that the RCMP is even listening to these reports and to the Speaker's rulings?

• (1030)

[Translation]

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I have a question for my colleague from Toronto—Danforth.

Would he agree to having the Standing Committee on Procedure and House Affairs also consider the issue of linguistic ability? Four times now, when I arrived at the Hill gate by car, I was stopped and not one of the constables could speak French. All four times this caused delays. One time, there were three other people and I had to wait for a fourth person to arrive by car. This caused a delay of four or five minutes.

I wonder whether my colleague would agree to have this type of delay considered by the committee as well because it has held me up a number of times.

Mr. Craig Scott: Mr. Speaker, this is certainly disconcerting.

I am not exactly sure what the Speaker's ruling delivered a few minutes ago encompasses, but when it comes to the surveillance and protection systems on the Hill, including those at Centre Block, I

think they should include the ability to address the members in both languages. If that is not possible, this will lead to other problems.

I think this could be on the table during our discussions at the Standing Committee on Procedure and House Affairs.

• (1035)

[English]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, this opportunity to discuss the role of Parliament, parliamentary privilege, security and the role of visiting dignitaries needs to be examined at PROC, and we need to go back to first principles.

Parliament is supreme. Parliament is not the place of the head of state. Parliament is where government happens. Traditionally in this country, and I am old enough to remember, most heads of state used to be greeted at Rideau Hall. That was the convention and it did not interrupt parliamentary procedure.

We have, in recent years, become inconvenienced in Parliament by the arrival of visiting dignitaries with the automatic assumption that if a head of state is visiting from another country and the Prime Minister wishes to roll red carpets through the middle of this place, unfurl flags and hold a ceremony, parliamentary activities have to be secondary to that activity.

I suggest that activity contravenes our Constitution, and we need to pay attention to the supremacy of Parliament, the role of parliamentarians and our ability to do our work without being impeded. The supremacy of Parliament is a principle that matters. The Prime Minister reports to Parliament, not the other way around.

Mr. Craig Scott: Mr. Speaker, these are very good points, and the member for Saanich—Gulf Islands has made them before in other debates on privilege. It is a serious point, the question of whether our head of state, the Governor General, should presumptively be the one at whose residence and workplace foreign dignitaries are received, with the exception being otherwise where planning can go on in a way that still allows for all of our activity to go on.

There is a constitutional issue, and there is a *de facto* constant infringement going on when the executive branch is using the parliamentary precinct as its way of dealing with the rest of the world through VIP showcasing. The Speaker said that these are great premises and we want to show them off to the world. We cannot disagree. However, the idea of using this as an automatic place for whenever the Prime Minister wants to put on a diplomatic show probably does need to be looked at to see whether this could be better done, and probably with less cost, at Rideau Hall.

[Translation]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, thank you for the ruling that you just made.

It is worrisome that other members are raising additional questions regarding the quick changes that were imposed by the government a few months ago to the structure that has always been in place on Parliament Hill.

This debate will allow us to talk a little more about an extremely troubling trend. We are seeing more and more opposition members rising in the House because they are being denied access to Parliament. As we have seen in the case of the member for Toronto—Danforth and the other cases that occurred just within the past few days, involving the member for London—Fanshawe and the member for Skeena—Bulkley Valley, the pattern is becoming increasingly clear.

The member for Ottawa—Vanier also just raised an important point about the equality of the two official languages as it pertains to access to Parliament Hill.

[English]

We are seeing these increased concerns raised by members of Parliament and the trend is very worrisome. More and more frequently we are seeing members of Parliament who are not able to access their workplace here on Parliament Hill.

As members of Parliament, we are called upon to do many things and to work very hard on behalf of our constituents. That means often coming into the House with a few minutes' notice to speak on important bills. Often the government does not provide us with the notice that it should, so we have to rapidly get to the House. We also have a government that will often hold surprise votes, particularly on closure and time allocation. We have seen 95 of them through the course of this Parliament. That is beyond, without any doubt, the worst history of any government in Canadian history. It has invoked closure or time allocation 95 times. These votes are often a surprise.

As members of Parliament, we need access to the House so that we can debate the issues, often at a moment's notice because the government does not want to provide that notice. Often at a moment's notice we come here to vote on issues such as time allocation.

The idea that somehow delays of a few minutes are inconsequential and should be dismissed has been the argument we have been hearing from the government side now for a couple of weeks. As these incidents multiply, there are more and more concerns about the ability to actually get into the House of Commons. I profoundly disagree with the idea that the government raises, that it is inconsequential for a member to miss votes or to not be able to take their place in debate.

Mr. Speaker, why has there been this multiplication of blocked access to Parliament Hill? You know the reason as well as I do. We raised one of the concerns a few months ago when the government rammed through the House major security changes. It rammed them through with very little notice, no consultation with the Speaker, no consultation with opposition parties. It simply rammed through directly from the Prime Minister's Office this idea that they could change the scope of security on Parliament Hill.

I want to quote the member for Hull—Aylmer, our whip at that time, who raised these concerns when the government provoked that sudden debate to shake up the security system here on Parliament

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Hill. At that time she said that the motion before us will not achieve “better integration, better training, better equipment and more resources dedicated to our safety”, upon which all members of Parliament would agree. She said, “This motion is nothing more than the government's attempt to take away the historic responsibility that the Speaker's office has under the Constitution to protect parliamentarians from the unilateral intrusion of government authority.”

● (1040)

She said:

The fact that the government is using the power of its whip to try to take constitutional rights away from the Speaker and permanently hand control of security in this place over to its own security service is a direct attack on our traditions, our practices and our Constitution. This is an unprecedented attempt to control security in the only place where the government cannot control it: this Parliament. This once again demonstrates that this government, led by the Prime Minister, is obsessed with controlling everything.

What we have seen subsequent to that is the government overriding the Speaker's ability and the Speaker's prerogative. It is a multiplication of the government's attempt to usurp what had been Parliamentary traditions in place in this country for almost a century and a half. We saw that in the reaction both to the issues raised by the member for Toronto—Danforth and the members for Skeena—Bulkley Valley and London—Fanshawe. The government simply said that it has investigated and it dismisses it, when it is your prerogative, Mr. Speaker.

We had never heard those words from any government in Canadian history, but the current government is one that has attacked the Chief Justice of the Supreme Court and the Parliamentary Budget Officer, that has diminished the ability of the Auditor General to do the valuable work that he provides and that has attacked the Chief Electoral Officer. The government has absolutely no respect for institutions, and the Prime Minister seemingly wants to control more and more.

If they want the control, control comes with responsibility. On this side of the House, we have been fighting every step of the way. I profoundly believe that on October 19, we are going to see Canadians, as they did in Alberta, push back on this idea that one party can control everything. They will be electing a vastly different House of Commons on October 19. That vastly different House of Commons will have a majority of New Democratic Party members, and those members will choose a different path under the leadership of the Leader of the Opposition.

They have then taken this control. The PROC report, as my colleague for Toronto—Danforth mentioned so eloquently, actually provided guidelines for that control, and what was needed was better planning. What we have seen is worse planning, which is why the situation on access to Parliament Hill has deteriorated so markedly over the last few weeks. That is why increasingly members of Parliament do not have access to Parliament in an immediate and automatic way, which risks leading to missed votes. It certainly leads to the risk of not being here to speak in debate. However, the better planning has not happened.

Speaker's Ruling

Under the Prime Minister's direction, we have seen instead a lot of improvised diplomatic shows, as the member for Toronto—Danforth said so eloquently. The government does not seem to want to answer questions in question period. The Prime Minister does not seem to want to rise to answer questions in the House of Commons. In fact, members will recall that in May and June, 2014, the Prime Minister rose to answer questions in the House only five times in the final five weeks of Parliament. Only five times did the Prime Minister deign to actually respond to questions that were being asked in the House of Commons.

We are seeing the same pattern repeating. I do not recall the last time that the Prime Minister actually rose in the House to answer questions. I think it might have been a week and a half ago. I am not even talking about the quality of questions. I am talking about the fact that he is not rising to answer them at all. However, we are seeing lots of diplomatic shows arranged at the last minute, increasingly preventing our access to Parliament Hill.

This breach of privilege is quite clear, Mr. Speaker. I am glad that you have ruled in favour of the member for Toronto—Danforth and the member for Skeena—Bulkley Valley, with the participation of many other members. This trend has to stop. The government has to start respecting the traditions of the Speaker and it has to plan better, not worse. Hopefully, the debate that we are having today will lead to better planning on the part of the government so that it is not stopping opposition members.

The officers involved are showing good faith and professionalism, but they are under the direction of a new security apparatus that the government pushed through the House and put into place. The government has the responsibility for better planning to avoid these incidents in the future.

•(1045)

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to raise a few points.

First, I would like to talk about security when there is an emergency situation. For example, when Mr. Bibeau attacked Parliament, the entire security system deployed. Under such circumstances, even members lose their rights and that is fairly normal.

However, I would also like to mention the questionable 74 seconds that the Speaker seems to have accepted. That is completely unacceptable, since before that, a shuttle bus could not get through when the new security barriers, which retract into the ground, failed because they are already rusty and corroded from the salt even though they are new.

What does my colleague think about that? Would the member like to add that to the requests that other members are making?

This system jammed. The bus had to do the whole tour and come back to try to enter. The RCMP does not have a checkpoint when we come by shuttle bus to get to the East Block. We have the right to go straight through when the barriers go down and there was therefore no reason for the RCMP to stop the shuttle bus from entering at that time.

Mr. Peter Julian: Mr. Speaker, I would like to thank my colleague for her question.

These are all examples of measures that previously were the responsibility of the Speaker's office. In my opinion, everyone had confidence in the structure that was in place. Improvements to training and coordination were needed, as we have always said.

However, the government did not consult us. It could have said to the opposition that this issue requires discussion by all MPs in order to find common ground in the good old Canadian tradition, and to have a consensus on improving the security system and preventing the problems that the member mentioned. Instead, the government is proposing absolutely nothing, neither solutions nor discussions.

The Prime Minister's Office imposed this new system without planning. Even though all police officers are acting in good faith, they have put in place a system that is making access more and more difficult. Naturally, that is a problem.

What we always say to the government is that instead of being partisan, it could sit down with opposition members to reach a consensus and improve security without preventing the public and members from having access to Parliament Hill.

It is obvious that a more practical and understanding government would have a discussion with opposition members. That was not done in this case and we can see the results.

•(1050)

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for his speech on this very worrisome and increasingly common problem. It is something we hear about more and more.

I would like some clarifications about the discussions that members of the Standing Committee on Procedure and House Affairs will have if we adopt the motion we are talking about today, regarding the problem underlying these two breaches of privilege with respect to the member for Toronto—Danforth and the member for Skeena—Bulkley Valley.

The underlying problem is that the government is taking control of the parliamentary precinct, and this will only get worse in the coming months with the implementation of new security measures on Parliament Hill.

Could my colleague talk about the risks associated with this? Is it important for the Standing Committee on Procedure and House Affairs to examine the fact that the executive is taking control and is trying to control everything that goes on, instead of Parliament itself having sovereign control over Parliament Hill and the parliamentary precinct as well as over the movement of members of Parliament within the precinct?

Mr. Peter Julian: Mr. Speaker, I appreciate the comments from the member for Sherbrooke, who chairs one of the most prestigious committees on Parliament Hill.

Speaker's Ruling

This member has a good understanding and quickly learned the rules and procedures of the House of Commons, as well as the importance of a dialogue among all the parties in the House. However, there was never any dialogue because the government took control. A motion was imposed on the House and now we can see the outcome: there is less access and the planning is worse than before.

Things obviously need to change, and we hope that the Standing Committee on Procedure and House Affairs will look at this issue and give the government some very clear direction.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, my comments will be somewhat brief. I have the good fortune of being the Liberal Party's representative on the procedures and House affairs committee and have had the opportunity to deal with this. It is an issue that has come before PROC relatively recently. We have had the Commissioner of the RCMP and many different security personnel come, including the former sergeant-at-arms, Kevin Vickers. Listening to what was said, both publicly and in camera, members will find that members of Parliament of all political stripes treat the issue of privilege and access to the parliamentary precinct in a very serious fashion.

The House of Commons deals with the passage of laws, the making of budgets, and different programs. There are very important debates that take place in this House and obviously many important votes. A member having a sense that he or she has access at any time is of critical importance. No one wants to see delays that would prevent members from getting into the chamber in a timely fashion.

In listening to the discussions at PROC in dealing with this, I was of the opinion that there was a great deal of general good will to try to improve the system.

When this particular issue of privilege was raised, I stated that if we are going to err, it is better to err on the side of having to review this once again as opposed to not taking this issue seriously. That is the reason I am quite comfortable and pleased with the Speaker's ruling that this matter be debated once again and voted on and then, hopefully, go to the procedures and House affairs committee.

My concern is that if it goes to the procedures and House affairs committee, we will get different presenters to come before the committee and provide input as to where we go from here, and I am not convinced that this the best course of action. We could be looking at ways we can actually develop a process with which all members are comfortable.

I am not convinced that people are comfortable with the process. If members of Parliament are not comfortable with the process, I suspect that there is a greater likelihood that we will have points of privilege in the future. We need to establish that process or protocol so that all members feel comfortable that they do indeed have access.

There needs to be coordination at the security level. We recognize the importance of security, for obvious reasons, here on the Hill and in the parliamentary precinct. However, there has to be a balance, recognizing that it is of utmost importance that members of Parliament have unfettered access to attend the House of Commons

in a timely fashion. It goes beyond just the floor; it also includes committee responsibilities and so on.

I understand that there are issues that could be discussed at PROC with the idea of seeing if we can come up with a unanimous report on how to put this issue to rest.

● (1055)

I recognize that there are major renovations that have been taking place over the last number of years. Some of those renovations have led to the problems we have had. However, there are going to be a great many more renovations in the future, which may impact state visits and what takes place here on the Hill. My colleague from Ottawa has raised issues as well.

I suspect that there could be a great deal of value in caucuses, along with independents, having an opportunity to convey their concerns. Perhaps members who have an interest in the issue may be invited to participate at the PROC meeting.

When we look at what takes place inside the House, including the making of laws, the passing of budgets, and the many different votes that take place, we recognize how important it is that members of Parliament have the right to have access. Therefore, it is very important that we do what we can to protect that right.

On a side point, I would suggest that this is not a reflection whatsoever of the fantastic work all the different security forces do to provide a safe environment here on the Hill. They are outstanding in what they do for us, but we need to take a better look and come up with a process we are all comfortable with.

At the end of the day, we should feel comfortable that if there is a need to get into the chamber, MPs will be afforded the opportunity to get here as quickly and directly as possible for the many different meetings, whether they are in MPs' offices, the Confederation Building, the Valour Building, or the justice buildings. MPs need to feel comfortable knowing that they can get here in a timely fashion without being stopped and detained, which could ultimately lead to an MP missing a vote or an opportunity to contribute to a debate.

● (1100)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, we have a rule by tradition in this House, because this is the House of Commons. It is the house of the common people, with the right of the people of Canada to have their representatives come and represent them. It is why we have the Sergeant-at-Arms and the door closed. It is to protect our right to do our democratic duties.

However, there have been two dramatic changes we have seen under the current Conservative government. First of all, it is taking the control of the House of Commons outside of the House of Commons and is turning it over to the RCMP. This is not a slur against the work of the RCMP, but we are now under a different security service, and the supremacy of Parliament has been changed.

The other element I would like to ask my hon. colleague about is the fact that the current Prime Minister continually uses Parliament now as a photographic backdrop for his events, where this has not been the tradition.

Speaker's Ruling

In the case of my colleague for Toronto—Danforth, he was allegedly told by a police officer that there may be a vote but he was not allowed in the House of Commons because it was for dignitaries. That is something I am deeply concerned about. Parliament is supposed to be for the work of parliamentarians. That parliamentarians are not allowed to access the Hill because it is for dignitaries and important people for a photo-op is deeply disturbing.

I can see my colleagues on the other side who ridicule and shoot their mouths off, because they show no respect for Parliament, but I am here to represent the rights of parliamentarians to speak in the House.

I would like to ask my hon. colleague what he thinks about the issue of our being told, as parliamentarians, that when a vote is happening or our work is under way that we can be held up because Parliament, our building, the House of Commons, is being used by the Prime Minister for photo-ops and various photo issues with whoever is coming at a given time. I find that an affront, and it is a threat to what we have established through hundreds and hundreds of years of parliamentary tradition. No matter what—

The Deputy Speaker: Order, please. The member has far exceeded his time for a question.

The hon. member for Winnipeg North.

Mr. Kevin Lamoureux: Mr. Speaker, with regard to the security changes that we have witnessed over the last number of months, one thing I do know is I am very opinionated member of Parliament, which is a fair comment that members may agree with, but the other thing is that I am not a security expert. I depend on security experts and individuals who have a far better understanding of how we can protect the public and elected officials in Parliament from potential threats. Those decisions are best made by security personnel.

There are institutions such as the Board of Internal Economy and others that ultimately provide guidance, in co-operation, I suspect, with the Speaker's office, and I have faith in that system.

I am very encouraged to see security on the floor of the House. From what I have witnessed, the former security guards are now on the floor of the House of Commons doing the security checks and so forth, which is great. However, that is a little off topic.

My primary concern with respect to state visits is ensuring they do not impinge in any way or fashion on a member's ability to fulfill his or her roles and responsibilities in the House, which includes everything from votes to debates on laws and budgets, or to have access to committees or the House of Commons if they want to listen to what is taking place and potentially make an intervention of some fashion.

Those concerns really need to be taken into consideration when we talk about state visits.

● (1105)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I want to reiterate something that was just mentioned by the member for Burnaby—New Westminster and ask my friend from Winnipeg North about this.

There have been dramatic changes in the security here that I believe do infringe on fundamental constitutional principles of the

supremacy of Parliament, the role of the executive and the differences in how parliamentary security should be handled. There was a snap motion on Friday, February 6. I was fortunate to be able to change my plans and be here for the whole debate. We did not hear witnesses or experts before it was pushed through the House of Commons to would change our security measures to a different parliamentary precinct approach, which puts the RCMP in charge.

Again, this is no disrespect to the RCMP, but I am very concerned about the primacy and supremacy of Parliament and the constitutional role of the House of Commons security, not to mention the fact that the security officers were the ones who most bravely and unarmed did the best job protecting us on October 22. Regardless of what may have been the executive's intention, many of those House of Commons security guards now feel demoted.

Now we have Bill C-59, bringing with it Division 10 of part 3, pages 73 to 97, which is all about creating a parliamentary protective service in an omnibus fashion. Again, we will not have enough time to study it and it requires the director of parliamentary protective service to be a current standing member of the RCMP always by law.

Does my friend from Winnipeg North think we are rushing into these changes without adequate study or review and could this motion on privilege give PROC a better chance to dig into these issues?

Mr. Kevin Lamoureux: Mr. Speaker, first, I will address the issue of Bill C-59. Over the last number of years, since the majority Conservative government, we have seen a different attitude toward the way legislation is passed. The best example of that would be the forced time allocation that is put on the House for virtually all legislation, which prevents the type of dialogue that is important between members of Parliament.

The leader of the Green Party asked if we would have adequate debate on Bill C-59, which is a very important issue. I suspect the type of debate we will likely have on the bill will be very similar to the type of debate we have had on a number of pieces of legislation. However, in regard to that specific aspect of the legislation, it behooves us to take into consideration what we are told by the security experts, the people who truly understand the potential of terrorism.

We need to recognize that the Parliament building is a very high target area. Given the symbolism and national importance of the precinct, we need to be very careful in dealing with the issue of security. That is why I have personally entrusted the security professionals to provide us the best advice. At the same time, I am a parliamentarian first and foremost. I appreciate the importance of the privileges we have here. I will not support things that will take that away.

Finally, on the first part of her question, I believe some discussion took place prior to the Friday to which she referred. I do not know to what degree. Perhaps she was not incorporated into that dialogue, but there was definitely a sense of what was taking place among the three major political parties. I do not know the details in terms of the independents.

Speaker's Ruling

● (1110)

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of Agriculture, to the Minister of National Revenue and for the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I want to pick up on a few of the comments I have heard. The first comment I heard, and quite frankly disagree with, was that somehow instead of visiting dignitaries coming to the House of Commons they should go to Rideau Hall and meet with the Governor General. Those comments came from a party that does not believe in the Governor General or the monarchy. I have my own particular opinion on that item, but I would like to hear the hon. member reply to that.

The other issue is that very real question about security and the rights and privileges of members of Parliament and the Senate, and the responsibility of security to try to balance that. I expect there will be some slippage and some mistakes made along the way, but that is why we as parliamentarians need to involve ourselves in this ongoing process, because it is a new world we live in since October.

We have to find the proper balance. However, to achieve that proper balance, it is also incumbent upon members of Parliament and Senators to respect the security officials here who may not know each of us by name, or may not remember our faces. We need to carry either our pin or an ID. I would like to hear his opinion on that.

Mr. Kevin Lamoureux: First, Mr. Speaker, on the issue of the state visits, it was wonderful, for example, when the President of France and the President of Ukraine addressed the House of Commons. It was a privilege. It makes us reflect on former Prime Minister Churchill. There is an opportunity for all members of Parliament and the public to benefit in certain situations. I would have loved to have seen President Aquino from the Philippines address members of the House. Those are wonderful, golden opportunities to bridge relationships between countries.

However, the issue of state visits needs to be looked at by the PROC committee, and how that could potentially interfere with the primary role that all of us have as members of Parliament. I believe there is merit for that issue.

The so-called red carpet treatment for a president or someone of similar stature who addresses the House has great value to it. However, we do have Rideau Hall. The Governor General does play a very important role in the makeup of state visits.

I think it goes without saying that there is a responsibility for members, but there is also responsibility for the security personnel to know who are the members of Parliament. On occasion I was asked if I have I.D. I had no problem in showing it. However, the issue is if I did not have I.D., I would like to think I still would have been given access. To this date, I believe I would have, but I am not 100% certain of it. That no doubt causes some concern, however. This is one reason why our security personnel have a booklet that lists all the MPs.

It might cause a 60 second delay, potentially, if security has to match a face. Is it reasonable for us to expect that all security forces would recognize what will be 338 members of Parliament? I do not think so. It is definitely something about which we could talk.

● (1115)

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I would like to join this debate. I do not think I will be using the full 20 minutes that is available, but I did want to participate in what I think is an important debate about the future of this place.

I will not go into the detail of the specifics of the matter that brought the ruling to the House, because it was obviously found to be sufficient to raise the question of privilege, but it is a good occasion for the committee to have a look at some of the questions that have arisen, some of them, frankly, without much contemplation, without much debate, without much public discussion in terms of the changes that may be taking place in the security arrangements for the House of Commons and the parliamentary precinct as a whole.

Obviously there are some lessons to be learned from what happened last October. I am afraid we have not even seen any reports as to what exactly happened last October. There is a bit of a gap here. Decisions seem to have been made about what we should do next without having a report on exactly what went wrong last October. It obviously was a significant shock to us all to have to encounter this, obviously without proper security in place because if there had been proper security in place, that individual would not have got inside this building.

Clearly mistakes were made, but nobody seems to be in a position to tell the public exactly what happened and make a report that we could have a look at. Without that, it is very difficult to draw conclusions about what should happen, but one thing that needs to be looked at, and I am hoping this is an opportunity for the committee to look at it, is this whole question of who is in charge, ultimately, of the parliamentary precinct.

Under our system, and it was always this way, it was supposed to be the Speaker. The Speaker is the guardian of the rights and privileges of members of Parliament, and they obviously include the personal security of members and staff of the parliamentary precinct. It disturbs me to hear, even in dealing with a debate about this matter, that we have the government House leader giving information received from the Minister of Public Safety who receives information from someone from the RCMP who says they reviewed security tapes.

Where is the Speaker in all of this? Where is the role of the Speaker in terms of being in charge of the parliamentary precinct, as opposed to the government? We live in a parliamentary democracy and there is an executive and the houses of Parliament, but I think we have a problem if there is an overlap, if there is an uncertainty of who is reporting to whom.

Ultimately, I hope the committee looks into this, and it may require more than just a simple looking at it, and perhaps the committee would have some recommendations that there be further work done on this, that there be further study, as someone pointed out earlier, looking at first principles as to how a parliamentary democracy protects itself and how it operates within the parliamentary precinct, because it is not simply a matter of getting to the House.

Speaker's Ruling

People were talking about getting to this House for a vote, but it is not simply a matter of that. The parliamentary precinct includes the offices of members of Parliament. Some are in this building and some are somewhere else. Mine happens to be in this building, so if I am denied access to this building temporarily or for an event, then I am denied the ability to go to my office to use the tools of the office to perform my duties as a member of Parliament.

The parliamentary precinct exists in other parts of the Hill, but they are all under the ultimate control of the Speaker. The Sergeant-at-Arms reports to the Speaker. So if we have an external police force, which is the national police force, playing a role on security other than advisory, then the question becomes to whom does it report. This committee really should be looking at that.

It is one thing to say that the RCMP can be in charge. I was not here for that debate, and frankly, I do not agree with it. I think it is something that should be through the Speaker. If the expertise resides in the RCMP, then obviously there is a case for secondment to the parliamentary security service, either for advice or command and control functions in particular circumstances or emergencies or in general to deal with emergencies.

• (1120)

However, in terms of who has the expertise, the tradition, the understanding, the institutional memory, and the knowledge, that resides in the Speaker's office, as does the role of the keeping the primacy of Parliament in the place that it should be under our Constitution. If we start with the principle that the parliamentary precinct should be under the control of the Speaker on behalf of all members of Parliament, then the question of what the buildings are used for can be answered by the Speaker with whatever advice he or she would get from Parliament itself.

We have heard about the heads of state. I think it is a perfect part of this tradition, which we have here, that leaders of other governments address the House, including heads of state, such as the President of the United States, who has addressed the House. That person is both the head of state and the head of government. That is not our tradition. The Governor General is the head of state, symbolically, on behalf of Her Majesty the Queen, and Her Majesty the Queen is the head of state. Rideau Hall is the residence of the head of state of Canada. When foreign dignitaries come to pay their respects on a visit to Canada, that has traditionally been the place where they go.

If they are speaking to Parliament, that is a different matter, but we see the parliamentary buildings being used as a backdrop for a press conference, if we want to call it that, a photo op, or a welcoming ceremony for a foreign head of state who is not speaking to Parliament. Parliament has no role whatsoever. Parliament is not involved in it. It is basically being used as a venue for a public meeting and public statements by a foreign dignitary, whether it be a head of state, as in the case of the President of the Philippines, or a prime minister coming here.

If the House is not in session, there are a lot fewer problems, because we do not have the House of Commons or the Senate in session. However, these are questions that really are a part of what is going on here.

It has been questioned whether or not the people who are engaged in security know who the members of Parliament are. The question becomes who they are here to protect. They are here to protect the members of Parliament, the senators, and the staff who work here. It seems to me that there is an obligation that the people who are doing the protecting should have some knowledge of who they are protecting.

I was here that day, walking up to the Parliament building to my office, which happens to be in this building. There was nobody on the roads of Parliament. I was crossing from one part of the road to the other, and I was ordered to get off of the road. I looked around, and I did not see any cars, but I was told to get off of the road. Why would I get off of the road? I was crossing the road to get to my office. Again, there was no distinction being made as to who is who, who is what, who is coming, who is a tourist, who is a visitor, who is here on business, and who is wandering around. That seems to be wrong. I am not blaming any individual who may have been giving instructions, if we want to call them that. They sounded like orders to me. I am not blaming any individual for doing that, but it is clear that we have a systemic problem here if we have not figured that out.

The people who are here are doing the best they can, but they need to have proper rules, proper protocols, and proper understanding of their role, the role of members of Parliament, and how this all fits together. This is not simply a crowd control issue. It is an issue of democracy and how we have a democracy when members of Parliament and their staff who are going about their business, providing the mechanism of democracy in this country, are not able to do that.

On the one hand, the government plays a role in the House, but when the Prime Minister is meeting foreign heads of state, that is not a parliamentary function, unless they are being brought into Parliament, as we had when President Poroshenko came here to Parliament. He was greeted at a reception for members and other guests, and he presented a speech in Parliament. That is a parliamentary occasion, and it is one that we welcome and appreciate. We understand the value of it as part of the traditions of the House. I think the earliest one, or the earliest one most people remember or remember hearing about, is the visit of Winston Churchill during the Second World War.

• (1125)

I think that is something we recognize as part of the traditions of this House and part of the important role that this House plays in the life of the nation and our relationships with other countries. That, obviously, has to continue.

However, to get back to the question before us, whether this matter should go to the committee—that is the motion before us, should the matter go to the committee for discussion, for recommendations, for debate, for recognizing the depth of the issue and coming up with some solutions—I think that is the proper place for it. We would all benefit from an in-depth look at these questions, perhaps, with a calling of experts, getting people to come before the committee to talk about these traditions, to talk about how this could be done, and to perhaps even raise questions as to whether, or how, one could still have a system with the Speakers of the House of Commons and the Senate in charge.

Speaker's Ruling

That has to be the top of the pyramid, because the Speakers of the House of Commons and the Senate actually do act on behalf of all of us as parliamentarians in maintaining those traditions and ensuring that the democratic traditions prevail. We saw that in the last Parliament when Speaker Milliken made a ruling that, in fact, the Parliament was supreme over the executive, in terms of getting information. We were talking about the Afghan detainee documents and, Mr. Speaker, you yourself were part of that debate and discussion. It is one of the most important and significant rulings in any parliamentary democracy in the commonwealth—the kind of democracy we have—because it said that, ultimately, it is the House of Commons that decides what information of the government, of the state, it is entitled to.

That is a significant ruling, indeed, but it also underscores the importance of this institution being in charge of its own affairs—and the security of its members and the operations of the parliamentary precinct, are part of that.

We have to find a way to ensure that whomever is in charge of the security services of the houses of Parliament actually answers to the Speaker, not to a minister of the Crown. This is what we have now. The RCMP, God bless them, are the national police force and they have an important function to play, but to whom do they report? They do not report to Parliament. The head of the RCMP is not an officer of Parliament. There is no parliamentary oversight of the RCMP. It reports to the Minister of Public Safety, who reports to the Prime Minister. That is not the way a House of Parliament is supposed to operate. We have 1,000 years or more of tradition behind getting to the point where we are now. We should not be taking steps backwards. If we have a problem that needs to be solved, we should solve it consistent with our Constitution and our constitutional traditions.

This is an extremely important question. It is not simply whether somebody can get here 50 seconds or 30 seconds or a minute and a half late, potentially missing a vote in the House. That is just the context for bringing this forward. The reality is that this is a most significant question that requires a thoughtful, thorough, and comprehensive study and, hopefully, a report back to this House that would solve some of the questions we have been discussing here and that have been put forth.

That is really the point I rose to make. I want to make that point because I think it is of very high importance. I would be happy to respond to any questions or comments my colleagues have. I do not think this is a partisan issue. I think this is an important constitutional issue about the future of parliamentary democracy in Canada.

• (1130)

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, I listened to my colleague's comments very carefully and with great interest. One of the things that struck me when I first entered this precinct was how swiftly the House of Commons guards knew who we were. We walked in the door, and they greeted us with “thank you” or “good morning”, and I was impressed with that. It created a sense of safety, their knowing who I was and my learning who they were.

It strikes me as problematic when we rush into or are pushed into a situation where we have people who are there to look out for our

welfare, and I thank them for that, but do not know who we are. It seems to me that the key to any successful security issue is everyone knowing who the players are and what their roles are. It is something that is sorely lacking in this situation because of how quickly, and without much forethought, we were pushed into this situation. I wonder if my colleague would like to comment on that.

Mr. Jack Harris: Mr. Speaker, I thank my colleague for bringing that up.

I was first elected in July 1987, and I remember distinctly coming to this House, as the House was in session during the summer, after whatever period we had to wait before being officially declared elected. I came here for a visit to get orientation. I came up to the front doors of the Peace Tower and walked up the steps inside to the counter expecting to ask directions to where I had to go on the sixth floor somewhere. I came up to the counter, and the constable behind the counter said, “Good morning, Mr. Harris”. I know I am using my name, but that is what he said. I was shocked. I asked him how he knew who I was. His response was, “That is our job, sir”. That was my first encounter coming to this building as a member of Parliament in 1987.

As you pointed out, that was something that made me feel that these were the people who were here to know who we were. Their role as constables and security guards, as you pointed out, was to give us a sense of security.

The Deputy Speaker: I would point out for the member for St. John's East that his comments are to come to me, and it is in fact improper to use his own name.

Questions and comments, the hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, is it the member's expectation that to provide security the security officers, whether it is within the Parliament Buildings or on the grounds of the Parliament Buildings, should know 338 members of Parliament, which will be the number come fall?

The member also made reference to staff. It goes beyond members of Parliament, even though the issue of privilege to the chamber is limited to MPs, from what I understand. I could be wrong about that, and the member can correct me. Does the member believe that every security officer in the precinct should be able to have name-face recognition of all members of Parliament? How important is that to him?

Mr. Jack Harris: Mr. Speaker, first I would say to the hon. member that when this incident I referred to took place in 1987, there were 295 members of Parliament. There will be 338 members come the fall. I do not know if the member speaks to the pages, but they seem to know everyone by name. That is part of their job. They learn that in the orientation session one or two weeks before they start. The constables representing the House know who everyone is. The question is whether it is necessary for security. I do not know.

The pins are security pins. They have numbers on the back. I have only once had someone say, when I showed my pin, that he needed to see my ID, even though that person should have had access to a book with all the names in it. The person apologized and said he was new here and had come just the previous week.

Speaker's Ruling

That is one of the issues we have with the rotation in and out for a one-week period or a two-week period of various security officials on the Hill. That is a problem. If they are only here for one or two weeks, it is a problem. They need to know this place and who they are here to secure.

That is a security question. However, the answer is that the more they know, the better job they can do and the more secure the place they are guarding is, particularly if they are trying to balance access to the House and access by the public as well.

• (1135)

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I am sure that the guards stationed up there in the gallery can recognize anyone in the House. That is how safe I feel. If chaos were to break out, I am sure that they would recognize me and any of my colleagues no matter the circumstances.

However, there is more to it than that. The new mentality fostered by the Conservatives challenges the concept of separation of powers.

I would like my colleague to tell us a bit about that.

[*English*]

Mr. Jack Harris: Mr. Speaker, the hon. member hit on an essential point. The separation of powers is extremely important in our Constitution, and frankly, to our freedom. Our freedom as a nation depends on the separation of powers between the executive branch and the parliamentary branch.

We do not have that as stringently as they do, for example, in a republican system like in United States, where they have the executive in the White House, with the cabinet chosen by him and ratified by parliament, and then they have Congress and the Supreme Court. There is a structural separation of powers. We have a different system, in some ways better, because members of the executive sit over here in the front row or second row, or wherever, on the other side, and they are responsible and accountable to Parliament directly.

We have a different system, but because there is this intimacy, so to speak, between the executive and the legislative branch, it is all the more important to make sure that there are bright black lines between the executive authority and the House of Commons, or the legislative branch. We should, in this case, examine that to see where those bright black lines need to be.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to talk about a number of things.

My office is on the ninth floor of the Confederation Building. It is the last one, right at the end. When there is a 15-minute bell and I make my way up the road, it is very important that I not be delayed by even a fraction of a second by bollards that are not operating properly. That would prevent me from arriving in time for the vote. We have a majority government now, but in the past, with minority governments in power, such situations could cause major problems.

I feel that this is about privilege and rights. When I arrived here in 2011, the pages who welcomed me at the main entrance greeted me by name. They had not been here long, but they knew our names. I

think that the security guards who have been here longer should know our names.

Will the member support us and help us ensure that our access to the Hill remains a basic privilege for all MPs?

[*English*]

Mr. Jack Harris: Mr. Speaker, to answer the last question first, clearly that is what New Democrats want the committee to look at. What are the first principles on access to the precinct, whether it be to the House for a vote, as was pointed out, or to one's office, whether it be in the Confederation Building or here? These are fundamental to the operation of our legislative system.

There is even the question of buses. If we cut down the number of buses, it is hard to get from one place to another in the middle of winter, because sleet, a storm, or whatever is going on. That impedes access too. Maybe the rules need to be adjusted to ensure that members are able to come for a vote.

Yes, the fundamental question has to be there. This is an extremely important question of privilege and is a real opportunity and a timely opportunity for Parliament to engage with this question. New Democrats look to the committee to provide some leadership and hear from anyone in Parliament who wants to make representations as well as experts and those who know the traditions of Parliament.

• (1140)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I also, with my friend from St. John's East, do not intend to use the full 20 minutes.

We have been talking in this place this morning about parliamentary privilege and its roots in our Constitution. I just want to review some of them. I want to start by saying that I appreciate the Speaker's ruling of a prima facie finding of a breach of parliamentary privilege in the delays that occurred and in the indiscriminatory way pedestrian travel and vehicular travel was stopped by the RCMP without regard to whether they were stopping members of Parliament, who have a specific privilege to access Parliament Hill, tourists, or anyone else.

We have already had some very good points made by other members. I will just touch on them briefly.

The House of Commons security officers and the Senate security officers know on sight who is a member of Parliament, who belongs here, and who might be a stranger of whom they should take some note or be concerned about. In an event such as October 22, and let us hope such an event never occurs again, I certainly would have a great deal more confidence in the House of Commons security folks and officers because they actually know which person in the room is a member of Parliament and which person is someone they have never seen before.

Speaker's Ruling

Every day, as I approach the House of Commons, and it is not every day I take a taxi, but when I do I encounter obviously lovely young people working in the RCMP who do not know if I am here to clean the floors in the building or wait on tables in the dining room or if I might in fact be a member of Parliament. I feel a lot more confident in the House of Commons security system, and I have a lot of misgivings about the decisions that were made in the rushed-through debate that took place here on February 6.

I also should note again that Bill C-59 would take that rushed debate, in an omnibus fashion, and put in charge of security in the House of Commons, for the first time in our entire history, an RCMP officer and not someone who, as my friend from St. John's East quite properly pointed out, should in fact, and historically always did, report to the Speaker.

When we talk about these privileges, the privilege that exists in the House of Commons, it has its roots in the preamble of the Constitution Act of 1867, which calls for a constitution similar in principle to that of the United Kingdom. Parliamentary privilege was partially codified in 1689 in the U.K. Bill of Rights, in article 9, in the first act of William and Mary, which has constitutional force in Canada.

The freedom of speech that is referred to in that section was asserted at least as early as 1523, so when we stand in this place and say that parliamentary privilege means something and has a long-standing tradition, we do not mean the last couple of years or the last couple of decades. We mean since 1867. We are talking about historical, rooted parliamentary privilege that goes back to 1523.

Prior to our own confederation, and as to the specific grant from the Parliament of the United Kingdom, the common law principle already well established that privileges were not just incidental to a legislature. They were deemed to exist. In fact, parliamentary privilege today carries the same constitutional weight as the Charter of Rights and Freedoms.

We have had some litigation and court actions that have further established and ferreted out the questions. If an event occurs in the House of Commons, it is not the same as saying that we as members of Parliament have some sort of diplomatic immunity, that if one were to assault another, there are no laws to cover this. We are not a law unto ourselves. We are in Parliament. That was established in the Vaid decision, which dealt with the human rights concern of a former employee of the Speaker about whether discrimination had taken place. Parliamentary privilege does not extend so far as to say that we cannot exert rights we have under other laws in this place.

I did find it interesting, in going through some research, this finding of one of the great constitutional law experts of this place, Joseph Maingot, who looked back to when parliamentary privilege was asserted in terms of our security. This example comes from 1866, when there was a physical altercation between an assistant librarian and a member of Parliament. I cannot imagine such a thing happening today, but in any case, the member of Parliament raised it in the House, and the Speaker's remarks make it very clear what the role of the Speaker is in security in this place.

● (1145)

I will cite from the book, *Parliamentary Privilege in Canada*, found at page 140, citing the journal of the province of Canada, from August 1, 1866 in which the Speaker said:

...it is a power incidental to the constitution of this House to preserve peace and order within the precincts and protect Members of it from insults and assault. This power is necessary not only to insure the freedom of action of Members, but that freedom of discussion which is one of their fundamental rights.

I would point out, once again, that it is not just votes, and I want to underscore this point. According to the most early finding of parliamentary privilege by a Canadian Speaker, it is very clear that freedom of discussion is one of our fundamental rights. Therefore, we should not be prevented, even by seconds, from taking up a spot in a speaking order. We all know as parliamentarians how easily one can find an opportunity for speaking when we come to this place to enter into debate, such as this morning.

We did not know when we showed up this morning from the government orders that the Speaker would have ready for us a finding on questions of privilege raised earlier by members of the NDP, but we adjust ourselves. We come here and as parliamentarians, we passionately embrace the principles of this place and respect the supremacy of Parliament at all times. However, one of our most fundamental privileges and rights as parliamentarians is freedom of discussion. If we are impeded in that, then our rights are infringed and democracy is violated.

I cited a finding from 1866. We know that in the past number of years, the privileges and elections committee of the Canadian House of Commons has always ruled that police forces coming onto the precinct on official business require the permission of the Speaker. Not to belabour the point, and I think everyone in this House knows, but the exclusive privilege of the House has been to regulate proceedings within its own walls, which is a fundamental principle that must be respected. However, we are making changes, clearly from the rushed debate and subsequent vote of early February to the now rushed omnibus Bill C-59 with changes to create security for the parliamentary precinct with a director who shall always be under law a member of the RCMP, who would therefore not be reporting to the Speaker. These are not arcane changes. These are not small matters if we are to think forward to another era.

I agree with my friends who have earlier pointed out that this is not a partisan matter. This is a question of Constitution. For example, another executive could be composed of a party that does not even exist at this point in our parliamentary discourse and no one should take offence. What if we had a prime minister someday who decided that it would be convenient to stop members of opposition parties from getting to the House for votes and was able to ask the RCMP to make it so? There is a fundamental principle of democracy that requires that the privilege of Parliament and the protection of our rights and privileges in this place is vested in the Speaker and never in a prime minister.

We are at the very moment going through a fundamental transition, which is a breach with all principles and all tradition going back more than 500 years, and we are doing it in a rushed fashion. This strikes me as wrong, *prima facie*.

Speaker's Ruling

We have an opportunity today to see that this issue comes to crystallization in a couple of events that could be dismissed as minor.

Mr. Speaker, I urge you and I urge all my colleagues in this place to find that the conflict of RCMP officers stopping members of Parliament from getting to Parliament Hill is not trivial. It is the crystallization of a very dangerous change, which we will not adequately discuss in omnibus bill fashion, but which the PROC could look at and could call witnesses on.

I urge members to vote to send this matter to PROC and to request, for instance, that we hear expert witnesses, including our former Sergeant-at-Arms, current ambassador to Ireland, Kevin Vickers. I would wish to hear his best advice.

I remember very clearly when we rushed through discussion on February 6, and when the opposition raised concerns that it was a mistake to consolidate security of the House of Commons and the parliamentary precinct overall into the RCMP's hands, without disrespect to that agency, but on constitutional grounds. The response from many members of the Conservative Party was well surely we can all agree. The Auditor General said some years ago, that we need to have a consolidation and better integration of security on Parliament Hill. I do not think anyone would disagree with that. The question is, who gets to be in charge of that improved security?

• (1150)

Why not have the Speaker of the House and the Speaker of the Senate be in control, as they have always been, of a consolidated force where the Sergeant-at-Arms of this place is in charge not just of the physical building, but of the grounds? Why should we have a decision that overturns centuries of constitutional divisions that have a very real democratic purpose: where we meet with the privileges and protections of our rights, liberties and freedoms, that the protection of those rights and liberties and freedoms be vested in the Speaker and never in the executive branch. It is a fundamental question.

Now that we have the opportunity through what might be dismissed as minor incidents, I urge all members to find they give us the opportunity to have proper discussion, thorough review, to call the right witnesses and not allow Bill C-59 as an omnibus budget bill to blast through and create permanent changes, or at least changes until some future government can repeal them, and the dismantling of a system that has worked and served us very well.

I want to close my remarks by thanking the House of Commons security officers and the Senate security officers. These are the officers, particularly in the House of Commons on October 22, who risked their lives and did the most to protect us. Although as other members have noted we do not have reports from what happened on that day, we do know that the gunman was stopped at the door by an unarmed House security guard, Samearn Son. He wrestled with the gunman and stopped what could have been a much worse event by giving others the chance to prepare themselves.

I mean no disrespect to the RCMP, but officers did not notice someone running by them with a gun. When they saw a chauffeur being removed from a limousine and a hijacked vehicle moving up to Centre Block, it is hindsight to say why did they not put on their

sirens, but we know there was no warning to our internal security force from our external security force. I want one more time before closing to say again how deeply all of us in this place are grateful to our former Sergeant-at-Arms and the entire security team in this place.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for her contribution to this debate. A number of my colleagues raised the problem underlying both questions of privilege, which the Speaker ruled on this morning. The problem is that the government took control of the parliamentary precinct. This was raised by a number of my colleagues. When foreign heads of state come to visit, for example, the government seems to take Parliament, this building, for its office, but it is not. It is the House of the Canadian people. The House of Commons is in this building. It is the place where Canadians are represented and where they feel at home. The government seems to have taken ownership of this place, and the situation is only getting worse. It is using this place as a backdrop for state visits, when we are first and foremost in Parliament, the seat of the legislative branch. The government sits before us and is accountable to parliamentarians every day.

I would like my colleague to say a few words about the fact that the government is increasingly using Parliament as its very own office. I would also like her to say a few words about the chain of command with regard to the orders given to the security officers, who on a number of occasions were ordered to block everyone, regardless of whether or not they were a member of Parliament.

• (1155)

[*English*]

Ms. Elizabeth May: Mr. Speaker, yes. This has been raised a bit in this debate, but I do think that it needs to be underscored. We know through an access to information request, there was a point when the current Prime Minister was checking out the cost of taking the former U.S. embassy and converting it into a more imperial greeting centre for the Prime Minister to greet heads of government or heads of state coming to Canada. He did this because he apparently did not think that it was suitable for them be greeted at Rideau Hall. After all, the Governor General represents the head of state for Canada, who is Her Majesty the Queen, and not the Prime Minister.

As this plan to convert the former U.S. embassy into a greeting hall for foreign dignitaries was uncovered, plans were dropped. My view is that the Prime Minister's Office decided that it would be a better idea to hijack Parliament Hill and the House of Commons. They could put red carpets up and down, they could put flags up, and they could use it as a photo op backdrop.

We all agree, as parliamentarians, that when a head of state or head of government is visiting to give a speech in this place, that is a very different matter. However, I will never forget when Prime Minister Netanyahu of Israel was visiting. He did not address the House of Commons, but there were tanks outside on both sides and Parliament Hill was brought to a standstill.

Speaker's Ruling

We need to get a proper balance. I am not saying that we can never use Parliament Hill when greeting foreign dignitaries, but that is not its purpose, and that is where we are going off the rails here in terms of understanding. We have a constitutional monarchy. We have a Westminster parliamentary democracy. We do not elect prime ministers to be presidents. We are equal as MPs in this place, and there is a very fundamental principle of supremacy of Parliament which, in many dangerous ways, is being chiselled away.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague. I am a little bit uncomfortable with the way that she interpreted what happened on the day of the attack on Parliament Hill. I was there, and I am very proud that an unarmed security officer wrestled with the gunman. However, the inference that I took from that was that it was the good work of the Senate and House of Commons security, as opposed to the RCMP. I do not think that that is a fair statement.

I think that the idea that there are two separate levels of security within one building is an absurd position. I was one of the MPs who were mistakenly put out on the front of the House of Commons on the grounds, perhaps because we had a jurisdictional dispute between two groups within one building.

We need to address these issues. We were not ready that day. That is understood. We could have been at a great deal more risk. I certainly feel a great deal of comfort seeing the RCMP out at the front. I am not afraid that people are armed out at the front, because the protection of everybody who uses our public space has to be maintained. I am very proud of the work that the RCMP is doing out at the front in terms of allowing people to come up to demonstrate and allowing people to use that public space, but also making it safe.

The question that we have before us is not the internal versus the external, but how we ensure that in a new climate of security, we are maintaining the traditional rights of parliamentarians to access Parliament and do their job. That is the question here.

My concern is that, more and more, Parliament is being used as a backdrop for official visits. This is nothing against official leaders coming. Sometimes it is a great honour to have them, but if we are always seeing these photo ops that used to be done at Rideau Hall and we are being told that we have to wait to vote or wait to do our work because of dignitaries, that is a problem.

I would just like to ask my hon. colleague to be a little bit more careful about how she portrays what happened that day, because all of us who were there remember the great risk that people put themselves at to keep us safe.

• (1200)

Ms. Elizabeth May: Mr. Speaker, I was here as well. I am not suggesting for a moment that the RCMP is not performing admirably, and I appreciate him calling me up short on that.

As we know, we do not have a report. However, as I understand, and I have talked with virtually everybody to get different eyes on the scene, I think it is fair to say that we have seen a great increase in the number of RCMP vehicles in the last few years, circling the perimeter of the House of Commons. My own interpretation, and my friend may disagree with me, is that people sitting in cars develop a vehicular awareness. They notice cars moving. That is why the

RCMP sprung into action when the hon. leader of my friend's party went through a stop sign. When people are sitting in a vehicle, they notice vehicles. That is why the first time the RCMP noticed that the gunman was making his way to Parliament Hill was when the quick-thinking chauffeur of one of our parliamentary colleagues threw his car into reverse, banging the vehicle behind him. It was a vehicular collision, basically a fender-bender, but there was enough noise and it was cars moving that got the attention of the RCMP to pursue that vehicle toward the front of the building.

I appreciate my friend calling me up short. I do not mean any disrespect to the RCMP. However, my fundamental point, which should be underscored, is that it is the constitutional authority that matters. It is a question of, yes, we should have consolidated security, we should not have separate forces that cannot talk to each other, but in that consolidated force, we must respect parliamentary traditions and our constitution, and ensure the consolidated force reports to the Speaker and never to a Prime Minister.

[Translation]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, we cannot talk about this situation without talking about security, given that what caused the delay and the need for further controls was of course what happened on October 22.

In 1868, one of the Fathers of Confederation was assassinated on Sparks Street by a group of extremists who wanted to promote the cause of the Irish and reject the Crown. However, Parliament was not a bunker at the time, and members of Parliament were free to move about and do their jobs, as they should have been.

The member for Sherbrooke clearly explained the division of powers between the legislature and the executive, as well as why we have this right and why we must preserve it.

Would the member like to elaborate on that?

Ms. Elizabeth May: Mr. Speaker, I thank my colleague.

Quite simply, it is important to preserve those privileges. We must protect our system and the principles of Parliament.

The incidents raised by this question of privilege are important events that warrant a more in-depth examination.

[English]

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

Speaker's Ruling

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

And five or more members having risen:

The Deputy Speaker: Call in the members.

• (1245)

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

*(Division No. 401)***YEAS**

Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bé langer
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Chisholm	Choquette
Christopherson	Cleary
Comartin	Côté
Crowder	Cuzner
Davies (Vancouver Kingsway)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubourg
Duncan (Etobicoke North)	Dusseauit
Easter	Eyking
Foote	Freeman
Garneau	Garrison
Genest-Jourdain	Giguère
Godin	Goodale
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Hsu	Hughes
Jones	Julian
Kellway	Lamoureux
Lapointe	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nantel	Nash
Nicholls	Papillon
Pé clet	Perreault
Pilon	Plamondon
Quach	Rankin
Ravignat	Raynault
Regan	Saganash
Sandhu	Scarpaleggia
Scott	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Wind-
sor)	
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Stoffer	Sullivan
Toone	Tremblay
Trudeau	Valeriotte
Vaughan— 117	

NAYS

Members

Ablonczy

Adler

Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Amblor	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Barlow
Bateman	Benoit
Bergen	Bernier
Bezan	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Crockatt
Daniel	Davidson
Dechert	Dreeschen
Duncan (Vancouver Island North)	Dykstra
Eglinski	Falk
Fantino	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Gourde	Grewal
Harper	Hawn
Hayes	Hiebert
Hoback	Holder
James	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukivski
Lunney	MacKay (Central Nova)
MacKenzie	Maguire
Mayer	McColeman
McLeod	Menegakis
Miller	Moore (Fundy Royal)
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Paradis
Payne	Perkins
Poillievre	Preston
Raiit	Rajotte
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Strahl	Sweet
Tilson	Toet
Trottier	Truppe
Valcourt	Van Kesteren
Van Loan	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Yurdiga
Zimmer— 145	

PAIRED

Nil

The Speaker: I declare the motion defeated.

GOVERNMENT ORDERS

[English]

SAFE AND ACCOUNTABLE RAIL ACT

The House resumed from May 7 consideration of the motion that Bill C-52, An Act to amend the Canada Transportation Act and the Railway Safety Act, be read the third time and passed.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, before I begin, I just wanted to double-check because I believe there was still some time on the clock for the hon. member for Gaspésie—Îles-de-la-Madeleine. I thought I saw him here a moment ago, but if that is not the case, I am more than prepared to proceed.

I rise to speak today on a bill that is important and has my support, but it opens up an area of public policy that really bears fuller examination. This bill gives us a chance to discuss that. I speak of Bill C-52, a bill for rail safety. As we all know, the issues of rail safety have become increasingly of concern to Canadians.

The title of Bill C-52 is the safe and accountable rail act, but I think it needs to be acknowledged that, while the bill is certainly welcome and is a step in the right direction, it actually only speaks to the accountability side of safe and accountable. It speaks to what we do in the event of accidents, such as who is responsible, how much insurance they must carry, and who can sue after the fact under the polluter pays principle. It does provide a number of important improvements, particularly for municipalities and others affected by rail accidents. It does create a minimum insurance requirement of \$1 billion. These things are welcome.

However, the issue of rail safety continues to be one of deep concern. So many of the witnesses before committee spoke to the fact that Bill C-52, while welcome, does not go nearly far enough, and the steps that have been taken so far by Transport Canada to improve rail safety in the wake of the disaster at Lac-Mégantic also are moving too slowly and, even if fully implemented, do not go far enough.

I would like to take a moment to point out that, if we look at Lac-Mégantic as an example—and this was an example put forward by witnesses at committee—a \$1 billion minimum insurance requirement for class 1 railways is something that was legislated mandate. The class 1 railways have already been carrying it. Certainly we never wanted to see the Lac-Mégantic disaster. May we never again see a disaster of that scale. However, now that we know it is possible, it behooves us to put in place the insurance requirements that would meet a disaster of that scale, which would, according to witnesses, be closer to six times that amount, or \$6 billion.

Looking at the issue of rail safety, over the last number of years we have had what I would almost put forward as a perfect storm of changes in the private sector, in government, and in the types of goods we are shipping. They come together in ways that leave us less safe than we have been before, even with the improvements Transport Canada and the minister have made. For instance, as recently as 2009, only 500 cars a year were carrying highly flammable fossil fuels, the flammable crudes that take up most of our discussion these days. We know the number has gone up in the last two years, but in 2013 we were up to 160,000 car loads. This is a phenomenal increase in hazardous goods moving on our rails, and

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that leaves out other types of hazardous goods, whether chlorine or other hazardous substances.

The Canadian Association of Fire Chiefs took this statistic and converted it into millions of barrels and said that, as of now, we have a million barrels of crude oil, flammable class 3 liquids, per day moving on our rails. It also pointed out that in 2013, the last year for which I have statistics, which I found through the witnesses, there were 144 accidents that involved dangerous goods, 7 of which resulted in dangerous goods being released.

We have seen steps taken. I referred to them briefly before. The transportation safety boards in Canada and the U.S. make findings about safety but do not have the regulatory power to implement them.

• (1250)

The transportation safety boards on both sides of our border found some time ago that the DOT-111 railcars constituted an unsafe way to transport such hazardous and flammable materials.

We have taken some steps, as has the U.S., but there is a long lead time for the implementation, so now we are taking class 1232 trains and retrofitting them for crude oil. That must be done by 2020 and for less flammable materials by 2025. Still, until 2017—so we have 2 more years to go—the unsafe DOT-111 cars will still be rolling through our communities; 80,000 DOT-111 railcars will be still in service in the U.S. and Canada until 2017.

Why did I speak of the trends? We have essentially less safety and more hazardous goods. The rail industry, in theory, whether moving passengers or goods, is one of the safest and most environmentally appropriate way to move people and goods. This needs to be reiterated because it is an essential part of our infrastructure, and one of our arguments as Greens is that it is an essential part of our infrastructure that we have been ignoring too long.

We need to upgrade in the passenger context, and we need to invest in more modern trains and better rail beds. We need to continually upgrade the access to passenger rail and invest in VIA Rail for Canadians from coast to coast—and ultimately to coast, at least insofar as the Hudson Bay train would get there. Coast to coast to coast rail service makes sense, and modernizing it to bring it into the 21st century is an important investment for Canadians. It is an important part of our transportation infrastructure.

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In the case of goods travelling by rail compared to by truck, it is safer in terms of accidents on our highways and, in theory, it reduces greenhouse gases. It is by far the safest way to transport hazardous goods. The difficulty we have is what has been happening in practice. Over the last decade or so—certainly not just in recent years—we saw a change through the smart regulatory regime; we have seen a change through private sector pressures to improve productivity; we have seen a change through government cutbacks; and ultimately we have greater risks because of the change in our industry.

Let us look, in terms of reduced safety, at the first point I wanted to make. The freight industry in Canada is private sector, whereas VIA Rail is a Crown corporation. We are now dealing with the pressure of for-profit companies, and one certainly understands their point of view, but as a result of their pressure to improve the profit bottom line, we heard from the rail sector labour force, and particularly from the unionized members and the union in that rail sector, of a continual cutback in engineers and onboard rail crews that has led to greater safety concerns.

We have also seen a failure to pay sufficient attention to maintenance along tracks. A number of the significant derailments that have occurred recently occurred because of failure to keep tracks and bridges operating properly. We even had a fatality because of the failure to keep a railway trestle in proper repair.

Back in 2005, a CN train derailed at Wabamun Lake in Alberta and resulted in a substantial spill, in which CN Rail was ultimately fined \$1.4 million, which was a very modest fine, given the scale of that spill. The inquiry into that found that the rails over which that train was travelling were worn out and they had not been kept in adequate repair.

That was certainly a significant event, but there were a number of derailments right after it in 2005. This started creating more concern about the use of rail for freight that extended right across Canada, asking what more we could do and what the Transportation Safety Board was doing to ensure rail safety.

The second piece that made us less safe has been in the government decision to move to safety management systems. It is essentially a form of deregulation that came into effect some time ago.

• (1255)

I direct the House to a finding in a report released in 2007 by the Canada Safety Council. It reported that the system is one that:

...allows rail companies to regulate themselves, removing the federal government's ability to protect Canadians and their environment, and allowing the industry to hide critical safety information from the public.

One would think that having gone to a system such as this, Transport Canada would have a supervisory authority to review these SMSs, or safety management systems, to ensure their adequacy. However, it does not appear that is the case.

The third part of the less safe system is cutbacks at Transport Canada. We now have fewer engineers than we used to have available in Transport Canada to do the work of reviewing rail safety. According to a number of media reports, Transport Canada currently has, and has had since 2009, 30 critical rail safety positions that have

remained vacant. These are for engineers who could do such things as anticipate and organize the removal of DOT-111 cars from the tracks. Missing critical people in rail safety and critical people at Transport Canada who deal with hazardous goods is not a good sign to Canadians. We saw budget cuts at Transport Canada in 2012 that seem to now put in stone the fact that these positions are not likely to be filled again.

We have hazardous goods moving through communities, as the committee was reminded by the Federation of Canadian Municipalities and citizen groups concerned with hazardous goods rolling through communities, yet we have not filled critical safety positions within Transport Canada.

The third part relies on what is happening in the private sector and why we are seeing more and more freight, and particularly more and more dangerous freight, on our tracks. I am a huge supporter of passenger rail, as members can probably tell by now from my speech. I have travelled Canada's rails, criss-crossing the country as often as I get the chance. Often, I have done it in the context of political campaigns and whistlestop tours, where it really matters to know that we are going to arrive at our destination some time near the scheduled time on the VIA Rail schedule.

As anyone who pays attention to rail in Canada knows, VIA Rail has to rent the tracks from CN and other rail owners. VIA Rail is not in control of the switches or the red, yellow, and green lights. In other words, passenger rail in Canada and on-time arrivals are virtually entirely hostage to freight. When we have increasingly long trains that can no longer pull over onto sidings and VIA Rail passenger rail that is short enough to stay on the sidings, VIA Rail passenger trains often have to wait for hours for the convenience of freight to go by.

We have not given adequate concern or attention as Parliament or Transport Canada's regulators to the length of freight trains and the fact that they are often stacking cars, and then again to the kinds of material that they are shipping. The horrors of Lac-Mégantic woke us up to what they are shipping. I do not think that any of us will ever forget the horror of the morning of July 5, 2013, of the disaster that killed 47 people.

The Transportation Safety Board had already approved what looked like a perfectly satisfactory system of safety on the part of the Montreal, Maine and Atlantic Railway. It had provided its safety management system to Transport Canada, and it was entirely legal on July 5, 2013, for an engineer to leave an idling train above a community, having set hand brakes with the assumption that the air brakes would not fail. The engineer actually set seven hand brakes when, in fact, the minimum number of hand brakes on the company chart was nine. The Transportation Safety Board has since found that nine hand brakes would not have held the train if the air brakes had failed.

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As we know, the disaster of Lac-Mégantic is one of a train barreling into a community that lay entirely unaware of the disaster that was about to befall it. Not only did the community not know that it was legal and that Transport Canada had approved a system that allowed an idling train to be left unattended with hand brakes on above a community, but no one really knew what kind of flammable and dangerous materials were on board, because it was reported as crude oil.

• (1300)

It was in fact Bakken shale, which is an entirely different chemical composition, and as we know, to our horror, it formed a fireball that destroyed much of that community, killed 47 people, and injured many more.

As we stand here today on May 12, 2015, are we sure that such a disaster as Lac-Mégantic could not happen in another Canadian community? Despite all the safety measures I mentioned, and in the face of Bill C-52, the safe and accountable rail act, we have to say no.

We know a lot more about Bakken shale, and there is a greater requirement that communities be notified if it is moving through the community, but Bakken shale is not the only unconventional oil. If we mix bitumen with diluent, it also becomes far more flammable than bitumen by itself.

I should mention parenthetically, because I think it is of some interest to people, that if bitumen by itself is heated so that it can be put into a railcar without the presence of diluents, it is virtually not a dangerous material at all. It cannot spill and it does not blow up.

However, we have not taken safety measures to ensure that diluent will not be moved by rail. Diluent is the stuff they mix with bitumen. It was diluent, which is toxic and hazardous, that was being shipped to northern Alberta through the city of Calgary in those railcars that were hanging so precipitously over the Bow River during the flooding when the bridge gave way. The municipal workers of Calgary had to thread cables through those railcars to keep them from falling into the river. The material in those railcars was diluent, and it was headed to northern Alberta to be stirred in with solid bitumen so that it would be capable of being shipped, whether by pipe or by rail, without resorting to steam-liquefied bitumen, which can actually be moved into railcars without adding diluent.

A wide range of toxic and dangerous substances are being moved by rail, and I want to turn to the evidence of the Canadian Association of Fire Chiefs, as presented by Paul Boissonneault, fire chief of County of Brant Fire Department and current president of the Canadian Association of Fire Chiefs. He has pointed out a number of things that we could do to make the situation safer. One would be to divert some funding for firefighter training to assist people in communities and local fire departments to be able to confront threats. Firefighters should never be exposed to something as dreadful as Lac-Mégantic and neither should the community, but we do have a serious gap that the fire chiefs have pointed out in terms of preparation for firefighters.

They are also looking specifically at other hazardous goods. The bill deals with various forms of crude oil and the most flammable and dangerous forms of crude oil, which are not really crude at all,

such as Bakken shale or bitumen mixed with diluent. However, the firefighters also point out that the propane and chlorine that move on our rails also need to be brought into the bill for further measures for safety.

We need to have much more information sharing, and the bill makes some good first steps. The bill would allow requirements relating to information sharing between railways and municipalities in response to emergencies, but we do need greater levels of detail in that information, and the communities have a right to know.

We need to do much more in strengthening the Canadian Transport Emergency Centre to be part of current regulatory activities. We need municipalities to be sitting down with Transport Canada and with the shippers to find better and safer ways. There are some that we know about; one is called “positive train control”. It is used in the United States and is in its rail safety act, although it is not fully implemented yet. It constitutes an on-board computerized system that creates very clear advance information and very immediate real-time information about where brakes are weak, where parts of the trains are overheating, whether speed is out of control, and whether there are problems on board. Positive train control is now part of the U.S. rail safety act; it should be part of ours.

We can also take steps to regulate for shorter freight trains. Braking is far more dangerous and difficult when trains are essentially too long to stop.

We have an opportunity to do much more in Canada to create real rail safety. While I will be voting for Bill C-52, I want no Canadian under any illusion that passing the bill will create a safe rail transport system. It will not, and Canadians deserve a real safe rail system in this country.

• (1305)

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, there is absolutely no doubt that protecting the public is a core responsibility of this government—of any government, for that matter—and improving rail liability and accountability measures is long overdue. It is sad that it took the tragedy at Lac-Mégantic to get the government to be serious about that responsibility.

I listened carefully to my colleague's speech. I wonder whether she would comment on a different aspect, one that she did not get to in her speech. It seems to me that one of the things that has become apparent as we have studied the Lac-Mégantic tragedy and others is that the safety of railcars is also something that we need to take very seriously.

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I come from Hamilton, where we have lost over 13,000 manufacturing jobs. We all know that under the current Conservative government the country has lost almost 420,000 manufacturing jobs, yet in Hamilton we have a company called National Steel Car, which produces railcars in this country. I know that the company would very much welcome the opportunity to talk to Transport Canada and officials about how to design and build those railcars in Canada.

I wonder whether the member could comment on whether she would support a strategy that would support manufacturing jobs here in Canada, in this case specifically for railcars.

● (1310)

Ms. Elizabeth May: Mr. Speaker, I completely agree with my friend from Hamilton. I am a former resident of Pictou County, Nova Scotia, and it was a tragedy to see railcar manufacturing by TrentonWorks moved to Mexico by its U.S. owner, Greenbrier. It had actually experienced profits every year, but it saw its opportunity for greater profits lay in moving all those jobs in manufacturing railcars to Mexico.

We need to invest in manufacturing in Canada. Given the tremendous shortage of safe railcars, we could turn this around into a business opportunity for Canada. Both Canada and the U.S. are phasing out DOT-111 railcars, which means that there is an enormous market for safer railcars with thicker walls for safer transport of goods. We should be seizing that opportunity and building railcars in Canada for sale in Canada and the United States.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments put on the record from the leader of the Green Party.

I have a question in regard to getting a better understanding of the Green Party's perspective on pipelines.

Many of the issues that the member referred to in her speech deal strictly with the transportation of commodities that could actually be transported through pipelines. As the leader of the Green Party, could she give her thoughts as to what role pipelines might play in that transportation? What are her thoughts on pipelines in general and on how pipelines could impact rail line traffic?

Ms. Elizabeth May: Mr. Speaker, I thank my hon. colleague for Winnipeg North for that question, because it is the subject of a lot of public debate and it needs to be addressed.

I know that the pipeline industry tried to seize on Lac-Mégantic as an argument for pipelines in a way that was seen at the time as a bit inappropriate, given the tragedy that had occurred.

Pipelines can transport many goods. If we are talking about refined petroleum products, I do not know of anyone who is opposed to pipelines moving refined goods, because the impact of a spill is relatively minor and we are keeping the jobs in Canada. However, the pipeline projects that are currently the subject of the greatest debate are Keystone, Enbridge, Kinder Morgan, and Energy East, and their common goal to move bitumen as a raw material to tidewater to be shipped to another country for refining.

I mentioned diluent earlier, which is a toxic fossil fuel condensate. Enbridge proposed to buy it from Saudi Arabia, bring it in tankers to Kitimat, put it in a pipeline running from Kitimat to northern

Alberta, and then stir it into solid bitumen, because the solid bitumen, being a solid, will not flow. Enbridge would then stir in the diluent that it imported to make a mix called dilbit to put in a pipeline running in the other direction, sending it to a tanker to go somewhere else, maybe China, for refining.

The position of the Green Party is that we do not support any pipeline if the intention is to use it to ship dilbit. It is an extremely dangerous commodity in that when it spills, as the Kalamazoo River spill in Michigan has shown us, it is virtually impossible to clean up. It makes much more sense economically, as it appears new Premier Notley wants to do, to refine product in Alberta rather than try to find dangerous pipelines for risky tankers.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I would like to thank my colleague for her speech.

Just this past weekend, a concern was raised in Sherbrooke, which is very close to Lac-Mégantic: we do not know what is in the infamous tanker cars that are behind the locomotives. Municipalities want to know what is in the tanker cars before they travel through cities so that firefighters, as first responders, will know what to do in the event of an accident. That also goes for several other areas, for the sake of prevention and ensuring that emergency plans are in place. One of the concerns of the City of Sherbrooke—and other Canadian cities, I am sure—is finding out what is on those trains in order to better respond in the event of an accident. At present cities do not know what the trains are carrying.

Does my colleague believe that ideally the government should create laws and regulations that require rail carriers to inform cities of what is on the trains so they can provide an appropriate response in the event of an accident?

● (1315)

Ms. Elizabeth May: Mr. Speaker, I absolutely agree with my colleague from Sherbrooke. I feel that cities must have the right to be informed in an emergency situation.

I would like to add something else. It is important to point out, given that there has been no inquiry into this disaster, that in a report, Bruce Campbell says:

The worst rail disaster in modern Canadian history warrants nothing less than an independent judicial commission of inquiry.

I believe that municipalities' questions would be an important aspect of this type of inquiry.

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, my question is fairly straightforward.

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For the past 10 years, we have seen a drastic increase in the transportation of dangerous goods by rail. Since the tragic Lac-Mégantic derailment, the government has hired one or maybe two new inspectors. Since the regulations do not set a limit on the number of cars, sometimes one inspector has to inspect thousands of cars. I looked at the 2015-16 budget and I did not find anything at all in there about rail safety.

I would like my colleague to tell me why the budget makes no mention of rail safety.

Ms. Elizabeth May: Mr. Speaker, I would like to sincerely thank my colleague for giving me the opportunity to emphasize this point.

As I already said, cuts are being made at Transport Canada. My colleague is absolutely right: there is nothing in the 2015-16 budget to help Transport Canada increase and improve its capacity regarding rail safety. There is nothing there. Since the 2012 budget cuts, the Department of Transport has not had sufficient resources to ensure rail safety. What is more, past reports of the Commissioner of the Environment and the Auditor General point out that there is no safety regime applicable to any part of our rail system. I would like to reiterate that this budget does not provide the resources necessary to improve rail safety.

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, as always, it is a great honour to rise in the House representing the people of Timmins—James Bay and to speak to Bill C-52, an act to amend the Canada Transportation Act and the Railway Safety Act.

Trains play a huge role in the life and the history of our country. For any boy growing up, the thing we all wanted to be was a train. I spent my life on the Ontario Northland as a kid. My great grandfather used to be the conductor on the Sydney Flyer in Nova Scotia. He lived in Iona, a little village in Cape Breton. He used to say that the only two things that we could find in the village of Iona were holy days and MacNeills. My great grandfather was a MacNeill, so John P. MacNeill was the conductor on the Sydney Flyer. John P's great skill was that he could spot bootleggers on the platform. His eye for a bootlegger was never wrong. He always said that a man carrying a bottle of whiskey with his underwear in a bag would put that bag down with just a little more care than if there were no whiskey in the bottle.

My uncles all worked on the Ontario Northland train out of North Bay and Mattawa. In those days people either worked in northern Ontario, underground in the mines, as my grandfather MacNeill and my grandfather Angus did, or on the Northlander, like my uncles did.

I had a famous uncle who apparently used to drink a twenty-sixer every night on the run from North Bay to Timmins. They said that he was never the worst for wear, although some nights after a twenty-sixer, he would say that it was like the same as working 21 straight hours and being very tired. He did not live long enough for me to be around, but he used to tell us stories about being on those trains.

My street address is Mileage 104, which is 104 miles on the Ontario Northland railway track. Every morning there is that beautiful sound of the train whistle, going past my house, shaking everything in the foundation. It used to carry people but not

anymore. The provincial Liberal government of Kathleen Wynne decided that people in northern Ontario were truly second-class citizens and did not merit public transit.

Public transit is something that belongs in urban areas and to urban voters, but people in northern Ontario are somehow second class. Therefore, the Liberal government set out to destroy a 100-year-old public institution, which is the Ontario Northland Transportation Commission.

What passes by my house daily now is the wood going south, the way the wood has always gone south, and tanker cars full of sulphuric acid from the smelter in Rouyn-Noranda, Quebec. The trains used to carry product from the smelter in Timmins, but the Liberals also allowed that to be killed because of their idiotic hydro pricing. We are used to seeing things being shipped out of our region on the train, but we used to be able to ship our people back and forth

Just this past weekend I had the great honour and great joy of travelling on the VIA train between Toronto and Ottawa. It was just like being a little kid again, getting on the train, the smell of the train, the feel of the train and the conductors. I felt the same excitement, but I felt a real sense of sadness. For so many regions of our country, the idea of a coherent national transit strategy, including trains, is being seen as somehow something that belongs in the 19th century as opposed to a very 21st century method of travel. I hope to us restore proper train transportation into our regions in the near future, when a New Democratic government is elected in Ontario and we get rid of that corrupt Liberal government.

The Ontario Liberals could learn that their right-wing austerity premier will be a footnote in history like Alison Redford, having promised to be a progressive premiere and then turning her back on the people. From our colleagues in Alberta, we can see how we can elect a progressive woman and actually get it.

I want to speak today about the importance of the safety transportation changes that are coming, changes that need to happen. We have seen an enormous shift in the movement of goods. Over the last five years, there has been a 28,000% increase in the transportation of fuels from western Canada, particularly on the rail lines. Trains are carrying fuel from the Bakken fields, which we know is highly combustible. They are also carrying diluted bitumen and heavy crude.

● (1320)

The incredible increase of this transportation on the transit system has raised serious questions about issues of safety, particularly when we saw the tragedy at Lac-Mégantic.

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However, warnings about a potential rail tragedy have been discussed in Parliament for many years. I remember being here in 2004 and trying to get the Liberal government of Paul Martin to see some common sense, which it refused to see. The Liberal government believed that privatizing, allowing companies to look after themselves, getting rid of inspectors and saving money for the government would somehow make things better. Therefore, the Liberal government brought in changes to the Railway Safety Act. The Liberals went to the self-management system and told us that was the future.

It was just like the Liberals told us at that that they could do the same thing for the banking rules. The push at that time was to change Canada's banking laws to allow the banks to self-regulate. We were told in the House of Commons that the NDP was somehow the nanny state NDP because we said that we needed rules around banking. However, at the time, my Liberal colleagues thought that the great future was in City Bank and the amalgamation and investment that was happening in the United States. We saw how that ended up.

In good times, it is easy to say that we do not need regulation. In good times it is easy to say that we should let everything happen and things will carry on. We know our role as regulators is to ensure we have basic rules in place to protect people from potential accidents.

After the changes that came in under the Liberals in self-management, we found there was a whole series of increases in accidents, but because the companies were self-managed, they did not bother to report them. The Transportation Safety Board in 2005 became suspicious of CN's accident numbers compared to other operators. All of a sudden there was a large discrepancy of the number of derailments or lack of derailments. It turned out that over 1,800 derailments and accidents were simply not reported, including 44 that happened on key rail arteries. We have oversight because we want to ensure that when companies are self-regulating, they do not do what they did at that time, which was simply not bothering to report. This is a very serious issue, particularly in light of the accidents we have seen recently.

In my region of northern Ontario, we have had three serious train derailments on the rural subdivision at Hornepayne and two at Gogama. The last two incidents were February 14 and March 7, with CN freight trains carrying between 94 and 100 cars. The March 7 train was 6,089 feet long. A staggering amount of crude oil was being carried on that track.

They had come on the rural subdivision that exists between Capreol, in the south toward Sudbury and Hornepayne. It is primarily composed of a continuous welded rail and is classified as class 4 track under the transportation safety rules. Class 4 is the second-highest rating and allows trains to travel 60 miles an hour for freight and 80 miles an hour for passenger trains. However, we do not see many passenger trains anymore in the north. There were a number of slow orders given because of problems along that track. We had the accident on February 14 at Gogama and then again on March 7. At the time of the March 7 derailment, the eastbound freight was moving at 43 miles an hour and at 2:40 in the morning, at a temperature of -10C, the train jumped the tracks and cars spilled into the Mattagami River.

What was very disturbing about the 700 feet of track that was destroyed at that junction and the cars going in was that a great deal of work had happened in our region in terms of the Mattagami River, which is one of the great northern river systems feeding into James Bay. A lot of work has been done to secure fisheries and build up spawning grounds. Having heavy crude pouring into and burning across that river system was certainly deeply disturbing for residents of my region. They see that as one of the great river systems of northern Ontario.

● (1325)

The issue of transportation safety, given the huge increase in combustible fuels that are being transported on trains, is very serious because many communities were built on the rail line. Therefore, trains actually travel through the centre of many communities across western Canada and northern Ontario. In Sudbury, cars sit at lights as trains speed by. If the Gogama derailment had happened in an urban area, it could have been a tragedy in the nature of Lac-Mégantic.

What do we do to alleviate this? Whenever we talk about the transportation of dangerous goods, whether it is through a pipeline or by rail, we have to ensure there are rules in place for oversight and public safety. There are some very positive elements in this bill, which the New Democrats will be supporting, such as putting in place minimum insurance levels for railways transporting dangerous goods based on the type and volume of goods being transported and also establishing a disaster relief fund to deal with accidents such as occurred in Lac-Mégantic.

There have also been a number of changes, including increased powers for inspectors. This is important to have. Is this enough? Given the potential damage that could be caused by a catastrophic train derailment, perhaps not. We need to speak to this. The issue of polluter pays is a fundamental principle that Canadians agree with and in improving rail liability and accountability, we do not want the public on the hook for any potentially catastrophic disaster. Therefore, the question is how to establish a regime that is still profitable and able to transport goods by rail. We want to ensure that rail remains a profitable system, while also assuring the public that in cases of liability, there will not be fly-by-nighters, like happened at Lac-Mégantic, saying that they do not have any money and wanting to skip town. That is not good enough, not when lives and the environment are at stake.

Essentially, Bill C-52 would require minimum insurance levels for railways transporting dangerous goods and would establish a disaster relief fund paid for by crude shippers. However, regarding the issue of minimum insurance levels from \$25 million for companies transporting low-risk goods up to a maximum of \$1 billion for railways transporting high-risk goods, the question is at what point we would get to a level within the fund where money would be available to offset a potential disaster.

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I would like to compare what happened in Gogama with the situation in Kalamazoo. In the Kalamazoo blowout, it was a pipeline and not a rail disaster, but that pipeline was carrying raw bitumen. When the bitumen hit the water, cleaning it up was not so simple. In fact, it has cost over \$1 billion to attempt to remediate the bitumen in the Kalamazoo River. Bitumen is a very difficult and dangerous product to deal with, especially when it sinks to the bottom. The chemicals that are involved make it a very different issue.

Whether we are talking about pipelines or rail, we get back to one of the root issues, which is that we need to move toward upgrading at source as much as possible to limit the potential for environmental damage. Also, we need to ensure that we see the benefit of whatever we produce in Canada, in terms of natural raw materials, as much as possible. We need to have discussions in the House of Commons about how to limit the environmental damage from such massive projects, because we are in a world that deals with the potential for catastrophic climate change and the government has literally buried its head in the oil sands, refusing to deal with its international obligations.

However, as Canadians, we need to deal with this. Canadians feels very inspired to take action on this. We have seen, with the recent New Democratic Party win in Alberta, that Albertans are deeply concerned about how we make developments that are sustainable, how to limit the impact of greenhouse gases, how to ensure that if we transport our incredible natural resources, which we are blessed with right across the country, we get the maximum benefits, so that Canada is not just a place where the ground is ripped out and products are shipped to refineries in Texas or to China, but we see the benefit from that.

● (1330)

These are all interrelated issues that really need to be discussed in Parliament. We need to have a national conversation about where we are going with this.

The bill, in response to the situation in Lac-Mégantic, is a good first step. As I said, we in the New Democratic Party have many questions about whether this insurance is enough. We certainly question some of the numbers.

For the 200,000 barrels of oil transported daily, Transport Canada estimates that oil levies would contribute about \$17 million annually to general revenues. This is a step forward, but there are certainly outstanding concerns. We would need to have the levy in place for about 15 years before we reached the \$250-million level where it believes we would be able to respond to any level of crisis. I would again point to Lac-Mégantic. It cost \$400 million for the damage done in that one accident. Therefore, this levy would certainly not be enough.

Under the legislated summary we received from the Library of Parliament, the act would amend the Railway Act to allow a province or municipality that incurs costs in responding to a fire that was, in its opinion, the result of a rail company's railway operations to apply to the Canada Transportation Agency to have those costs reimbursed by the rail company. That is an important role, but we also need to work closely with municipalities. They are very concerned about the kinds of dangerous goods being transported through their communities and the need for plans to make sure that if

something did blow out, such as in Toronto, where the rail line comes right through parts of the city, we would all be working together on this.

The Canadian Federation of Municipalities certainly supports what the New Democrats have been saying. It is interested in the issues of insurance and liability. Brad Woodside, who is president, called for a "comprehensive approach that makes railways and crude oil shippers pay the full costs of rail disasters, and not leave municipalities and taxpayers footing the bill".

That is a fundamental principle. It should not be the taxpayers of the country who are subsidizing these operations. These operations need to be profitable in their own right, and they need to carry the cost of the potential damage through proper insurance.

The Railway Association of Canada believes that the compensation fund should cover the cost of not only crude oil but other dangerous goods, such as chlorine, which is a very interesting element. In my region, they are carrying tanker cars full of sulphuric acid on the rail lines. I remember a number of years ago when the ONR line went over just south of Temagami and pretty much destroyed a lake because of the amount of sulphuric acid that entered the water. These rail lines are carrying very dangerous goods at times, and we need to have that overall policy.

The Canadian Transportation Agency has said:

The tragic derailment in Lac-Mégantic has raised important questions regarding the adequacy of third party liability insurance coverage to deal with catastrophic events, especially for smaller railways.

This is another important issue in terms of what we saw at Lac-Mégantic, where we had a small, fly-by-night company that, when the damage was done, simply was not going to be around the next day to deal with it.

In closing, this improvement in rail safety and the creation of a fund is important, but we still need to have that conversation about how to ensure that the industry is covering off its own costs so that municipalities, provinces, and the federal government are not on the hook. We need to make sure that the federal government maintains an active role. After those years when the Liberal government allowed self-regulation and we saw numerous increases in accidents and a decline in safety, we need to make sure that there are independent inspectors and that the companies are accountable.

Finally, we need to continue the national conversation about how we are going to process oil, bitumen, and other natural resources in our country.

● (1335)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate many of the comments by the member, with exception, of course, to the opportunity he took to slam the Liberal Party. Some might applaud that.

Government Orders

There is no doubt that the rail industry is a critical industry in Canada. It is an area where we cannot really afford to make mistakes. Canadians, justifiably, are concerned about the issue of rail line safety. They want the government to have sound regulations and laws to ensure that our communities are protected.

In Winnipeg alone, where we have the CN yards or the CP yards, which border the south end of Winnipeg North, these are very important job creators. They provide all sorts of opportunities in terms of shipping.

We recognize the importance of the rail line industry, but if we want to see it continue to grow in the future, would the member not agree that it is time to spend more energy and resources in debate here in the House to ensure that we have the safest possible lines throughout the country?

• (1340)

Mr. Charlie Angus: Mr. Speaker, it is essential that we maintain public confidence in the rail system. Again, sometimes people think that it was a 19th century idea that brought the country together. It needs to be seen as a 21st century means of communication, not just for the transportation of goods and products coming from western Canada but for the re-imagining of a national vision of transportation for people.

I will give an example from my region in northern Ontario, as my colleague mentioned his community in Winnipeg. Our roads are in a brutally dangerous condition because of the privatization of highway maintenance under the provincial Liberal government. People do not have confidence, but they have confidence travelling by train. The train gets through in blizzards, where road traffic is often shut down.

As much as we talk about the increase in the transportation of goods by rail, we have seen an incredible increase in transportation on highways. These are issues of safety, so I agree with my colleague that we need to debate in the House how we have systems of transportation that keep people safe and keep the confidence of industry in our country.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I thank the member for his speech.

Although this bill is a step in the right direction, it is clearly the result of a decade of mismanagement and bad decision-making under this government.

Why do we not have a plan and concrete measures for prevention and rail maintenance? We know what poor condition our rails are in. Rail cars are being added, but as anyone who has studied physics knows, the more cars you add, the greater the force exerted when the train is on a hill.

Why did the government not go further with this bill?

Mr. Charlie Angus: Mr. Speaker, I want to congratulate my colleague. I have a lot of respect for the work she does. The question was clear.

We need to develop a plan to ensure that transportation is safe and secure all across Canada. We need to reassure the industry and the public regarding rail safety. Trains play an essential role in our economy and our country.

Where is the government's vision? We have a problem now because the government forgot that it has a duty to protect the rights of Canadians and that it is responsible for protecting our environment.

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, first of all, there is something important missing from this bill. In Europe, everything is highly interconnected. In May 1985, they agreed to implement dangerous goods regulations. They even defined 13 classes of dangerous goods. Shippers and carriers have responsibilities.

Still, this bill is a step forward. If we look at the past, we can see that the Liberals moved backward 14 years after 1985 by starting the rail safety deregulation process. The Conservatives continued that process. Then Lac-Mégantic happened. There is one thing I find especially striking. These days, people talk about the danger of terrorism. In Lac-Mégantic, however, dozens of Quebecers died, and children are now orphans. I think that rail safety should be a top priority.

Does my colleague agree that this bill should be more specific about listing dangerous goods? This is not just about oil.

[*English*]

Mr. Charlie Angus: Mr. Speaker, certainly this is something we are even hearing from the train industry. It is not just that we are taking oil from the Bakken oil fields, which is very combustible. We have chlorine, sulphuric acid, and other products that are being carried on the train. If we talk to firefighters in the municipalities across the country, they want to know. They want to have a plan.

This is where the federal government needs to stop treating itself as being above and separate from the rest of the country in terms of coordinating a plan. We need to work with municipalities. We need to encourage them to be part of this conversation. We need to ensure that industry is paying its full weight.

Having said that, the train is a vital link to us, but we have to have confidence in it, and it has to be able to guarantee the security of people and the environment.

• (1345)

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, I will be sharing my time today to speak to Bill C-52.

I am pleased to rise in my place to speak in favour of Bill C-52, the Safe and Accountable Rail Act. This is a bill that, among other things, would take accountability and liability for the rail transportation of dangerous goods and share it between railways and shippers. Together they would pay the costs associated with cleanup and compensation in catastrophic rail accidents, such as the one that took place in Lac-Mégantic.

Government Orders

It is great to have the opportunity to participate in this debate today, because railway safety is a top priority in my riding of Brant and in the city of Brantford. I have had regular meetings with city representatives and local officials to hear about their concerns in the wake of the recent disasters, and I am pleased that our Minister of Transport continues to take firm action to ensure greater safety and accountability on our railways.

I also appreciate having the opportunity to recognize the hard work and strong advocacy of Brant County Fire Chief Paul Boissonneault, who has shown great leadership on issues related to rail safety in Canadian communities. Paul is Canada's top fire chief, and during his tenure as president of the Canadian Association of Fire Chiefs, he has travelled across Canada working to ensure that first responders and Canadian communities are better protected when dangerous goods are being transported. He sat on the Emergency Response Assistance Program Working Group and the transportation of dangerous goods advisory council, and he has also appeared before the Standing Committee on Transportation, Infrastructure and Communities, including as part of its deliberations on this bill, Bill C-52.

He has stated that overall, the Canadian Association of Fire Chiefs welcomes Bill C-52, because it would define the liability of railways in order to provide claimants with greater certainty of compensation and because it would build upon recent government actions focused on strengthening rail safety. Chief Boissonneault continues to push for further measures to improve safety and accountability, and we look forward to continuing the work we have started with him.

The bill before us today represents another important step in the right direction. Hon. members will recall that the tragedy in July 2013 was caused by the explosion of tank cars carrying crude oil.

There has been a dramatic increase in the amount of crude oil shipped by rail. In 2008, hardly any crude oil moved on Canadian rail lines. By 2013, oil by rail had increased to approximately 10.6 million tonnes per year. By 2017, that number is expected to reach approximately 33.9 million tonnes per year.

The shipment of crude oil by rail will continue to play an important role in moving our resources to market. Even if pipelines in the east, west, and south of the oil fields and oil sands were approved tomorrow, it would be many years before they were operational. Until such time as new pipelines are available, rail remains the only real transportation alternative. Nor do railways have any option but to accept shipments of oil from their customers. The common carrier obligations of the Canada Transportation Act are a hallmark of the railway system that ensures that shippers can get their goods to market. Railways cannot turn down shipments of crude oil just because oil is volatile and is classified as a dangerous good. They are exposed to the liabilities associated with the freight they are required to move.

Railways are responsible for carrying insurance to provide compensation for the liabilities associated with disasters such as Lac-Mégantic. The bill before us would enhance insurance requirements by setting required minimum insurance levels for federally regulated railways that would take into account the potential severity of accidents. These would range from \$25 million

to \$1 billion, based on the type and volume of dangerous goods the railway carried.

To enforce compliance, if a railway failed to notify the Canada Transportation Agency of an operational change that would affect its insurance, it would be subject to an administrative monetary penalty of up to \$100,000 per violation.

● (1350)

As the tragic derailment in Lac-Mégantic demonstrates, accidents involving crude oil can be catastrophic in nature. To address such incidents where, despite increased requirements, the amount of railway insurance may be inadequate to pay for all liabilities, a two-tiered approach is proposed in the bill.

First, the bill before us would change the liability regime for rail accidents, including crude oil. In the event of an incident involving crude oil, railways physically or operationally involved in the accident would be held liable up to their insurance without fault or negligence having to be proven. When the cost of a rail accident exceeds a railway's insurance level, the bill provides for a way to cover the cost of such disasters without putting the burden on the shoulders of the taxpayer. This would be accomplished through the establishment of a supplemental shipper-financed fund.

This brings us to the polluter pays principle, which Canada is making a gold standard for nuclear energy and offshore oil production, and other modes of transportation, including pipelines and marine. Hon. members may be aware that Canada was a pioneer in implementing this principle beginning with the liability regime for marine oil spills. Since the 1970s, shipowners have been held strictly liable for costs and damages that result from the discharge of oil. To cover claims in excess of the shipowner's limit of liability, the government created a marine pollution claims fund, which is now known as the ship-source oil pollution fund.

This is the approach that we have applied to marine oil tankers, and it would also apply to the transportation of crude oil by rail as a result of the bill before us. In future years, it could apply as well to the transportation of other dangerous goods by rail.

Statements by Members

Any liabilities that result from an accident involving crude oil above the railway's insurance level would be covered by the shipper-financed fund, known as the fund for railway accidents involving designated goods. The two-tiered regime outlined in the bill would share responsibility for damages from rail accidents between railways and shippers and ensure that adequate resources would be available to pay for all liabilities. This approach, modelled on the marine mode, would achieve two important goals. First, it would give potential victims more certainty regarding compensation claims. Second, it would relieve taxpayers of excess liabilities that can result from an accident.

In summary, this bill would ensure that railways maintain appropriate insurance coverage. In addition, it would also ensure that their liability is clearly defined to more quickly address claims following rail accidents involving crude oil, and it would ensure that resources are available to pay compensation for all liabilities associated with an accident.

Let me be clear. The government's first priority is the safety of our transportation system, but in the event of a rail accident, the bill would ensure that the polluter will pay. I urge hon. members to adopt this bill.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, while the bill is a step forward in rail insurance, although the major carriers already carry more than this amount of insurance, it does nothing to address many of the fundamental problems that have led to a dramatic increase in rail accidents.

One of those fundamental problems was the introduction of safety management systems, which was brought in by the Liberals and has continued under the Conservatives. After its introduction in 2001, we saw a dramatic increase in the number of rail accidents.

The carriage of volatile Bakken crude and dilbit has increased many times over this period. The DOT-111 railway cars will be with us for some time and are going through residential, densely populated urban neighbourhoods as well as through communities across this country. What immediate measures is the government going to take so that we can be absolutely sure that the kind of disaster faced by the community of Lac-Mégantic and other accidents across this country is not repeated?

• (1355)

Mr. Phil McColeman: Mr. Speaker, let me assure the hon. member that I well know about railways going through cities. There is one within a block of my own private residence, which is where my children grew up. I know well about the main line running right through, literally, the middle of our community.

Let me say this. As we have move forward on the file, the minister is doing all the immediate things that should be done, in terms of taking forward the safety features that we need to replace the outdated railcars. Many of them are being replaced.

However, let me also make the comment that as the number of railcars carrying volatile products, particularly crude oil, is increasing so dramatically so, too, are the risks increasing for accidents.

Is there a government, is there a person in Ottawa who can stop accidents from happening? Absolutely not. There is not one of us in

this place, or any other place outside in the community, who can literally stop an accident. We could put in all the safety features, but there will always be risks.

We need to mitigate the risks. That is what the minister has been doing, particularly on the replacement to the current old standard of railcar transportation. As mentioned, in my words, we are moving toward ensuring that when an accident happens, the polluter and the shipper will pay.

Mr. Adam Vaughan (Trinity—Spadina, Lib.): Mr. Speaker, I met with members of the Federation of Canadian Municipalities, and with firefighters who were on the Hill recently, talking about this very specific issue. The federation continues to be very concerned about the issue of disclosure. Firefighters, in particular, are also concerned. They are not getting advance disclosure; the reason being there is some sort of proprietary interest, there is some sort of national security interest at play here. The firefighters need this information for two reasons. One is that established firefighters inside cities with full-time firefighting forces need to know ahead of time what kinds of disasters they are confronting and need the information in a timely way. In rural municipalities, where they have volunteer firefighters, there is no capacity for training, there is no capacity for advance warning. Assembling the firefighting crew when a disaster occurs is the priority, not finding out exactly what the nature of the fire is.

Why will the government not provide advance disclosure of dangerous goods being shipped through urban and rural areas? Why is it relying upon notification after the fact or in real time when real time is not necessarily effective?

Mr. Phil McColeman: Mr. Speaker, as I mentioned in my speech, the chief from my county, which is a volunteer fire service, is also the president of the Canadian Association of Fire Chiefs, is very pleased with the progress the bill would make.

Is there more that can be done? Obviously, there is.

One of the aspects that he and I have talked extensively about is the training of volunteer firefighters on how to deal with situations. We are moving forward on that file, with their association. They are putting together what is needed and what is required, because they are the first responders. This is moving forward on these immediate needs as first priority and, also, to ensure the safety standards are in place for firefighters, for the first responders. They know what is happening through their community as it happens in real time, as has been mentioned. Those are the standards we are jointly working toward as the government.

STATEMENTS BY MEMBERS

[Translation]

MONTCALM DAUGHTERS OF ISABELLA

Ms. Manon Perreault (Montcalm, Ind.): Mr. Speaker, today I would like to talk about the Montcalm Daughters of Isabella and the work they do in their community, work that we do not often hear about.

Statements by Members

The Daughters of Isabella meet every week to discuss important issues and enjoy each other's company. Their motto, "Unity, Friendship and Charity", permeates their everyday lives. They are present in our communities, working hard to improve living conditions for women and families and give women opportunities to get together in a spirit of friendship, compassion and fraternity.

I would like to single out the Arc-en-ciel Circle #1304 in Saint-Lin-Laurentides, which provides much-needed support to those going through difficult times.

These women put their faith in me in 2011, and they stand by that choice to this day.

Well done, and thanks to all of you, dear ladies.

* * *

• (1400)

[*English*]

NATIONAL NURSING WEEK

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, May 11 to May 17 is National Nursing Week, the week that encompasses International Nurses Day. Florence Nightingale was born 195 years ago today.

It is an honour for me to rise in the House to talk about the vital contributions that nurses make in the health and well-being of all Canadians. With more than 408,000 regulated nurses across Canada from coast to coast to coast, it is by far our largest group of health care providers.

The Canadian Nurses Association is the national professional voice for registered nurses. Its theme this year for National Nursing Week is "Nurses: With you every step of the way". This emphasizes how important nurses are in all of our lives at every age and in all health situations. In fact, we could say that nurses are the backbone of our health care system, providing us with the attention and medical care that we need to live healthy, long lives. Nurses know that every day they will touch a life or a life will touch them. I thank all Canadian nurses.

* * *

[*Translation*]

INTERNATIONAL NURSES DAY

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, each and every one of us knows an exceptional person who is part of that group of people who take care of Canadians' physical, mental and social health.

In addition to taking care of the least fortunate and most vulnerable members of our society, that person works long hours in often difficult conditions and far too often at the expense of his or her own health.

That extraordinary person has to constantly evolve and adapt to new conditions, keep his or her knowledge and expertise current, and deal with difference, worry, fear and even death every single day.

That person practises one of the most highly regarded and most gratifying professions in the world. You guessed it: that person is a nurse.

I am keenly aware of this because I have the immense honour of being a nurse myself, which is why on this May 12, on behalf of Canadians from coast to coast, it is my pleasure to thank each and every one of the 300,000 nurses in Canada and wish them a very happy International Nurses Day.

* * *

[*English*]

A BETTER WORLD CANADA

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, I am very pleased to rise in the House today to recognize the efforts of A Better World Canada, an international development organization headquartered in my hometown of Lacombe, Alberta.

Recently celebrating its 25th year, this organization, co-founded by Mr. Eric Rajah and Mr. Brian Leavitt, has made investments at home and around the world in education, health, water, agriculture and income generation. A Better World Canada partners with local communities to establish long-term developments of these projects and ensures that they remain viable and stable into the future. A Better World Canada is managed and run by 100% volunteer effort and 100% of the donations it receives go directly to the projects, such as water wells, micro-businesses, education and health care services.

Many people who have donated in support of this organization have travelled to see the projects, meet local people and experience first-hand the returns on their investment. Because of their compassion, thoughtfulness, vision and leadership, the people at A Better World Canada have changed lives and hearts around the globe. They truly have made the world better.

* * *

PEI BURGER LOVE

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, on Prince Edward Island, the month of April is devoted to burgers. PEI Burger Love is a month-long celebration of 100% island beef created by Fresh Media and presented in partnership with P.E.I. cattle producers, the department of Agriculture and Forestry and PEI Flavours. This year, over 60 restaurants competed for the title of Most Loved Burger.

Over 140,000 burgers were enjoyed across the island. That is about one burger for every islander. The campaign's economic impact to P.E.I. is approximately \$2.6 million. For the fifth year, the team at Fresh Media arranged a Guinness World Records attempt for the most freshly cooked burgers sold in 24 hours. Guinness World Records asked for 5,000; island restaurants sold just over 9,000. The much-coveted title of Most Loved Burger 2015 belongs to the Home Place Inn and Restaurant in Kensington for its creation, the cabbage patch.

Statements by Members

I want to congratulate the chefs, servers, restaurant owners, local suppliers, beef producers and the team at Fresh Media for another successful and truly local campaign.

* * *

• (1405)

STOUFFVILLE THEATRE COMPANY

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, on Saturday I was fortunate enough to be invited to play a guest role in a local theatre production in my home town of Stouffville. The Stouffville Theatre Company put on a play called *P.S. Uncle Angus* at our local theatre, 19 On The Park. This was an incredible experience.

As former parliamentary secretary to the Minister of Canadian Heritage, I have a great deal of respect and admiration for the arts, but I can honestly say that, until Saturday, I did not truly appreciate the unique art of acting.

I stand in this place every day to speak, but I must admit I was nervous preparing for this role, and it was only one line, but this House should recognize the incredible importance of arts, not only to Canadian culture but to our economy. It is not only the actors who benefit from investments in our arts but stage hands, lighting and sound technicians, and countless other trades.

It is an honour today to thank the Stouffville Theatre Company as well as other local theatre companies across Canada, for the great work they do to raise awareness of the arts in communities.

* * *

NATUROPATHIC MEDICINE WEEK

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, each year, more and more Canadians are turning to naturopathic doctors to help with their everyday health care needs.

By treating the whole person and focusing on the root cause of an illness, naturopathic doctors are able to help patients in both the immediate and long term.

[*Translation*]

Today, Canadians want to be better informed about their health care options and how they can be more proactive when it comes to their health care needs.

[*English*]

This should be applauded and further encouraged with greater tools and resources. That is why I encourage Canadians this week to take part in Naturopathic Medicine Week.

[*Translation*]

Naturopathic doctors across Canada can educate members of their communities about the benefits of naturopathic medicine, a healthy lifestyle and the prevention of illness.

[*English*]

Canadians can find more information on the Canadian Association of Naturopathic Doctors' website or by visiting their community naturopathic doctor.

Our party recognizes Naturopathic Medicine Week and the many benefits naturopathic medicine provides to Canadians.

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INTERNATIONAL ICE HOCKEY FEDERATION HALL OF FAME

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, I rise in the House today to pay tribute to Fran Rider, who has been inducted into the International Ice Hockey Federation Hall of Fame.

She is the first person to be inducted as a builder specifically for her contributions to women's hockey. Without Fran, women's hockey would not be a medal event at the Olympics and there would be no women's world championships.

Fran established the Ontario Women's Hockey Association, headquartered in Mississauga, in 1975 and became its first executive director.

Former Mississauga mayor Hazel McCallion stated, "In my opinion, she has really put women's hockey on the map. She is the dynamic leader in women's hockey...committed with a passion."

I am sure that all members of this House join me in congratulating Fran and the women's hockey movement in Canada for this very prestigious award, and we wish for the growth and success of women's hockey in Canada for many years to come.

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CANADIAN CAMPING WEEK

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, as Chair of the parliamentary tourism caucus, it is my pleasure to inform this House that citizens from coast to coast to coast will celebrate Canadian Camping Week, May 19 to 24.

Last year, more than 5.7 million Canadians trekked to the great outdoors to get in touch with nature, reconnect with family, and spend some quality time together.

Getting out and enjoying our nation's natural heritage is a key part of our Canadian identity. Today, our country is home to more than 4,200 campgrounds, while the camping industry employs more than 60,000 people and contributes \$4.7 billion to Canada's economy.

One of our government's major goals under the new national conservation plan is to help better connect Canadians with nature. We believe most Canadians have a deep and abiding respect for our land, air, and water. These are values we learned from our parents and pass on to our children. Encouraging a deeper personal connection between Canadians and nature will only strengthen these bonds.

As the MP for one of Canada's most beautiful and popular national parks, I always look forward to enjoying more time in the great outdoors, and I feel fortunate—

The Speaker: The hon. member for Surrey North.

Statements by Members

●(1410)

PUBLIC SAFETY

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, gang violence in Surrey has reached crisis levels. Every day, we wake up to read about yet another shooting or stabbing in the news.

Within the last two months alone, we have seen the alarming number of 27 shootings. My constituents are worried for their safety and the safety of their families.

That is why I have introduced motion M-407, which calls on the government to provide stable, long-term funding for youth gang prevention and intervention programs. Surrey needs more resources to deal with the escalating gang violence, including more RCMP officers and youth gang prevention programs.

We need all three levels of government to work together to keep our streets safe. Yet, this government will not commit to take action on this issue. It is simply unacceptable that today in Canada there are communities where parents are scared to let their children play outside in case of a lone bullet.

My community needs urgent action now. What will it take for this government to make public safety a priority?

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VETERANS AFFAIRS

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, our government recognizes its obligation to our armed forces members, veterans, and their families, and it is determined to enact and implement key measures contained in the support for veterans and their families act as soon as possible.

The Minister of Veterans Affairs has made a commitment to veterans that these initiatives, benefits recommended in an all-party report from the veterans affairs committee, would pass through the House before the end of the session. To fulfill our obligation, we have included these new benefits in the budget implementation act to ensure that they pass and can be implemented as soon as possible. The veterans measures are being sent to the veterans affairs committee for study.

Unfortunately, the opposition is now playing games with our armed forces members, veterans, and their families regarding these new benefits. Veterans are watching closely, and they want to know if the Liberals and the NDP will vote in favour of the key new initiatives as contained in the budget implementation act, initiatives that would benefit our serving members, veterans, and their families.

* * *

MINE RESCUE

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, in 1928, a fire broke out at the 500-foot level of the Hollinger gold mine in Timmins, but the closest trained crew was more than 1,000 kilometres away in Pennsylvania. That crew boarded a special train that broke speed records heading north through a brutal blizzard, but by the time it got there, it was too late, and 39 men were dead.

Out of that tragedy, Ontario established the first mine rescue office in Timmins, and today we have teams that are among the best in the

world. I want to thank those brave volunteers who keep our workers safe: the crews who dealt with the McIntyre fire, the 1984 rockburst at Falconbridge, the 1993 Macassa disaster. Congratulations, in particular, to the teams who competed in the north recently, including the winners, team Dumas in Timmins, team AuRico in Kirkland Lake, team Vale West, and team Glencore in Sudbury.

They remind us that the greatest wealth that ever came out of a mine were the miners coming home at the end of their shift.

* * *

TAXATION

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, my Conservative colleagues and I and, frankly, the vast majority of Canadians know that moms and dads, not government bureaucrats, should be the ones making important decisions that affect their children. That is why our new family tax cut and enhanced universal child care benefit would give 100% of families with kids an average of nearly \$2,000 per child. That is nearly \$12,000 over a child's first six years.

What do we hear from the leader of the Liberal Party? He wants to take away the universal child care benefit, the family tax cut, income splitting, and the TFSA. He would raise taxes on the middle class, raise taxes on small businesses, and raise taxes on seniors. It is impossible to comprehend any coherence in the Liberal leader's strategy. Therefore, we will not let it happen.

* * *

NATIONAL NURSING WEEK

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, today marks the birth of Florence Nightingale, the famous lady with the lamp in the Crimean War, where the formal profession of nursing began. Throughout her life, Florence Nightingale served those in need, from battlefields to hospitals.

Nurses continue this legacy every day as they serve Canadians in hospital, at home, and in war. Today's nurses are no longer viewed simply as angels of mercy. They are highly trained health care professionals who play an integral role in our health care system, expanding the scope of their practice to often being the sole deliverers of care in isolated areas of Canada. They are also vocal advocates for timely access to quality care for their patients.

Oral Questions

This is National Nursing Week. The Canadian Nurses Association's theme is "Nurses: With you every step of the way." Indeed, there is no more fitting description of the work that nurses do for their patients. This is a week to celebrate the registered nurses, registered practical nurses, and nurse practitioners.

I ask the House to give a round of applause to thank these dedicated men and women for their care in our time of need.

* * *

• (1415)

TAXATION

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, it should come as no surprise that our Conservative government is the only one that stands up for middle-class Canadian families. We have doubled the children's fitness tax credit, enhanced the universal child care benefit, and now have implemented the family tax cut. All families with children, including single-parent families, would benefit from our family tax cut and enhanced universal child care benefit. That is more than four million families and more than seven million parents.

The Liberal leader has admitted that he would take away the universal child care benefit, he would take away income splitting, and he would take away the tax-free savings account. Only one thing is absolutely certain: our Conservative government is the only one that stands for and with hard-working Canadian families.

* * *

[Translation]

ETHICS

Mr. Mathieu Ravnignat (Pontiac, NDP): Mr. Speaker, the Conservatives came to power by promising to get rid of the Liberals' cronyism and corruption.

Our Constitution is very clear: senators must reside in the province they represent. Evidently, senators appointed by this Prime Minister, such as Pamela Wallin, Mike Duffy and Carolyn Stewart Olsen, did not meet that criterion.

In recent weeks, we have repeatedly asked how the Prime Minister can justify these appointments. That is a simple question. It is not a matter that is before the courts. We are talking about one of the Prime Minister's main responsibilities. Instead of answers, Canadians get only evasive and ridiculous comments from this government.

[English]

We have a Prime Minister who hides from the truth, and his parliamentary secretary refuses to answer even the simplest of questions. Conservatives are showing their disrespect for this House and for Canadians. In the next election, Canadians, just like the people of Alberta, will have an opportunity to vote for the change they want, and they will actually get it.

[Translation]

TAXATION

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, the Liberal leader has committed to getting rid of our family tax cut and replacing it with a family tax hike, which will make life more difficult for middle-class families.

The Liberal plan for the middle class is flawed. The Liberal leader will take away the universal child care benefit. The Liberal leader will take away income splitting. The Liberal leader will take away tax-free savings accounts. One thing is very clear: middle-class families and seniors will reject the Liberal leader's plan and his tax hikes.

ORAL QUESTIONS

[English]

ETHICS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, according to RCMP documents tabled in court, we now know that staff from the Prime Minister's Office ordered Conservative senators to whitewash the audit report on Mike Duffy's expenses. The staff involved the Prime Minister's former chief of staff, Nigel Wright, and his current chief of staff, Ray Novak.

Did the Prime Minister know that his staff, including his two former chiefs of staff, falsified a senate audit report?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously I do not accept the premise of that question. He knows full well that he is trying to get me to comment selectively on matters that are before the court. It is Mr. Duffy's actions that are before the court. The government has provided all information to the RCMP and has been assisting the crown and will continue to do so.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, what is before the court is the RCMP document I just read from.

One of the Conservative senators involved in the cover-up was the Prime Minister's close personal confidante, Carolyn Stewart Olsen. The director of the Senate audit said that Stewart Olsen's goal "was not to get to the truth...." Like Mike Duffy, Stewart Olsen was living in Ottawa, but was named by the Prime Minister to represent Atlantic Canada. Like Mike Duffy, she still claimed expenses for her Ottawa home.

Is that why the Prime Minister's Office went to Stewart Olsen to help with the cover-up? Was it because they knew her expenses were just as fishy as Mike Duffy's?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the NDP makes a number of assertions that I simply do not agree with. The fact of the matter is that it is Mr. Duffy's actions that are before the court, in particular his use of public funds.

We will provide all information to the court and will continue to work with the crown. The court will arrive at its own decision on the appropriateness of Mr. Duffy's actions.

Oral Questions

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the question is, why did they work with the crown and the courts in the case of Mike Duffy, and not in the case of his confidante, Carolyn Stewart Olsen? That is the question.

• (1420)

[*Translation*]

On April 22, the Prime Minister told this House that he knew that Mike Duffy was a resident of Prince Edward Island before he appointed him to the Senate.

Why? Because, according to what the Prime Minister said that day, Mike Duffy signed a declaration stating that he was a resident of Prince Edward Island.

Is the Prime Minister willing to show that declaration to Canadians? Where is that declaration that Mike Duffy signed before he was appointed to the Senate? We would not want Canadians to be left thinking that the Prime Minister was not telling the truth.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have said on a number of occasions, the government follows constitutional practices that have been clear for almost 150 years. It is Mr. Duffy's actions, and no one else's, that are before the court. The court will reach its own conclusions.

* * *

EMPLOYMENT

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, we are not talking about what happened 150 years ago. We are talking about what he said himself here in the House on April 22.

[*English*]

While Liberals and Conservatives are feeding at the trough in the Senate, the current Conservative government is sitting idly by watching good middle-class jobs disappear. There were 20,000 jobs lost in April alone.

Rio Tinto is now completing the makeover after its takeover of Canadian aluminum giant Alcan by laying off hundreds of employees and stripping the Alcan name off the building.

Why did the Prime Minister approve selling off a major Canadian company with no guarantee to protect Canadian jobs?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously we never like a situation in which a Canadian loses his or her job. The reality is that there are 1.2 million more Canadians working today than at the time of the recession.

I would note the positive reception that the government's economic action plan continues to have from experts and from job creators across the country, such as the Canadian Federation of Independent Business, the Canadian Chamber of Commerce, and the Canadian Manufacturers and Exporters, among others.

I would call for the NDP to abandon its high-tax, high-debt agenda and get with a low-tax program that creates jobs.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, 250,000 more Canadians are unemployed today than when the crisis hit in 2008. That is the reality.

[*Translation*]

When Alcan was taken over by Rio Tinto in 2007, Jack Layton asked the Prime Minister nine times to protect Canadian jobs.

Rio Tinto received minister Jim Prentice's approval, under the Investment Canada Act, by showing that its acquisition of Alcan would be of net benefit to Canada.

What is the net benefit for the hundreds of Alcan employees who were laid off today? What does the Prime Minister intend to do to save those jobs?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, thanks to our economic action plan, over 1.2 million previously unemployed Canadians now have jobs.

This government has one of the best job-creation records in the world and it is supported by all the experts. They recognize that the plan proposed by the NDP, which seeks to raise taxes and thus increase the deficit, will kill jobs.

We are going to continue to create jobs.

* * *

[*English*]

TAXATION

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, in 2006 the Prime Minister started giving thousands of dollars in benefits to wealthy families like his and mine. Now, 10 years later, he is giving them another \$2,000 tax break, and thousands more every year.

Fairness means helping those who need help the most. Why not cancel those tax breaks and benefits that go to the wealthiest Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government's record of tax reduction has helped every single Canadian family in the country. What the leader of the Liberal Party proposes is to take away from every Canadian family the universal child care benefit, to take away income splitting, to take away tax-free savings accounts, to take away all of these things from middle-class seniors and from middle-class families, and even after he takes all those things away, his numbers still do not add up. We are in a fight to keep taxes down and keep those benefits for Canadians.

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, benefiting every single family is not what is fair. What is fair is giving help to those who need it the most. A \$2 billion tax break that favours the wealthiest families, a higher tax-free savings limit for the wealthy, and thousands more in benefits for those who need help the least: that is the Prime Minister's plan.

Oral Questions

Our plan offers thousands of dollars more every year, tax free, to those who need it the most. Why did he not instead use every nickel to help the middle class and those seeking to join it?

• (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, you see what happens when someone goes off script.

The government's plan is to make life better for every single Canadian family. That is what we are doing, and Canadians know full well that when they hear somebody talk about penalizing and raising taxes on some families, their intention is to do it on every family. We are not going to let that happen.

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, the fact that after 10 years the Prime Minister does not understand that it is not the wealthiest families in this country that need the help is the really important message that he has passed today.

[Translation]

For nearly 10 years, the Conservative government has been making choices that help the wealthiest Canadian families.

The government granted \$2 billion in tax relief for income splitting. It also doubled the tax-free savings account limit.

When will it do something to help those who need it the most—the middle class and those trying hard to join it—rather than the wealthiest members of our society?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the Liberal Party wants to take away the universal child care benefit. He wants to take income splitting away from seniors and families and he wants to take away the tax-free savings account. What is more, his numbers do not add up.

[English]

What I have learned in my many years in politics is that governments either make things good for everybody or they make things worse for everybody. We are determined to make things good for everybody.

* * *

[Translation]

EMPLOYMENT

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, Rio Tinto Alcan just announced that it would cut nearly 170 jobs at its headquarters in Montreal.

This is sad news for the families affected and comes on the heels of the announcement that the name Alcan will be phased out after 90 years of industrial history in Quebec and Canada.

Despite their promises, the Conservatives are unable to keep good-quality jobs in Canada.

When will the Conservative government develop a policy to help create good jobs for Quebec families?

[English]

Hon. Ed Holder (Minister of State (Science and Technology), CPC): Mr. Speaker, let me make it very clear that when a Canadian company changes hands, that is not the preferred approach.

However, I will remind the member that we have created 1.2 million net new jobs since the recession, which confirms that Canada's economic action plan is absolutely working.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, obviously, it is never the Conservatives' fault, even though in April alone we lost 20,000 good jobs in this country.

Alcan has been one of the most important companies in Quebec's history. Today, there is almost nothing left, not even its name, after 90 years of history. When we allow our companies to be sold to foreign conglomerates, the company's know-how and jobs could leave the country along with it.

Will the government take action to prevent us from losing other good jobs and other companies like Alcan, which is a Quebec industry flagship? Will it take action or will it wash its hands of this once again?

[English]

Hon. Ed Holder (Minister of State (Science and Technology), CPC): Mr. Speaker, once again, I am pleased to tell members that both the IMF and the OECD are projecting that Canada is going to have the strongest economic growth in the G7 in the years ahead. In fact, for the seventh straight year, the World Economic Forum has ranked Canada's banking system as the strongest, and our real GDP is now significantly above pre-recession levels.

That means jobs for Canada, permanent jobs that are going to affect our country in a positive way.

• (1430)

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, let us try again. Rio Tinto is cutting up to 170 jobs and scrapping the Alcan name. It is another foreign takeover rubber-stamped by the Conservatives where workers are left to pay the price.

Liberal and Conservative governments have rubber-stamped thousands of foreign takeovers without securing protections for Canadian workers. Why are the Conservatives always so quick at selling out Canadian communities to foreign interests and so slow to help the workers impacted by the takeovers?

Hon. Ed Holder (Minister of State (Science and Technology), CPC): Mr. Speaker, any time a worker loses their job, it impacts their families, and we have great empathy for those people.

Let me say, as it relates to this firm but also to firms right across the country, that foreign direct investment is up by more than 50% across all industries.

What is incredibly important is that we have created 1.2 million net new jobs since the recession. That is job creation plan that can never be matched by the opposition.

Oral Questions

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, clearly too many workers have learned the hard way that neither Liberals nor Conservatives can be trusted when it comes to foreign takeovers.

Thousands of families are feeling the effects of Conservative mismanagement of the economy. We have lost nearly 42,000 jobs in Ontario in just the last six months. In Toronto alone, we have lost 8,800 jobs in the last year.

The question is, why are the Conservatives giving handouts to the wealthy when these are the families that need help getting back on their feet?

Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC): Mr. Speaker, the last thing these families need are big tax increases from the NDP and the Liberals, and that is all they would get from those parties.

Our plan is trade, training, and tax cuts. Trade, training, and tax cuts are working. We signed a free trade agreement with the European Union that will deliver 80,000 net new jobs, including in Honda Canada, which announced recently in the presence of the Prime Minister that it will export vehicles directly to Europe from Canada, creating 400 net new jobs in that one plant alone.

Canadians want open trade, low taxes, and more training, and that is what they are getting from our government.

* * *

TAXATION

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, speaking of taxes, last night all members of the House voted unanimously in favour of the NDP's motion to end the discriminatory federal sales tax on feminine hygiene products. Everyone in the House agrees that this \$36 million tax grab on women is unfair. I am very grateful that there is unanimous agreement that we need change.

Now the Conservatives need to put that commitment into action. Will the Conservatives work with the NDP to amend the budget bill to end this unfair tax?

Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC): Mr. Speaker, our Conservative government has been very focused over the last nine years on lowering taxes, unlike the opposition, which would like to raise one's taxes. As a result of this, we have the lowest tax burden on Canadians in 50 years. In fact, this year Canadians will \$6,600 more back in their pockets because we have lowered taxes.

Unlike the opposition, we are not going to raise Canadians' taxes. We are going to put money back into the pockets of parents and families.

[*Translation*]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, why not put an end to this unfair tax immediately?

Every year \$36 million in tax is paid on feminine hygiene products. The Conservatives supported the NDP's motion to eliminate this unfair tax, which was an important victory for the

NDP. The Conservatives now need to take action to honour their promise.

Will they include provisions to eliminate the unfair tax on tampons in their budget bill?

[*English*]

Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC): Mr. Speaker, our government supported the motion. We have been the government that lowered the GST from 7%, to 6%, to 5%, lowering taxes on Canadians, which is something the opposition voted against.

In fact, this government has lowered taxes over 160 times since we have been put in office, which are things that the opposition, again, has voted against. It votes and ensures it is raising taxes. We are on the side of lowering taxes on all Canadian families so they can put money back into their own pockets.

* * *

[*Translation*]

LABOUR

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, it is time for the Conservatives to walk the walk.

The Minister of Labour erroneously stated that the Canadian Intern Association was in favour of the rules that the government plans to implement to govern unpaid internships. In an open letter, the president stated that Bill C-59 would actually expose interns to exploitation.

Will the Conservatives adopt the NDP's proposals to provide meaningful protection to unpaid interns instead of proposing half measures?

● (1435)

[*English*]

Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC): Mr. Speaker, if the opposition had read the bill then it would know that we are actually taking and amending the Canada Labour Code to ensure that interns under federal jurisdiction, regardless of pay, would receive health and occupational safety coverage. That is what we are actually doing. We are taking action to ensure that young Canadians and those who have internships are protected on the job; unlike the opposition who would vote against that budget and not allow that to occur.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, I do not know. Canadians are getting whiplashed, trying to follow the minister on this issue.

Yesterday, she claimed she had the support of the Canadian Intern Association and, today, it writes a blistering op-ed, saying that this budget bill "is bad news for interns". Instead of protecting interns, the government has actually opened the door to more exploitation. It has even excluded unpaid interns from protections against sexual harassment in the workplace.

The minister keeps saying she really cares about unpaid interns. If that is the case, why will she not walk that talk and fix the bill?

Oral Questions

Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC): Mr. Speaker, as I just said, and I encourage the members opposite to please read the bill, we are amending the Canada Labour Code to ensure that occupational health and safety would be covered under the budget implementation act.

I would be happy to walk the members through those changes so that they understand exactly what we are doing. We are out, protecting interns in the workplace.

* * *

EMPLOYMENT

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the current government is increasingly patronizing and incompetent toward young people.

The fact is young people are hurting under the current government's watch. The fact is more than 13,000 youth jobs disappeared just last month. The fact is they will be joining almost 400,000 young Canadians now out of work. It is a fact that these young people are caught between an atrocious job market and Conservative policies that fail to create jobs.

With so many Canadians struggling to get a good start on their working lives, why are Conservatives continuing to hand out billions of dollars to the wealthy and well-connected, while turning their backs on our youth?

Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC): Mr. Speaker, the NDP and Liberals only have one plan for youth; that is to raise taxes on young people. Our approach is trade, training and tax cuts for our youth, youth like Avalon who always loved cars and wanted to be an automotive service technician. However, she worried that she would not be able to pay for her apprenticeship. Happily, she secured a Canada apprenticeship grant and with it, she was able to afford the tuition and tools. Now she has been able to certify herself as an auto service technician. She is very happy to say that she was able to get through it without a bunch of debt and now looks forward to a bright future and a high-demand trade.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the Jane/Finch Community and Family Centre, RGC Design Group, and 24 other projects failed to qualify for Canada's summer jobs funding in my riding this year. The reason? There was not enough money. However, just one taxpayer-funded Conservative ad at 100 grand could have paid for all of these projects, and much more. These groups are not asking for \$100,000. All they are asking is for \$11 an hour to hire a student.

Why will the government not just admit that funding phony ads is more important to it than creating summer jobs?

Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC): Mr. Speaker, the basis of the question is false. We have maintained the Canada summer job budget.

The only plan though that the Liberals and NDP have for young people is to raise taxes on our youth. Our approach is the opposite. We believe in lowering taxes. We started by eliminating the Liberal tax on tuition. We brought in the textbook tax credit. We have

lowered payroll taxes so students who work jobs can keep more of what they earn. Of course by lowering taxes for small business, which her leader opposes, we have given a boost to those who are most likely to hire our young people, Canada's entrepreneurs.

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INFRASTRUCTURE

Mr. Adam Vaughan (Trinity—Spadina, Lib.): Mr. Speaker, getting rid of jobs is not a tax cut. It is a job loss.

Ten days ago, I was in St-Pierre-Jolys and I was talking to the mayor there. Her town has an opportunity to add 300 new homes to the community, but new federal water standards mean that she has to change the configuration of her water plant; to add those homes she also has to build a new and bigger one. She is not getting any help from the infrastructure program. There is not a dollar in this budget.

This town cannot do it alone. Building that water plant would not only create jobs building a water plant, but the 300 homes would also create new jobs in this town in Manitoba. Why is there not one single new dollar for new water plants in the infrastructure budget this year?

● (1440)

Hon. Denis Lebel (Minister of Infrastructure, Communities and Intergovernmental Affairs and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, that is, again, wrong. We have added \$750 million for transit, which will become \$1 billion a year, only for transit. Last year, we announced a 10-year plan. We will not re-announce that every year. Probably the Liberals would do that, but we announced that last year and we will deliver it over the next 10 years. We will do our job.

Mr. Adam Vaughan (Trinity—Spadina, Lib.): Mr. Speaker, we are talking about water. He may want to flush those talking points down the drain.

The budget is only balanced because the Conservative government is not spending money this year. The other problem is that when it does somehow promise to spend money there is no actual way to apply for the funds. There are no rules in place. The government is literally making it up as it goes along.

On housing, it promised to let operators renegotiate cheaper mortgages, but CMHC has no idea what this actually means for the operating agreements, which are critical to affordable housing. I have a simple question. If the providers renegotiate their mortgages do their operating agreements continue, or will the subsidies disappear? Yes or no? It is a simple question.

Oral Questions

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, I am very happy to explain it to the member. When the mortgage is paid the mortgage ends and one stops paying the bank the mortgage payment.

We have listened to the not-for-profit providers. They have asked that we give them this ability. We announced \$150 million. They are thrilled about it. We are excited because they can keep providing housing and we can help by keeping taxes low, supporting those who are vulnerable and working with provinces on housing needs.

* * *

[Translation]

ABORIGINAL AFFAIRS

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the RCMP recently apologized for comparing the Idle No More movement to bacteria. On Friday, I asked the government to do the same, but the Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness called my request “abhorrent”.

Does the Minister of Aboriginal Affairs agree with her, or will he apologize to the House and condemn these discriminatory statements?

[English]

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, the member is correct. The RCMP did apologize for that comment.

However, as I stated last week, I would like point out that on this side of the House we actually support our law enforcement in Canada. We have provided law enforcement, our national security agencies with the tools that they need, whether it be legislative or funding.

Also, on this side of the House, we support preventative measures for crime as well. I wish, just for once, the NDP would stand up and support any of those measures.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the question is asking the government to clear its own record from last Friday, which it has not done.

The RCMP admitted that their comments were, as they called them “unfortunate” and that they do not represent the views of their organization. However, the government, yet again, has doubled down describing it as “absolutely abhorrent” that anyone would even ask for an apology on this kind of discriminatory language.

Therefore, I am asking the Minister of Aboriginal Affairs, will he stand with the RCMP, apologize and make it clear that this kind of discriminatory language toward first nations is unacceptable?

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, as I just said and the member mentioned, the RCMP did apologize for that comment. However, once again, every single measure that we have brought forward in this House to support our law enforcement agencies, whether it be RCMP or national security agencies, have been obstructed or voted against by that opposition member and the NDP. Just once, I would like that member to stand

up and actually support our law enforcement agencies, as opposed to some of the stuff that those members say about our security agencies in this country.

* * *

[Translation]

VETERANS

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, we have a social covenant with our armed forces. They offer to fight for us, protect us and defend our values. In exchange, the government offers them benefits, care and services during and after their service. However, the Conservative government has not been shy about challenging its obligations in the courts and closing offices. That kind of behaviour is unworthy of a government.

Will the Conservatives support our motion, and if so, will they finally fulfill all of their obligations to our veterans?

● (1445)

[English]

Hon. Erin O’Toole (Minister of Veterans Affairs, CPC): Mr. Speaker, as that member knows, we will be supporting the motion later today. In fact, the obligation statement we have made through Bill C-58, now in the budget implementation act, goes much further than that motion. It applies to all veterans and talks about the obligation we have, it goes further and says that it must be liberally construed.

More important are the benefits in that bill that would help veterans at 65 with their retirement income security benefit, their critical injury benefit and the family caregiver relief benefit. These are all new benefits and programs. That is enough time posturing; the NDP needs to get behind it.

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, a moral, social, legal and fiduciary covenant exists between Canada and members of the Canadian Armed Forces. This means the government must provide support to those who are injured, are disabled or have died as a result of military service, and to their families. I thank the members for supporting our motion. Now will they implement it? Will the Conservatives agree to a stand-alone covenant and immediately end all legal action against Canada’s veterans?

Hon. Erin O’Toole (Minister of Veterans Affairs, CPC): Mr. Speaker, as that member well knows, we introduced legislation with the most comprehensive set of reforms and benefits for military veterans and their families since the creation of the new veterans charter. For six weeks, the NDP and the Liberal Party made no comment on this legislation and the benefits in it. It contains an obligation statement that calls on the language used by Robert Borden in this place almost a century ago. We have shown there is an obligation; it is now and in the future. It is time for them to get behind these reforms and support the budget implementation act.

*Oral Questions***CANADIAN HERITAGE**

Mrs. Stella Ambler (Mississauga South, CPC): Mr. Speaker, on behalf of all Canadians, we are delighted that on May 2, Their Royal Highnesses the Duke and Duchess of Cambridge welcomed the birth of their second child, Her Royal Highness Princess Charlotte Elizabeth Diana of Cambridge.

Can the Minister of State for Social Development please tell this House how the Government of Canada is marking this wonderful occasion?

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, to mark the exciting birth of Princess Charlotte, we are thrilled to announce that the Government of Canada will be donating \$100,000 to the organization Immunize Canada to help promote the use of life-saving vaccinations across the country. The Royal Family has always been engaged when it comes to the health and well-being of Canadian children, so this is a very fitting gift to honour the princess.

We are also giving the princess a Canadian-made snowsuit in honour of our being a northern country.

On behalf of all Canadians, I want to congratulate the Royal Family on the birth of Princess Charlotte.

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[Translation]

INTERNATIONAL TRADE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, the Conservatives' record on international trade definitely does not measure up to their rhetoric. A year ago, the Conservatives made a big show of announcing that they had finalized the terms for the free trade agreement between Canada and the European Union, with just some minor details left to work out. Now more and more European governments are hinting that they may not ratify the agreement.

Will the minister finally tell us the truth and set the record straight regarding the status of this long-overdue agreement?

[English]

Hon. Ed Fast (Minister of International Trade, CPC): Mr. Speaker, I can confirm that steps are being taken to bring this agreement into force. I recently spoke to the European Union's commissioner of trade, Cecilia Malmström, who actually confirmed that in fact the European Union considers the deal done. We know that the chancellor of Germany, Angela Merkel, has said that this deal is done.

We have our nose to the grindstone. We are committed to bringing this agreement into force. I wish the opposition parties would get behind it, and do something for Canadians.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, the minister should talk to Hungary and Greece, which both just said that they would not ratify the deal.

The minister's rhetoric does not match the facts. According to the World Economic Forum 2014 rankings of 138 countries, Canada is 48th in predictability of import procedures, 95th in cost of imports and 97th in tariff complexity. We have also slipped from 15th to 23rd

in exports to important Asian markets. That is the real Conservative poor record on trade.

The minister will not even give Canadians a straight answer on whether or not the Chinese are seeking a trade agreement with Canada, so I am asking him here. Did China offer Canada an opportunity to open bilateral trade negotiations, as the Asia Pacific Foundation of Canada has publicly stated, or not?

● (1450)

Hon. Ed Fast (Minister of International Trade, CPC): Mr. Speaker, we have made it clear to China that before moving forward with free trade negotiations, we expect to see more balance in our trading relationship.

There is plenty that our government has already done in that regard. We secured preferred destination status for tourists, we have negotiated a ten-year multiple entry visa and we have launched North America's first renminbi trading hub.

On top of that, it was this government that brought the China-Canada foreign investment promotion and protection agreement in force, which the NDP members voted against. They have absolutely no credibility on trade.

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CHILD CARE

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, a new report reveals the devastating effect that years of Liberal and Conservative inaction have had on families in Toronto. Fewer than one in five children have access to licensed child care space. Those who do, are currently paying up to \$20,000 per child, per year.

Too many families are being kept in the cycle of poverty and unemployment because of the failings of successive Liberal and Conservative governments. Why will the government not break that cycle and adopt our NDP plan for affordable child care?

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, that member is wrong. It is actually our policies, policies like the universal child care benefit, that has helped lift 80,000-plus children out of poverty during some of the most difficult times. That is why we have expanded it and increased it.

We believe that not only is it a great tool to help lower and middle-income families, but it gives all families support across the country.

We believe that whatever the choice is in child care that families decide on, they deserve support, whether in Toronto, Vancouver, Montreal, Winnipeg, right across the country. Every family deserves support for their child care choices.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, 80% of children do not have a space, and that government is congratulating itself for a job well done.

Across the country, child care is the single largest expense families face, more than food, clothing or a mortgage, yet the Conservatives and the Liberals have offered plans that will not create a single new affordable child care space.

Oral Questions

Canadian parents are desperate for help. Why are Conservatives giving tax breaks to the wealthy few instead of helping parents by investing in affordable child care?

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, we are helping all families by increasing the universal child care benefit and the family tax cut.

What the opposition has to offer is tax increases and removals of programs like the universal child care benefit, the family tax cut, income splitting for seniors for and for families. They want to increase taxes on every sector of our economy.

How will that help families that are in need? It will not help them. We know what families have come to count on under the Prime Minister and under this government. It is low taxes and it is money in their pockets.

* * *

[Translation]

CITIZENSHIP AND IMMIGRATION

Mr. Emmanuel Dubourg (Bourassa, Lib.): Mr. Speaker, there has been a great deal of concern in the Haitian community ever since the Conservative government lifted the moratorium on deportations to Haiti and Zimbabwe for over 3,500 people. Many of these individuals have been in Canada for 10 years and are wondering whether they will be deported.

The minister gave them until June 1 to regularize their status. So far, only 20% of these individuals have submitted applications, despite the fact that the Government of Quebec has allocated resources to support them.

Will the minister agree to the Quebec immigration minister's request to extend the deadline by three months, and we also agree—

The Speaker: The hon. Minister of Citizenship and Immigration.

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, these temporary measures have been in place for 10 years, thanks to one of the most generous immigration systems in the world. It should come as no surprise, not to the Haitians nor to anyone else, that these temporary measures are coming to an end, because we announced it on December 1.

Minister Weil and I met with the community in January. I personally visited the Maison d'Haiti in Montreal and the one in Toronto three times. Yes, let us be clear: all Haitians will have the opportunity to apply for permanent residence on humanitarian grounds until May 31. If Minister Weil would like to open other avenues towards permanent residence, she can use Quebec's programs to do so.

* * *

[English]

INTERNATIONAL DEVELOPMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, the Conservatives are bypassing their own accountability legislation. Bill C-59 creates a new developing financing institution within Export Development Canada. It will not be covered by the government's own Official Development Assistance Accountability

Act. There are no guarantees the funds will be used for poverty reduction.

Why are the Conservatives bypassing their own accountability law? Is the DFI about poverty reduction or about advancing commercial interests abroad?

● (1455)

Hon. Ed Fast (Minister of International Trade, CPC): Mr. Speaker, our government is committed to promoting both Canada's economic interests around the world as well as supporting countries that need our help through development assistance and humanitarian aid. We are very proud of the work that EDC does in supporting Canadian companies as they look for new opportunities around the world, but we are also very proud of our record of delivering achievements on the development assistance front.

We are very pleased that it was this government that introduced the policy initiative on newborn, child and maternal health. This is something that has been embraced by countries around the world, billions of dollars of investments helping countries around the world improve their health outcomes.

* * *

PUBLIC SAFETY

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, the Conservatives like to talk tough on crime, but the reality is that their cuts to rehabilitation programs are actually putting communities at risk. Volunteers who help with programs like Circles of Support and Accountability to ensure that offenders are safely reintegrated are raising the alarm as their funding disappears. These are exactly the same concerns about inadequate offender rehabilitation that were raised by the Auditor General in his spring report.

Why are the Conservatives putting public safety at risk by cutting these reintegration programs?

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, our government believes that dangerous sex offenders belong behind bars. That is why we have put forward a number of important measures to ensure our streets and communities are safe for children, such as establishing the high-risk child sex offender database and cracking down on convicted sex offenders who seek to travel. Unfortunately, the opposition has voted against all of these.

Just to let the member know, Circles of Support will continue to receive funding up to \$350,000 to fund its support for offenders who are within their warrant expiry date.

Oral Questions

[Translation]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, the reality is that the Conservatives are not shy about cutting reintegration programs, which reduce the rate of recidivism in our communities.

These programs are provided to over 2,600 inmates, including many in the greater Montreal area. The Conservatives claim to be champions of reducing crime.

Can the minister explain why he thinks nothing of sending offenders at risk of recidivism back on the street without any support?

[English]

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, I did speak a moment ago of Circles of Support, but I also want to point out that the Commissioner of the Correctional Service of Canada actually said that 95% of inmates who were released had completed their recognized programs in relation to the correctional program.

While the opposition continues to make these allegations, the reality is that inmates are receiving that. It is a fact. I just wish, for once, that the opposition would stand and support the victims of crime instead of those who are behind the bars.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, my constituents are concerned about violent crime. They know that the first duty of any government is to protect Canadians from dangerous and violent criminals, particularly those in gangs. That is why we are pleased that our Conservative government passed over 30 measures to get tough on crime. Shockingly, most of these were obstructed and opposed by the Liberal leader. The leader for the Liberals even said that they would repeal all mandatory prison sentences in the Criminal Code.

Could the Parliamentary Secretary to the Minister of Public Safety update the House on the actions this government is taking to address these serious issues?

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, that position is absolutely ridiculous. It is not only our government that says so. Here is a quote. "There is a place for mandatory minimums particularly for violent crimes". Who said that? Why none other than Liberal candidate Bill Blair who also supports mandatory minimums for gun crimes in principle.

While the Liberals debate whether or not dangerous and violent criminals belong behind bars, on this side of the House our Conservative government will continue to keep Canadians safe.

* * *

PUBLIC SERVICE OF CANADA

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, the Conservatives are once again using the omnibus budget bill to bypass and weaken the rules of collective bargaining in the public service. Despite the phony pretence of open negotiations, the President of the Treasury Board has hijacked collective bargaining to

impose a settlement. The reality is that he came to dictate, not negotiate.

Why will the Conservatives not respect collective bargaining and stop treating our public servants with such disdain?

● (1500)

Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, economic action plan 2015 reaffirms the government's commitment to pursue a new disability and sick leave management system. We continue to negotiate with the public service and our objectives are clear: we will not pay sick leave to people who are not sick.

The government's continued overarching goals in these negotiations are to reach agreements on total public service compensation that are fair and reasonable to both the employees and taxpayers. These changes do not impose a legislative regime.

* * *

[Translation]

CANADIAN HERITAGE

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, that was in the budget, but Quebec City is still waiting to see whether the 2017 Tall Ships Regatta will finally get the money they were promised. The mayor of Quebec City is getting impatient. An agreement was to be signed before February. That was pushed back to the end of April. Now we find out that it has been pushed back even further. This is a mess, all because the government has not determined the amount of its contribution.

This is the eleventh hour. Will the government pick up the phone and reassure the organizers so that they can finally move forward with their plans?

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as I said many times, and what the hon. member does not seem to realize, is that we have been in talks with Rendez-vous naval de Québec for a long time now. Things are moving along.

Canada 150 has to be a celebration for all Canadians, including those from Quebec. The hon. member needs to be patient and understand that the organizers of Rendez-vous naval de Québec are very pleased with us and the fact that we included them in budget 2015. They are ready to move forward and so are we.

* * *

[English]

TAXATION

Mr. David Yurdiga (Fort McMurray—Athabasca, CPC): Mr. Speaker, Canadian families know that our Conservative Party is the only party that trusts moms and dads to make the best decisions for their families. That is why we are introducing the family tax cuts and the universal child care benefit, which will save the average Canadian family nearly \$1,200.

Could the minister please update the House on the benefit that families in my riding and all across Canada will receive under these programs?

Government Orders

Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC): Mr. Speaker, every family will benefit from the family tax cut benefits.

The Liberals are really scrambling today after it having been revealed that there are billions of dollars in uncosted spending in their plan. They have actually changed the bar graph in that plan only one week after introducing it. Even after they get rid of the universal child care benefit, the child tax benefit, the tax-free savings account and income splitting, they are still billions of dollars short.

Perhaps that is why the Liberal leader said today, “benefiting every single family is not what is fair”. He is absolutely wrong. Our government will benefit every single family. That is what is fair.

* * *

PENSIONS

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Ind.): Mr. Speaker, Canadians plan for their retirement based on what they are promised through their pension plans. Any changes after the fact to pension benefits can cause retirees financial hardship through no fault of their own, as we have seen in many cases, including Nortel pensioners.

Since the government is transitioning away from defined benefit pensions for federally regulated workers, federal private sectors workers and crown corporation employees, will the government commit to exempting current employees from such a change?

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, it is clear that retirees and all Canadians are benefiting from our low-tax plan. I would note that according to a retirement study by McKinsey & Company, 83% of Canadians are on track for a comfortable retirement. That is why we want to enhance their retirement savings.

We have lowered taxes. We have brought forward new incentives for Canadians to save for retirement. Those incentives include the family tax cut plan, pension income splitting and tax-free savings accounts.

We know the opposition would take these away. We know the opposition believes in a high-tax plan for seniors and for all Canadians. Canadians know they are better off—

The Speaker: The hon. member for Montcalm.

* * *

[*Translation*]

TAXATION

Ms. Manon Perreault (Montcalm, Ind.): Mr. Speaker, the government is distancing itself from the majority of Canadian families with its tax policies, such as income splitting, which will only benefit a handful of wealthy Canadians. The government's current tax policies show its lack of universality.

Sound management is important, but can the government review some aspects of the budget and increase its commitment to Canadian families and seniors?

•(1505)

Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC): Mr. Speaker, I thank the hon. member for her question about seniors.

We want to help seniors by lowering their taxes. Income splitting for seniors will help them save money. The tax-free savings account will enable seniors to save without having to pay tax on interest and dividends. I want to point out that 60% of the people who max out their tax-free savings accounts earn less than \$60,000 a year.

[*English*]

The Speaker: That concludes question period for today.

The hon. member for Sackville—Eastern Shore.

Mr. Peter Stoffer: Mr. Speaker, on a point of order, unfortunately, the Minister of Veterans Affairs misled Canadians in the House, so I would like to ask unanimous consent for the following motion, which coincidentally, is currently on the order paper standing in the name of the Minister of Veterans Affairs.

I move that Bill C-58, an act to amend the Canadian Forces Members and Veterans Re-establishment and Compensation Act and to make consequential amendments to another act now be read a second time and referred to the Standing Committee on Veterans Affairs.

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

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: There is no consent.

GOVERNMENT ORDERS**DIGITAL PRIVACY ACT**

The House proceeded to the consideration of Bill S-4, An Act to amend the Personal Information Protection and Electronic Documents Act and to make a consequential amendment to another Act, as reported (without amendment) from the committee.

[*English*]

SPEAKER'S RULING

The Speaker: There are five motions in amendment sitting on the notice paper for the report stage of Bill S-4. Motions Nos. 1 to 5 will be grouped for debate and voted upon according to the voting pattern available at the table.

[*Translation*]

MOTIONS IN AMENDMENT

Ms. Charmaine Borg (Terrebonne—Blainville, NDP) moved:

Government Orders

Motion No. 1

That Bill S-4 be amended by deleting the long title.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP) moved:

Motion No. 2

That Bill S-4 be amended by deleting Clause 1.

Motion No. 3

That Bill S-4 be amended by deleting Clause 6.

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP) moved:

Motion No. 4

That Bill S-4 be amended by deleting Clause 7.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP) moved:

Motion No. 5

That Bill S-4 be amended by deleting Clause 10.

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, unfortunately we will oppose Bill S-4 for the reasons I will provide in my speech.

What I am especially disappointed about is that we all voted in good faith for this bill to be studied in committee before second reading. We told ourselves that we could perhaps work together to improve the bill and eliminate the most problematic parts or ensure that it would truly protect Canadians in the digital age. Unfortunately, that did not happen, even though we know that there are more and more risks associated with protecting personal information online.

For more than four years, we have been in Parliament with the same government that rejects all our motions and refuses to work with us in committee. This time, I do not know why, but I had hoped that we could work together.

Usually, a bill is sent to committee before second reading because there are problems with the bill and we want to make changes. Perhaps we want to change something or make changes to PIPEDA that go beyond the immediate scope of the bill. We had hoped to work together. Unfortunately, that did not happen.

That is why I moved three motions today to remove the most problematic sections from this bill. These motions will be voted on together.

We heard over and over that these two sections—clauses 6 and 7—are extremely problematic. These clauses will make it easier to share people's personal information without their consent and without them even knowing that their personal information is being shared. The government is trying to broaden the scope of situations in which information can be shared without consent. That is extremely problematic.

Obviously, there are sometimes extreme circumstances that require personal information to be shared. Such situations exist. Everyone knows that. We take issue with the fact that there is no transparency. There is no mechanism in place to ensure that this information is shared only in exceptional and urgent circumstances. What is more, the threshold of reasonable suspicion is very low.

As a result, we voted against these clauses when the bill was examined in committee. Unfortunately, the Conservatives decided to go ahead with them anyway.

We even proposed amendments to improve these clauses by restricting the kind of situations in which information sharing can happen and creating a system that encourages transparency. There has to be an accountability or oversight mechanism to ensure that this information sharing only happens under exceptional circumstances. That is really not the case.

As I said, we proposed amendments to improve the bill because everyone in the House of Commons knows that protection of personal information is a big issue right now, one that is really important to our constituents.

I even give computer security courses to seniors in my community because they want to understand how to use new technology and they want to have a certain level of confidence when it comes to protecting their information and their identity.

Everyone agrees that this is an important issue and that we have to update PIPEDA to ensure that it can better address the threats present in the digital age in the 21st century.

Unfortunately, the Conservatives' approach was to put something on the table and refuse to accept any amendments or listen to what the witnesses had to say. They just forged ahead.

All of the parties proposed amendments, except for the Conservatives, of course, and all of the amendments were rejected. The NDP even proposed 18 separate amendments that were all rejected.

● (1510)

Most of all, I deplore the fact that from the beginning of the committee's examination of this bill before second reading, the Conservatives said they did not want to change anything. Why should we bother voting to send something to committee before second reading if, from the beginning, the Conservatives have already decided that they will not change anything? It makes no sense. It also demonstrates bad faith. We are supposed to examine bills with an open mind and a desire to improve them, correct their shortcomings and work together. That is what it means to live in a democracy.

The Conservatives even insulted some of the witnesses during the study in committee, telling them that they could choose to either vote for the bill in its current form or accept that there would be no changes to the Personal Information Protection and Electronic Documents Act before the next election. I understand we are having an election soon, but the Conservatives had plenty of opportunities to modernize the Personal Information Protection and Electronic Documents Act. There was Bill C-12, which simply disappeared because of prorogation. The bill that I introduced in the House contained very similar provisions to the ones found in Bill S-4, but the Conservatives voted against my bill.

Government Orders

These changes could have already been in the legislation. Unfortunately, the government suddenly says the timeframe is too tight and the only thing we can do is pass the bill as is despite all its problems and flaws. The government simply wants to pass the bill as is. I think the Conservatives are being disingenuous about this. To tell all the witnesses that the choice is between this bill and nothing is really insulting to them after they took the time to travel here to share their opinions and present their proposed changes.

Since the government rejected all the amendments and we did not manage to improve the bill, the NDP will have to vote against it even though we recognize that some provisions are a step forward, although they do not go as far as they should. Nonetheless, I cannot vote in favour of a bill that will create more opportunities for personal information to be shared without consent, without authorization, without the individual concerned being informed, and without a proper oversight mechanism. That is what this bill would do.

Clauses six and seven, which my motions would eliminate, will weaken the protection of privacy by allowing the sharing of personal information without the consent and authorization of the individual concerned. I already stated that the threshold was very low. I proposed raising the threshold so that the organization asks questions before sharing this information. The Conservatives refused. The Privacy Commissioner even raised concerns about this provision. He said that it could open the door to abuses, and that is what we found. This government made 1.2 million requests to Internet service providers to obtain personal information as a result of flaws in the Personal Information Protection and Electronic Documents Act. There have been actual abuses. As members of Parliament, we cannot consciously open the door to further abuses. However, that is exactly what clauses six and seven of this bill do.

I will now read what the Privacy Commissioner said at the February 17, 2015, meeting of the Standing Committee on Industry, Science and Technology:

Under the proposed amendments, potentially any organization will be able to collect or disclose personal information for a broad range of purposes without any mechanism to identify which organizations are collecting or disclosing the information and why.

This is very problematic because according to its title, this bill is supposed to create the digital privacy act. I am sorry, but there is a problem when parts of the bill contradict its objective. You do not have to be a genius to understand that.

• (1515)

I would like to share a quote from Michael Geist, who also testified at the Standing Committee on Industry, Science and Technology on March 10, 2015:

...the broad provision that we have here opening the door to massive expansion of non-notified voluntary disclosure without any of the kinds of limitations that we typically find even the courts asking for should be removed....With respect, it is both not well studied and ought to be fixed. Canadians deserve better.

He also took the opportunity to disagree with the process that the Conservatives put in place and the idea that we should pass this bill without amendment because we are out of time.

The warning mechanism for a data security breach proposed in the current bill is another problem. Many parliamentarians understand

the need for such a mechanism. This was brought up in the committee on which I sit, the Standing Committee on Access to Information, Privacy and Ethics, while we were studying this bill.

As the Privacy Commissioner has said many times, we must require that organizations notify individuals when their data are compromised. In a number of cases, as with Target and Home Depot, the data of thousands of people have been compromised or lost completely. Since the people in question are not always informed, they are not in a position to protect the compromised data. That is a huge problem.

Bill S-4 fixes this problem but does not really go about it in the right way. The proposed model is much too subjective because it allows the organizations themselves to determine whether a data breach creates a real risk of significant harm to an individual. The organizations therefore have to police themselves. They also decide for themselves whether to inform, or not, the Privacy Commissioner and the individual affected of any data breaches that occur.

The model that I am proposing is more objective. I proposed it before when we were examining this bill in committee and when we were examining my private member's bill, Bill C-475, which could have been passed already had the Conservatives not voted against it. This model would give the Privacy Commissioner the power to determine whether a security breach is serious enough to inform the individual. Thus, it would not be up to the organizations to do it.

What is more, PIPEDA covers all organizations, from convenience stores to large digital technology corporations. Some organizations, such as convenience stores that have only a couple of employees, are unable to determine how serious a data breach is. It is therefore important to allow them to turn to an expert, namely the Privacy Commissioner.

I would like to read a quote from John Lawford, the executive director and general counsel for the Public Interest Advocacy Centre, who testified before the Standing Committee on Industry, Science and Technology on February 19, 2015. He said:

Unfortunately, Bill S-4, as written, will very likely result in fewer reported breaches than even now and operate in an opposite manner. Namely, it will create a culture of fear, recrimination, and non-reporting. Bill S-4, incentivizes not reporting data breaches by leaving the determination of whether a breach creates a real risk of significant harm to an individual totally in the hands of the organization that suffers the breach. This obvious conflict of interest is fatal to the purpose of the bill as there is no advantage to a company to report and every advantage to hide a data breach.

As he said, the proposed mechanism is much too subjective. It is unfortunate that the Conservatives refused to implement a more objective system.

• (1520)

This bill does not give the Privacy Commissioner the power to issue orders. The former privacy commissioner, Jennifer Stoddart, asked for that repeatedly. Provincial privacy commissioners also wanted it because they have that power.

Government Orders

All too often, organizations do not act on recommendations made following an investigation by the Privacy Commissioner. Big international companies do not think they need to comply because it is just Canada, but Canada's laws must be respected. When our laws and the Privacy Commissioner's recommendations are constantly ignored, we need to fix that problem.

We could give the Privacy Commissioner the power to issue orders, but there is nothing about that in the bill. Instead, it calls for compliance agreements, which do not go far enough and do not really motivate organizations to act on the recommendations because they are not orders. We wanted to fix this problem, but once again our proposal was rejected.

I would have liked them to adopt the model I proposed in Bill C-475. I suggested following the usual investigation procedures, after which the commissioner would issue orders and set a deadline for compliance. The parties would act in good faith. For example, if problems were not resolved within a year, the Federal Court would impose a fine.

This system would give organizations that comply with the law and the recommendations a chance, with no repercussions whatsoever. However, if we do not find a solution and do not encourage organizations to respect privacy, there will continue to be abuse, and the law and the Privacy Commissioner's recommendations will continue to be ignored.

Bill S-4 is a step in the right direction, but it does not go far enough. That is what I said throughout the entire study. As a matter of fact, some witnesses also said it was important to have a system that truly encourages privacy protection.

What is more, given that we studied this bill in committee before second reading, we had the opportunity to correct other problems with the Personal Information Protection and Electronic Documents Act, because we knew there were some flaws. Under what circumstances is it acceptable for the government to submit at least 1.2 million requests a year for personal information to Internet service providers? This is a serious problem, but nothing is being done about it.

I thought we could sit down as parliamentarians and come up with ways to put oversight and transparency mechanisms in place and even get rid of these flaws and abuses. This was a missed opportunity.

Recently, the Supreme Court established in *Spencer* what was reasonable and not with regard to privacy protection. Unfortunately, that ruling was not taken into consideration during the study in committee. The Personal Information Protection and Electronic Documents Act was not amended in order to make it consistent with the Supreme Court ruling. That needs to be done. The government needs to show some vision and correct these flaws to provide better protection of Canadians' privacy because that is what Canadians deserve.

• (1525)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments made by the member, but I do want to

express some concerns as to the manner in which Bill S-4 was brought into the House.

The member made reference at the beginning of her comments about how she was optimistic at the beginning. I think there was a shared sense of optimism that we had the bill go on a different routine. As opposed to completion of second reading and then go to committee, we wanted the committee to provide some feedback so that we could look at making some more significant changes.

There were a number of presentations made. A number of amendments were brought forward. At the end of the day, the government showed no sympathy in terms of accepting what witnesses were telling the committee, nor amendments that were being brought forward, whether from the Liberal Party or others. Given the importance of information, in particular online banking and things of this nature, and the issue of privacy, we have really lost an opportunity to make some positive contributions through changes to the legislation.

I would ask the member to reinforce what she started off her speech with: the importance of the government recognizing a sense of co-operation that was there at the beginning and not responding well, which has ultimately led to a great deal of opposition to the bill we are now being asked to vote on.

[*Translation*]

Ms. Charmaine Borg: Mr. Speaker, I thank my colleague for the question.

Indeed, the way this bill was examined is very problematic. From what I remember, and someone will correct me if I am wrong, this is the only time a bill has been sent to committee for study before second reading. In such a situation, one might think there are changes to be made, otherwise why would we do that? Furthermore, this exceptional measure would allow the committee to put forward amendments that go further than the strict substance of the bill, and it is therefore a good opportunity.

We were not able to seize the opportunity, however, because the Conservatives came into the committee room saying that we should just accept the bill, otherwise there would be no changes at all to the Personal Information Protection and Electronic Documents Act, or PIPEDA.

Yes, we are running out of time. We understand that. However, the Conservatives had many opportunities to amend this legislation. They waited for years to review PIPEDA as they were supposed to do, given that under the existing legislation, the act is supposed to be reviewed every five years. We could have passed my bill, Bill C-475, which could have become law. Bill C-12 disappeared. In short, they had many opportunities.

Instead, they dragged their feet for years. When we were hearing evidence and during the study in committee, they said that time was running out and we had to accept the bill as is. Well, that is no way to operate, especially in a democracy like ours.

• (1530)

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to thank my colleague for her speech. She did a good job of explaining the short history of this bill.

Government Orders

She also explained how, once again, Canada is missing the mark when it comes to the protection of personal information, the new technologies at our disposal and how they could be used by certain companies and even the government.

On many occasions she has also condemned the failures of the government, the losses of personal information, and so on.

I would like her to tell us what we could do. What countries have brought forward legislation to protect personal information in a highly technological world? Could we take a page from their book? Could she give us some examples and expand on this subject?

Ms. Charmaine Borg: Mr. Speaker, we can learn quite a lot about protecting personal information from others. For example, Europe is bringing forward some very interesting ideas. However, are these the ideas that we want to include in our system or to consider for our Canadian system? We can consider them, but that does not necessarily mean that we will accept them in their present form. There are discussions under way about this. Unfortunately, we are not even able to have these discussions in this place because only the Conservatives' approach is the right one, and so it is that or nothing. That is really a problem.

We could also look to the provinces, especially British Columbia, Alberta and Quebec, which have good legislation and systems. In British Columbia and Ontario, the information and privacy commissioners have the ability to make orders following their investigations. Thus, there is already a precedent in Canada, within our own country, that we could use as a model.

I cannot understand why the bill before us does not include a clause to give the privacy commissioner the authority to issue orders. That is really ridiculous.

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I would like to thank my colleague from Terrebonne—Blainville for her work on this issue, which she knows a lot about.

We know that the Conservative government introduced Bill S-4 as a way to protect consumers. It is trying to sell the bill as a bill for consumers. However, consumer advocacy groups, lawyers, professors and even the Privacy Commissioner have indicated that there are problems with the bill, such as the provision on voluntary disclosure.

Can my colleague comment on the lack of balance in this bill?

Ms. Charmaine Borg: Mr. Speaker, we heard from a lot of witnesses. We could always hear from more, since the study of a bill can go on for a long time. We heard from professors, the Privacy Commissioner and many experts. Most of them pointed out the problems that could arise because the bill opens the door to sharing personal information without consent, without authorization and without even informing the person concerned. The bill is opening that door even wider. That concern was raised, but unfortunately, the proposed amendments were not accepted.

Some amendments were very reasonable. The Privacy Commissioner even made some suggestions, which were submitted in the form of amendments during the clause-by-clause study of the bill, but those amendments were rejected. We proposed implementing a system to at least ensure that when an organization shares personal information under exceptional circumstances, a public report is

issued indicating how many times such information was requested and why it was requested so that we know and we at least have a little transparency when it comes to the sharing of personal information.

There have been cases of abuse. This government and government agencies made 1.2 million requests to Internet service providers. There were no explanations, which is extremely problematic. We want to fix this problem, but instead, the Conservatives decided to keep doing things their own way, without consultation and without including what witnesses told us in committee about this bill.

• (1535)

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I thank my colleague from Terrebonne—Blainville for her speech.

There is something that strikes me and is very upsetting. Every time we meet in committee, the Conservatives block the committee from seriously studying opposition amendments. It is especially disturbing because one of the Conservatives' excuses, if I understand correctly, is that we cannot amend this bill since it came from the Senate and it will go back to the Senate. We have to wonder why the government chose to introduce such an important bill through the Senate.

Could my colleague tell us what she thinks about the government blocking the work that could have been done in committee to improve a bill that could potentially lead to some serious breaches of privacy?

Ms. Charmaine Borg: Mr. Speaker, I thank my colleague for his question. He is right; this is a huge problem.

We heard the witnesses talk about problems, but from the very beginning, the Conservatives were not willing to give anyone the benefit of the doubt. They said that they would not change a single thing because they did not have time. There is always a way to speed things up. Where there is a will, there is a way.

I would like to emphasize another aspect of this issue. The Conservatives said that, since the Senate had already studied the bill, senators had already heard from all of the witnesses and studied the proposed changes. That is false.

Many of the witnesses who appeared during the study by elected members of the House of Commons had not testified during the Senate's study.

Furthermore, the Supreme Court's ruling in *Spencer* had not yet come down when the Senate was studying this bill. That is an important element to consider because it may have a direct impact on the way we treat personal information here in Canada. The Conservatives wanted to ignore all of that.

Government Orders

They said that the Senate studied it, but I am sorry: senators are neither elected nor accountable. I have a problem with that.

It would be better for us, the elected members who represent the ridings, to be able to make changes ourselves.

Ms. Elizabeth May (Saannich—Gulf Islands, GP): Mr. Speaker, I want to start by expressing my sincere thanks to my colleague from Terrebonne—Blainville, who just delivered a very important speech. She worked very hard on her own bill on this topic, and I think her bill should have been passed. In my opinion, her bill was far superior to Bill S-4.

I share the sentiments of the hon. member for Winnipeg North. He, like the member for Terrebonne—Blainville, said that all the opposition parties thought that in light of the work that went into the current bill and all the others, such as Bill C-12, the government might make the effort to take a collaborative approach with the other parties. Unfortunately, that was not the case.

● (1540)

[English]

Here we are, looking at Bill S-4, a bill that comes to us after, as we have heard from other members, a convoluted process, a bill that died on the order paper, a superior private member's bill that failed when the Conservatives did not support it. It is an effort to bring up to date the Personal Information Protection and Electronic Documents Act, otherwise known as PIPEDA.

This is, of course, a very significant area of citizen and consumer concern. PIPEDA was passed in 2000, and a lot has changed in the world of digital information, privacy concerns, and information held by Internet providers, banks, and a great number of organizations to which Canadians trust their private information online.

Bill S-4 should have been an attempt, and may in fact have been an attempt that failed, to adequately balance the privacy rights of Canadians and the important facilitation of commerce in Canada. That would certainly be the expectation.

The larger context around which the bill comes to us is one in which we have had some rather spectacular accidental breaches of the privacy of Canadians through the release, through various errors, human errors, of health information, consumer information, and banking information because of breaches in the system.

One would have thought, especially in the specific context of the last year, that in drafting the bill, the government would have been very cognizant of the decision of the Supreme Court of Canada in June 2014 in the Spencer decision. That was a decision written by Mr. Justice Tom Cromwell, one of my former friends and professors from my time at Dalhousie Law School, a brilliant legal mind and someone who has, within the Supreme Court of Canada, written a number of critical and important decisions. The Spencer decision is one of them.

The Supreme Court of Canada, in Spencer, came down very clearly on the side of the privacy rights of Canadians. Mr. Justice Tom Cromwell wrote in his decision:

...the Internet has exponentially increased both the quality and quantity of information that is stored about Internet users. Browsing logs, for example, may provide detailed information....

He went on to note that users would never really know when their information was forming some sort of pattern that resulted in a review, and users, consumers, would not know when their information might be becoming accessed. However, in entering into agreements with ISP providers, the Supreme Court of Canada, through Mr. Justice Cromwell, noted that there is a “reasonable expectation of privacy in subscriber information”.

There is no denying that Bill S-4 would do some things that are fairly universally approved of by those who are leading critics in this area. The Privacy Commissioner for the Government of Canada, and of course, the Privacy Commissioner is an officer of Parliament, saw a number of significant improvements.

The Privacy Commissioner started his review by turning his attention to the purpose of PIPEDA in the beginning, back in the year 2000, noting:

The purpose...is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.

Given the fast-changing world of digital communications, with the Internet, the cloud, and all the various ways in which we now store information online, fortunately Parliament saw fit in the year 2000 to include a five-year mandatory review of PIPEDA so that we could keep up with the ways in which technology moves so rapidly.

Generally speaking, some of what is being done here has met with universal support. The risk-based approach that would allow organizations to assess each incident on a case-by-case basis was supported by the Privacy Commissioner, at least. The Privacy Commissioner would have an opportunity to enter into compliance agreements, but while the Privacy Commissioner found this acceptable, numerous other commentators did not. They did not feel it went far enough or actually protect privacy information adequately.

The things that met universal approval I will list briefly. The improvements in Bill S-4 include the additional qualification and clarification of what is meant by the standard of consent, the extension of a deadline to take cases to the Federal Court, and of course, the expansion of the powers of the Privacy Commissioner to publicly disclose information related to findings. These were things the Privacy Commissioner liked.

Leading critics include, and my friend from Terrebonne—Blainville has already pointed to one of the leading critics in this area, Professor Michael Geist, advisers, and a very exceptional group of lawyers who now work a lot on information privacy law at the Public Interest Advocacy Centre, where, in the 1980s, I was also associate general counsel. However, in those days, believe me, we did not have open files on Internet data and privacy, because we were mostly dealing with trying to advocate in areas of technology that now seem very outdated. In any case, the Public Interest Advocacy Centre has stayed on top of the technology.

Government Orders

We had from the Canadian Bar Association, the Public Interest Advocacy Centre, Professor Michael Geist, and of course, members of opposition parties a rich group of substantive and helpful amendments that would have led to universal support for this bill at that moment. Unfortunately, those amendments were all rejected.

I want to look at three aspects in the time I have left this afternoon: compliance agreements, the expansion of voluntary disclosure, and transparency reporting.

Compliance agreements are a source of concern. The way in which they are drafted in Bill S-4 would have been acceptable had they been strengthened and had penalties or had an order-making power been available to the Privacy Commissioner, but they have none of those things. The Canadian Bar Association brief made this point about it:

Our principal concern is that while entering into such an agreement with the Privacy Commissioner stays any court enforcement by the Commissioner, it does not have any effect on any affected individual's right to go to court against the organization for the same matter under investigation. This omission means that there is a much lower incentive for organizations to enter into such agreements. Also, it is not consistent with the regime in other similar schemes.

Despite recommendations to improve this, no improvements were made.

Second, the expansion of voluntary disclosure is probably for me the most significant failure of Bill S-4 and is quite inexplicable in that it runs directly counter to the Spencer decision I referenced earlier. This needed to have much more rigour to ensure that there was no warrantless access. This is the key issue. The task force should have come down harder for privacy rights.

Last, in transparency reporting, there should have been reforms to require organizations to publicly report on the number of disclosures they make without knowledge or consent and without a judicial warrant.

•(1545)

This information should have been disclosed on a regular basis for transparency, and organizations should have been required to notify affected individuals within a reasonable time of any accidental disclosure.

With that, I regretfully conclude that Bill S-4 does not meet the standard this Parliament should expect of an update to PIPEDA.

Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, the hon. member spoke at length in her comments about the Spencer decision.

The digital privacy act, to be clear, would not force companies to hand over private information to the police or anyone else without a warrant, and the independent officials who came before the committee, not cabinet ministers, who the hon. member has apparently such a hatred for, said that the Spencer decision has absolutely nothing to do with this piece of legislation.

I would like the hon. member to take this opportunity to point out very specifically where the Spencer decision has anything to say about PIPEDA or this particular legislation.

•(1550)

Ms. Elizabeth May: Mr. Speaker, first, I hasten to correct my friend. I have never spoken in this place, or in any serious location, with anything but respect and love for my colleagues.

My second point runs to the testimony provided by Professor Michael Geist that Bill S-4 runs contrary to the spirit of the Spencer decision and that, in fact, by allowing the disclosures to be made with upfront Internet service providers from telecom companies and so on without having the notification to the holder of the information, in his words:

The provision opening the door to massive expansion of warrantless, non-notified, voluntary disclosures should be removed...

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, I have a question as a follow-up to the question that my Conservative colleague asked the hon. member.

The R. v. Spencer ruling came down after this bill was studied in the Senate. What is more, Bill S-4 is based on models from British Columbia and Alberta. Some aspects from Quebec are included as well.

However, we saw that a report was tabled by the Legislative Assembly of British Columbia, the region my colleague represents, saying that in light of the ruling in Spencer, it would amend its personal information protection legislation, known as PIPA. If we are basing our legislation on a model that is changing, then I think we have a problem.

Why are we incapable of working together to see what repercussions the Supreme Court ruling might have on our laws, when other legislation, on which we are basing our bills, is in the process of changing?

Ms. Elizabeth May: Mr. Speaker, I agree with my colleague.

With Bill S-4, the government missed out on an opportunity to introduce a system that is in line with the Supreme Court decision in R. v. Spencer.

It is too bad, because this really could have been possible with the amendments brought forward by the opposition parties. Every party here brought forward amendments that would have worked. However, the government decided to reject all of them.

[*English*]

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, certainly the amendments the hon. member had presented at committee, both from the official opposition and by us, were just routinely dismissed. There was very little discussion, if any, and absolutely no room for any kind of serious work to be done because of the issue that if there were any changes, the bill would have to return to the Senate.

I would like to ask my hon. colleague if that was the reason all of our amendments were so quickly dismissed.

Ms. Elizabeth May: Mr. Speaker, I would have to say for my hon. friend from York West that I cannot offer any explanations for why amendments are rejected. We can say, though, that there is a pattern.

Government Orders

I have had the great good fortune—and I have to say I was very pleased—that in the committee looking at the pipeline safety act, two of my amendments were accepted. That is far more the exception than the rule. The vast majority of times in this place recently, bills go from first reading to royal assent without any amendments. That is quite against the tradition of the Parliament of Canada and the legislative drafting process and the role we all play as members of Parliament in improving legislation. That is supposed to be the point of the committee process. The legislative process is that we work together to improve legislation, not turn it into a partisan battle over every single amendment.

● (1555)

Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I am pleased to be here today to speak to Bill S-4, the digital privacy act, which has been referred back to the House by the Standing Committee on Industry, Science and Technology.

As consumers, we are all aware that, in the digital world we live in today, our personal information has become increasingly more accessible. People and organizations exchange huge amounts of information over the course of the day, whether it be through email, Internet browsing, or financial transactions. Digital networks have fast become the most efficient and convenient method of communication for Canadians.

Our government takes the protection of this personal information very seriously. We recognize the importance of having strong privacy protections in place to ensure that organizations are properly safeguarding the personal information of individuals across this country. Bill S-4 would implement changes to the Personal Information Protection and Electronic Documents Act, known as PIPEDA. These modifications would ensure that organizations are taking the appropriate steps to address the handling and protection of information in today's digital era. This bill, entitled the digital privacy act, sets out specific rules that businesses and organizations must follow when personal information they hold is lost, stolen, or accessed, either for malicious purposes or as the result of an accident.

As we have seen in the past year, data breaches continue to present themselves as a major challenge to the privacy and security of information. Breaches can happen in any number of different ways and to any type of organization. Digital information can be stolen through sophisticated cyberattacks or through simple software vulnerabilities that are made public.

Take the Heartbleed incident, for example. According to Symantec, this software glitch that was exposed in 2014 left approximately 0.5 million trusted websites at risk of a serious data breach. Financial information and sensitive customer data can also be left vulnerable in the event of a data breach. Unfortunately, this is a familiar topic for Canadians in today's digital age. Take, for example, last September when Home Depot announced that a data breach by unknown hackers left as many as 56 million debit and credit card customers across North America vulnerable to fraud.

Research shows that the majority of today's data breaches are conducted with malicious intent. The Symantec Internet threat report states that nearly half of all breaches are caused by outside attacks

and that these attacks are becoming increasingly sophisticated. Canadians are concerned about this. A recent nationwide survey on Canadian attitudes around data breaches concluded that this issue is creating significant public anxiety. The survey found that 79% of Canadians are worried about being a victim of a data breach. Data breaches are a top-of-mind issue for Canadians. This is not surprising, given the importance of the Internet in the day-to-day lives of Canadians.

Organizations should also be concerned about data breaches, given how expensive these incidents can be to businesses. It is estimated that the cost to combat and recover from data breaches worldwide last year was approximately \$364 billion. Business owners need to know that consumer demand for responsiveness to data breaches is increasing. A nationwide survey highlighted that Canadians assume that companies will take immediate action in the event that personal information is lost or mishandled.

That is not all Canadians expect. The same study concluded that over half of all respondents want companies to do the following: provide clear information and instructions on how individuals can protect themselves; and provide them with free credit monitoring for a certain period of time in the event that a breach occurs.

With the digital privacy act, our government is responding to the needs and concerns of Canadians. First, companies would be required to put in place strong security measures to prevent data breaches. Second, companies would be required to respond to a breach if and when it does occur or risk facing a strong penalty. With the changes we have proposed in the digital privacy act, if a company has its computer systems hacked and believes personal information has been stolen, or if that information has been lost inadvertently, the company would need to take a number of steps.

The company would be required to assess the risk resulting from the breach, and if it determines that the incident poses risk of harm, it would need to notify the affected individuals and file a report with the Privacy Commissioner of Canada. On the subject of mandatory breach reporting, the Privacy Commissioner has stated that:

Mandatory breach notification will bring enhanced transparency and accountability to the way private sector organizations manage personal information.

● (1600)

An organization would also have to keep a record of the event, regardless of whether a breach poses an obvious risk of harm. These records would not only allow organizations to demonstrate due diligence in their risk assessment, but they would also require companies to keep track of when their data security safeguards fail. This would help businesses determine whether or not they have a systemic problem that needs to be corrected.

What is more, organizations would be required to provide these records to the privacy commissioner at any time, upon request.

Government Orders

This record-keeping requirement would provide a mechanism for the commissioner to hold organizations accountable for their obligation to report serious data breaches.

Here is what the Privacy Commissioner had to say on record keeping:

I believe that the organization experiencing the breach is in the best position to assess risk and decide whether notification of individuals is warranted.

To provide an appropriate incentive to implement these measures, we believe that there should be serious consequences for intentionally ignoring them or attempting to cover up a data breach. Bill S-4 would make such deliberate acts a serious offence, punishable with fines of up to \$100,000 per offence.

These changes are widely supported by stakeholders, as is evidenced by witness testimony during the committee's review of the bill.

The Canadian Internet Policy and Public Interest Clinic said that:

...we're very grateful to see this notification obligation coming into force. It's much delayed and needed.

The Canadian Bankers Association also came out in favour, stating that:

The banking industry supports the requirements in the Digital Privacy Act for organizations to notify individuals about a breach of their personal information where there is a real risk of significant harm... We also support the Commissioner's new oversight powers to ensure organizations comply with these new provisions.

Finally, the Canadian Pharmacists Association also expressed its support, saying:

For pharmacists who access a significant amount of sensitive information related to the medication and health of their patients every day, a breach or disclosure of this information has the potential to put the patient at risk... As a result, CPhA believes that...reporting this breach to the individual concerned and the Privacy Commissioner are reasonable steps to take in order to mitigate any risk that may occur.

It's also reasonable for the organization in question to maintain proper records of these occurrences....

While there was broad-based support for the bill among stakeholders, the committee did hear some concerns about certain elements. One issue on which the committee heard different views is the threshold for reporting data breaches to the commissioner. Some stakeholders felt that the threshold is too high and that more breaches should be reported. Others thought the threshold is too low and that only material breaches should be reported to the commissioner.

The digital privacy act would take a balanced approach, one that avoids over-reporting of harmless incidents and yet allows the commissioner to oversee how organizations are meeting their obligations. The Privacy Commissioner agreed, telling the committee:

I support the risk-based approach that will require organizations to assess the seriousness of each incident and its impact on affected individuals.

Some stakeholders also expressed concern that the obligation to keep records of all data breaches is burdensome. However, the Privacy Commissioner, again, believes that the digital privacy act would get it right, telling the committee:

Requiring organizations to keep a record of breaches and provide a copy to my Office upon request will give my Office an important oversight function with respect to how organizations are complying with the requirement to notify.

Record-keeping can be done in a way that would minimize burden while still allowing businesses to demonstrate that they are conducting the proper risk assessments. The government would need to enact regulations to elaborate on what these records would need to look like and how long companies would need to hold on to them.

As a result, consultations during the regulatory development process would allow for further discussion, with stakeholder input, on this important issue.

Finally, some have questioned the need for fines in this area. The government recognizes that many organizations already notify individuals of data breaches in a responsible manner. However, we know from experience that there will always be those who try to break the rules.

The penalties in the digital privacy act would target those organizations that wilfully and knowingly disregard their obligations under the law or, worse, cover up a breach. These fines would not apply to organizations that make a mistake in good faith.

The Canadian Internet Policy and Public Interest Clinic at the University of Ottawa told the committee that:

We're very grateful to see a penalty regime for instances where the breach notification obligations are knowingly ignored... The fines currently in PIPEDA are designed as penalties for very overt offences.

● (1605)

Bill S-4 would encourage all organizations to play by the same rules and implement adequate controls and safeguards around the personal information they hold.

Furthermore, I encourage the House to oppose the motion put forward by the Green Party to delete clause 10 of Bill S-4. This would remove the new requirements for organizations to notify individuals who have been put at risk if their personal information is lost or stolen. The amendment ignores the advice of numerous privacy advocates including the Privacy Commissioner of Canada.

On several occasions, the commissioner has recommended that PIPEDA be amended to require mandatory data breach reporting. The digital privacy act would act on this recommendation, and the commissioner has expressed strong support for the approach taken in Bill S-4. The Privacy Commissioner and the majority of witnesses who appeared before the standing committee agreed that Bill S-4 is a significant improvement to PIPEDA and a necessary step in ensuring Canadians' personal information is safeguarded.

Government Orders

I think the Canadian Life and Health Insurance Association said it best in its witness testimony. It said that Bill S-4 takes a balanced approach to the responsibilities placed on business and organizations, but most importantly, it would protect the consumers of those businesses and give individuals the information they need to take corrective action when necessary.

Both business and consumers have been empowered in the digital age, but if Canada is to remain a leading digital nation, Canadians need to have confidence that their online transactions are safe and their privacy is secure.

Bill S-4 would strengthen these rules and increase the protection of Canadians' personal information. In summary, the digital privacy act would balance the privacy needs of Canadians and the ability of businesses to access and use personal information in their day-to-day operations. It would do this in a way that avoids over-reporting of harmless incidents while making it clear to businesses what their legal obligations are.

I hope we can count on the opposition's support and quickly pass the digital privacy act into law.

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, the Conservatives came to the committee study of this bill with their minds already made up. They said that we absolutely had to pass this bill in its current form without any changes, otherwise the process would take too long, especially with the upcoming election. Everyone in the House knows that we will be having an election soon, but the Conservatives had four years to do something.

The member even said in his speech that this bill was overdue and that it was needed. Of course this bill is long overdue, because the Conservatives waited four years before they introduced anything. Bill C-12 disappeared completely, and some reviews of PIPEDA simply fell through the cracks because the Conservatives did not act. They could have voted in favour of my bill, Bill C-475, and the legislation would already be amended.

Why did they adopt that attitude at the committee meetings? How can they justify such an undemocratic attitude towards this bill?

[*English*]

Hon. Mike Lake: Mr. Speaker, I find this question very interesting. Oftentimes we hear members of the opposition stand and complain that we are passing legislation too quickly. However as we pass this legislation, legislation that is really important to Canadians from coast to coast to coast, on the other hand, members obstruct time and again, moving motions that delay the operations of the House so that we cannot pass legislation that we need to get passed.

In this case, we have a piece of legislation that is incredibly balanced. Witness after witness throughout the committee process said as much. Certainly there were people on one side of some parts of the legislation and people on the other side of other parts of the legislation. We found time and again that the legislation came right down the middle.

Witness after witness said it is important for us to get this legislation passed, and I hope we can count on the opposition

members. The opposition member who just asked the question has come out praising the legislation. We hope we will be able to get this legislation passed soon with the help of the opposition.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I was not planning on asking my colleague a question, but I absolutely have to, when my hon. colleague talks about all of these witnesses after witnesses. It is like most of their legislation. I believe we had four or five meetings in total. At the Senate there were two or three, and in fact Professor Geist was one of the first witnesses who came to committee, and his first complaint was the fact that at the Senate there were two or three meetings, and that was it.

This is an important piece of legislation. My colleague suggests that there were so many meetings and lots of witnesses who came out. Yes, there was support because this is needed legislation, but there are ways of making the legislation better, which is what the official opposition, the Liberal Party, and the Green Party were trying to do. We were trying to improve the legislation, but we were given no chance at all.

• (1610)

Hon. Mike Lake: Mr. Speaker, I do not know if there was a question there. It sounded more like a statement, and I find the statement interesting, because she sits on the committee. She is a good friend, but I do not remember her at any point, in committee or even privately, coming up to me and saying that we were not having enough meetings on this legislation. No one made that argument. Certainly amendments were put forward and were voted on by the committee.

I would also point out that the legislation we are looking at today largely comes from a unanimous report in 2007 that was supported by members from all parties. Many of the measures that we are talking about and hearing about in speeches from the other side are measures that were put in place based on the recommendation of a unanimous report from all parties in 2007.

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, I thank my colleague for his presentation today on this important legislation. I would like to ask him, with regard to Bill S-4, if he could elaborate on how our government is working to protect and help vulnerable Canadians, especially children.

Hon. Mike Lake: Mr. Speaker, again, that was an important part of the committee hearings. Witnesses came before the committee and talked about how the legislation needs to be changed to enable the sharing of information about financial abuse of senior citizens and others, for example, and not just information dealing specifically with children. They said that we needed to ensure that we struck a balance in protecting people's privacy while still being able to share information when people were vulnerable to financial abuse.

They also talked specifically about taking steps to ensure that when organizations are specifically targeting children, the information that they are asking for is clearly communicated in a way that a child or the person being asked for information would understand.

These are common sense changes that make this legislation even better.

Government Orders

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, I find the question that was just asked to be a bit rich, given the fact that it is the current government that refused to spend \$10 million and ripped it out of the RCMP budget. It was actually geared toward sexual exploitation. If the Conservatives are really serious about protecting youth, that is where they should have spent that money.

With respect to the bill, when we look at the amount of testimony and the number of people who indicated that there should be some amendments to it, we see that the opposition submitted 18 amendments, all of which were rejected. It is as if on that side of the House, they do not think anything can be improved unless it corresponds to their mindset.

Given that we proposed several amendments and that they refused to listen to the concerns expressed by the witnesses during the study, and given that every single witness and group that appeared before the industry committee argued in favour of amending the bill and making it better, I wonder why they did not do it. Why are they rejecting all amendments that could give Canadians the protection they want for their personal data and electronic documents? Why push forward with this legislation, which would likely not withstand a constitutional challenge? Can the member guarantee that this legislation would actually pass a constitutional challenge?

Hon. Mike Lake: Mr. Speaker, let us start by saying that the hon. member was not on committee and was never at any of the hearings, so I reject the vast majority of her question.

Regarding this idea that the committee did not hear from witnesses, the fact of the matter is that for almost every one of the suggested amendments, there was a group of witnesses on one side saying that we should be tougher and another group of witnesses on the other side saying that it should be easier. We struck a balance somewhere in between. Certainly we had the opportunity to hear a variety of witnesses across the board.

When it came to hearing amendments, there were several amendments moved by the opposition. Someone mentioned 18, but I cannot remember what the number was. Many of them were redundant, in that many of them were the same amendment moved in different areas. In several cases, I remember that the member's own party moved amendments that did not make any sense and had to withdraw those amendments before they were even debated at committee.

Certainly we had the opportunity to hear the experts from Industry Canada weigh in on the legislation and give very well-reasoned arguments about why the legislation was the way it was. I think we came forward with a piece of legislation that would make PIPEDA stronger than it has ever been.

•(1615)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, surely the member would recognize that Bill S-4 was put in a unique situation in that it went to committee before it received second reading, thereby creating what turned out to be a false expectation that the government was open to making changes. In reality, all the amendments brought forward were defeated. It was almost like a normal routine of other pieces of legislation that have just gone through the normal process at second reading.

My question to the member is this: why did he feel it was important to isolate this piece of legislation by bringing it to committee before it completed second reading and then sending it to committee stage? Why change the normal procedure, given that the government had no intention of making amendments?

Hon. Mike Lake: Mr. Speaker, the hon. member, who has said a few words in the House on a few different topics over time, was not actually at committee, and I do not think he could actually name one of the amendments that were moved.

We heard the amendments. We had a good discussion at committee. We heard the suggested amendments, and as a government we decided that in each case the bill was better if we left it the way it was.

I would point out that not every one of those amendments was defeated by only our side voting that way, and nobody else. During the consideration of those amendments, there were often other members who agreed with our side that the amendment was not the way to go.

Again, our legislation will be stronger when this bill passes, and I urge all members of all parties to support it.

The Deputy Speaker: Order. It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Louis-Hébert, Public Works and Government Services; and the hon. member for Surrey North, Public Safety.

Resuming debate, the hon. member for York West.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to have an opportunity to speak to Bill S-4. I will be sharing my time with the fabulous member for Winnipeg North.

I am pleased that we are discussing this bill, but again, unfortunately, it is the same Conservative divisive policy of "You are either with us or you are against us." Members from all sides wanted to see some improvements to Bill S-4, but unfortunately the bill came from the Senate, and any changes were going to disrupt the process of trying to get legislation through very quickly, which is typical, of course, of the government's plan. I can only say that I was disappointed and that I have to stand and say that I have recommended that the Liberal Party vote against Bill S-4.

It is legislation that could have given our digital privacy laws the shot in the arm they so desperately need, and Liberals would have welcomed it if we had had the opportunity to make it better. That was certainly the intention from the Liberal Party's perspective.

As Canadians are increasingly turning to online commerce, education, banking, recreation, and communication platforms, our laws must keep pace in order to protect all of us. Sadly, the government has a wilful ignorance and reckless disregard for reason on such matters, and Bill S-4 proves it again very clearly.

Information oversight and management are not areas that the government has excelled in, so forgive me if my confidence is shaken a bit. I simply cannot accept without proof the government's word that it is actually protecting consumers' interests.

Government Orders

Of course, the way the government looks at personal information protection and privacy has already been subject to a Supreme Court ruling, and once again the court gave the government another failing grade.

This should come as no surprise to anybody who is paying attention to politics in Canada right now. We all remember when the government lost a hard drive that held the social insurance numbers, medical records, birthdates, education levels, and occupations of 5,000 Canadians. In addition, we remember when the interim privacy commissioner revealed that telecommunication companies receive an average of 1.2 million requests from federal enforcement bodies for private customer information every year. That is approximately 3,300 requests every single day for Canadians' personal information.

Perhaps I should also mention the headline that appeared in *The Hill Times* this week. It warned that Canada's access to information regime is slipping into—guess what—irrelevance. The article went on to reveal that the Centre for Law and Democracy ranks our ATI regime 56th out of 89 countries. I repeat, we are 56th out of 89 countries. We are really way up there, are we not?

The article also said that in September 2014, Canadian Journalists for Free Expression noted that ATI “is severely failing to meet its minimum requirements, let alone adequately serve the population’s needs.”

While I understand that access to information laws are different from digital privacy laws, these examples all point to a government that does not understand information management, yet refuses to seriously consult or listen to the experts on the matter who came before committee. The government stubbornly refused to listen to experts such as Professor Michael Geist and many others who appeared, including lawyers and professors, who said it was a good piece of legislation but that it could be better.

The intent, certainly on the Liberal side, was to try to make it better, but as everyone here knows, Bill S-4 was referred to the committee after first reading, as my colleague mentioned.

This is typically done for procedural reasons, and because it more readily allows for substantive amendments, the referral traditionally indicates the government's willingness to compromise. It was really very unusual for the government to do this, but it was very welcome. We thought that maybe the government had seen the light and that together we could improve this important piece of legislation, so we gladly supported it after first reading. We were preparing to move amendments, work together with the government, and make it a good, strong bill. It was on this implied promise that the Liberal caucus was prepared to support Bill S-4.

• (1620)

Committee members heard from several experts, including the privacy commissioner, IBC, the Canadian Bar Association, Professor Michael Geist and so many more. We took their counsel to heart in those four meetings.

After the hearings concluded, over 42 substantive amendments were presented in good faith, most taken directly from expert testimony. Those 42 amendments came from the three opposition parties in the House.

Let me give an example. I introduced an amendment that was specifically proposed by several witnesses and contributed to the committee study, including the Insurance Bureau of Canada. The amendment dealt with the reporting threshold for privacy breaches. My amendment would have required the reporting of any unlawful breach of personal information security so long as the said breach presented a significant threat of harm to an individual. That same amendment also clarified what a company needed to do to remedy the breach, including a requirement to warn victims that their information was lost. That sounds pretty basic. If my credit card was compromised or my personal information was lost, I would want to know that.

However, the government was unmoved. In just one short meeting, government members defeated every one of those 42 amendments without any explanation or defence. Some of them were out of date already by the time other ones had been defeated. There was no explanation or no big defence. It was simply the silent majority on the other side of the House voted them all down, just like they do all the time at all committees.

Despite warnings of overly broad, cumbersome and nebulous provisions within Bill S-4, the Conservatives took less than three minutes each to consider, discount and defeat everything that the experts had warned us about. As a result, Bill S-4 remains flawed. It has never been fully considered and should not be accepted or passed without a true and unbiased evaluation.

To be clear, there are positive elements to Bill S-4. For example, the legislation grants the Privacy Commissioner the ability to enter into enforceable compliance agreements with companies that have likely breached the act. This provides a regulatory remedy for certain actions and is a positive development. Public Safety Canada said that the bill would help to protect the security and privacy of Canadians by limiting the number of police and security officials who could request subscriber data and applying new requirements for recording, reporting and auditing those requests.

These may be good things, but several independent and credible sources outside of government expressed their concerns with Bill S-4. For example, many warned that metadata could be used to track specific individuals on the Internet and when in the wrong hands, that tracking could represent a serious threat to personal privacy. Bill S-4 utilizes a similar approach, and this is an issue of tremendous concern for those of us on this side of the House.

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I want to ensure that law enforcement officials have the information they need to keep us all safe, but a blank cheque approach is inappropriate and promises limited success. We could do better if the government would just listen to the experts and then work with the opposition.

In broad strokes, Bill S-4 represents a shift in the way we deal with digital privacy. Privacy laws have traditionally outlined the rules and procedures needed to protect information and personal data, but in this case the legislation sets up circumstances under which that material could be released.

In a world where crimes involving personal data theft, identity fraud and online stalking are on the rise, protecting data is crucial. Data is not just information; it is a commodity. It is power and it is a back door into our private lives. The Liberals are deeply concerned that the government's commitment to safeguarding personal information and privacy of Canadians is less than absolute with Bill S-4.

Whether driven by Conservative ignorance or intent, Canada is clearly on the cusp of a paradigm shift with respect to privacy laws, and the Liberals are worried about the consequences of Conservative insolence.

• (1625)

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to thank my Liberal colleague for her speech.

With respect to the meetings of the committee that studied this bill, we recognized that it was very difficult to get amendments adopted and make corrections to the bill. As my colleague the digital issues critic put it so well, this bill is flawed. The government and the Standing Committee on Industry, Science and Technology did not listen carefully.

I would like her to expand on what she considers to be one of the most problematic flaws in this bill and tell us how we can fix it.

[*English*]

Hon. Judy Sgro: Mr. Speaker, part of the reason why we on this side of the House supported the bill going to committee after first reading was so something as important as it could be improved by working together to ensure that we were better protecting Canadians. The flaws were there. However, the unfortunate part was that it was like all of our committees. They do not function. We can go and put in our hours, but the government has the majority. The Conservatives do exactly what they want. We sit there, we contribute, we try to make sense of some of these things, but it is a major waste of time.

I have been here for 16 years. Committees used to function very much in a non-partisan way. There was give and take, and people listened so we could make the legislation better.

I continue to have a major disappointment when I see the House not working that way. I cannot wait until we have an election and hopefully we can straighten things out so we can get back to doing the kind of work Canadians expect us to do at committee level.

• (1630)

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I take the member's point about amendments really being dead on

arrival in committee these days. It is getting to the point where the days when amendments from opposition parties were accepted in committee are fast becoming part of Canadian folklore. They are so far back in the past.

I have a question about one of the amendments the hon. member mentioned. I would like her to expand a bit upon it. That is the amendment that would have required credit card companies to divulge some information when a client's card was defrauded and so forth. I am not sure exactly what information and that is why I am asking.

Hon. Judy Sgro: Mr. Speaker, let me use the telecommunications companies as an example. There were thousands of times that telecommunications companies were giving access to personal information; that is our information and the information of many others.

My privacy and that of other Canadians needs to be protected. It should not be randomly given out because somebody asks for it. On anything to do with fraud, Canadians should be aware that their credit cards have been compromised. Individuals should be notified of that fact so they can monitor it themselves, not just assume that the credit card company will be on alert to protect their interests. Far too often the consumers are not notified of those kinds of things.

Again, on the issue of committee, my colleague has been here for quite a long time. He knows how parliamentary committees are supposed to work, and have always worked. When the government came into power, it decided it was not interested in committee work anymore. It did what it had to do to fill in time to go through the basic process.

Bill S-4 came in through the Senate. The bill should have come in through the House, and had the proper work done through a member of Parliament or minister. That is a proper way to deal with legislation. However, bringing it in through the Senate is the back door way of getting things done, and the government has used that approach several times to get through what it wants done.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I thank the member for York West for allowing me the opportunity to share a few thoughts on Bill S-4.

I am used to the member talking very passionately on a wide variety of issues, particularly regarding our seniors. She is a very strong advocate for our pension programs and so forth. It is also very nice to see that she takes the same sort of attitude in wanting to hold the government accountable on an issue that is important to seniors and all Canadians, which is the digital privacy laws, especially since the Internet and the use of it has exploded over the last decade or so.

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When we get advancements in technology and witness it first hand, to the degree in which we have, one would expect the government to have an interest in wanting to ensure we stay on top of the issues related to those advancements. However, the government has not done that.

In fact, it is interesting that we are today debating Bill S-4, which is an important issue. If we were to consult our constituents, I think we would hear genuine concern with respect to the type of information that is on the Internet and just how easy it is for a breach of that security, ultimately causing a great deal of harm to individuals. In a macro situation, it could have a severe impact on the economy.

However, we have an important issue in which the Prime Minister has made the determination that he wants to give the bill that final push as we start to wind down after four years of inaction on the file. Now the Prime Minister, with four and a half weeks of sitting days left, wants to rush the bill through the process and pass into law.

As has been pointed out, we had a different situation in the process with Bill S-4. Not only did it come through the Senate, but it was also stopped before second reading and sent to committee for review. From what I understand, that is very rarely done. The reason it is done is to accommodate significant potential changes to the legislation. That tells me the government, the minister responsible for bringing this legislation before us today, understood there were issues related to the legislation that needed to be dealt with before it completed second reading. I am convinced it was the reason the government took the initiative to take the bill out of the normal process and bring it to a committee first.

I suspect the Independent members, the Liberals and the New Democrats believed the government would be open to amendments. That was kind of the impression that was given to us. However, something happened between the decision to bring the bill to committee and have it voted on in committee with respect to the amendments. This is where the Prime Minister's Office interjected.

Through his office, we found that the Prime Minister was not interested in amendments, because all that would do would prolong the amount of debate, possibly, by having it go back to the Senate. He was more interested in being able to make the statement that the Conservatives had made some changes to the law, even though the legislation was flawed.

I want to focus some attention on the fact that we have very important consumer-type legislation related to something about which Canadians in all regions of our country are concerned, and that is the issue of privacy and protecting it.

●(1635)

The amount of purchasing and other items taking place economically on the Internet is increasing every year. The government wants to try to score a political point by saying it is trying to address the issue. In reality, nothing could be further from the truth. If it were really important to the government, I would suggest that Conservatives would likely have brought it in before the last month or two of this session and that the Prime Minister's Office would have allowed for amendments at the committee stage. Why would Conservatives oppose amendments that would improve the legisla-

tion? Unless maybe the government did not want the opposition to support the legislation. There is a lot of merit to that. We have seen that in other pieces of legislation: bring in an idea, give it a label, tell Canadians they are concerned about something, but then leave serious flaws in the legislation to try to maybe get the opposition party offside. Who knows?

What I do know is that there are many deficiencies within the legislation, as has been pointed out by the Liberal Party critic or others, at committee. There are serious flaws in the legislation and there were, I believe, 40-plus amendments that were being proposed. Not one of those amendments passed. The government cannot say that it was political parties that were doing the posturing on it. Many of the amendments, including amendments brought forward by the Liberal Party, were taken from experts at committee who made presentations, some credible organizations, government agencies of sorts that came before the committee.

The government made the decision that it was not going to accept any amendments. What surprises me is that if the Prime Minister's Office had been more clear with the minister responsible for the legislation, the bill could have gone through the normal process. The normal process is not that much better. Ever since the Conservative/Reform government received a majority it had a different attitude in terms of how democracy works here inside the chamber.

I have heard about many pieces of legislation, not only this one, where opposition parties or individual members of Parliament would bring forward amendments and the government consistently said "no" and defeated amendments. The government makes a mockery of the system by not allowing members from all sides of the House to move amendments that would improve the legislation.

Subscriber data requests are very important. People are concerned about that. We know that there are victims who need to be warned when there are breaches of security. Personal identity theft is very real. It is happening far too often. The amount of fraud out there continues to grow and is becoming a serious problem.

●(1640)

We need to protect the privacy of Canadians, and this bill would not go anywhere near far enough to address the many concerns that were brought up, whether at committee or by individual members.

The issues are important. The government has dropped the ball. I would suggest that if the Conservatives really wanted to make a difference, they would allow amendments to pass. In essence, that would provide assurance to Canadians that the government truly does care and that it is more than Conservative spin that it is interested in, but there is no sign of that, unfortunately.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I listened with some interest to the member for Winnipeg North as he intervened on this bill. I was certainly convinced by his arguments. He talked about the fact that there were many witnesses who raised significant concerns about this legislation. He talked about the dangers of not being careful and how we could deal with these privacy issues on the Internet.

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Given his strong feelings, I can understand why he would not support this piece of legislation, but I have to tell him that I was a bit flummoxed when I considered the Liberals' response and the response of this member to Bill C-51. We heard the same arguments. The government would not listen to amendments. It would not listen to the experts. The impact of Bill C-51 was going to be extraordinarily significant, but in that case, they turned around and voted for it.

In this case, there are similar arguments and similar positions and they are voting against it. I wonder if the member for Winnipeg North would try to square that circle for me?

• (1645)

Mr. Kevin Lamoureux: Mr. Speaker, I will try to make it relevant to this particular bill. I appreciate the question from the member. Maybe I can assist him by indicating that in debating Bill C-51, because I did get the opportunity to talk about it, we needed to recognize that there was some value to the passage of the bill in the context of time. Through that value, we could provide security for Canadians.

We did have concerns, and we still have concerns regarding Bill C-51. I would suggest that the member need only reflect on what the leader of the NDP and even some of his colleagues said inside the chamber, that if they were in government, they would not repeal the legislation that Bill C-51 brought in, but rather make changes to it. They recognized that there was some value to Bill C-51.

That is not necessarily the same case here. It is nowhere near as time sensitive, and there is no reason why a more all-encompassing piece of legislation dealing with the issues of online commerce and privacy could not be addressed by having a more thorough piece of legislation. If I had more time—

The Deputy Speaker: Questions and comments, the hon. member for Beauharnois—Salaberry.

[*Translation*]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I would like to ask a question.

Bill S-4 has several flaws with respect to the protection of personal information. For one thing, it would lead to a reduction in the number of complaints and reports of breaches because the complaints made would be managed by the companies themselves. It would be up to the companies that receive the complaints to determine if they are serious enough to be addressed.

John Lawford, the executive director and general counsel of the Public Interest Advocacy Centre, says that this will incentivize not reporting data breaches by leaving it up to the organization to determine whether the breach creates a real risk. That is a real conflict of interest.

I am wondering what the member for Winnipeg North thinks about that. Was the committee told that the fact that this bill reportedly protects privacy when it actually does the opposite is a serious concern?

[*English*]

Mr. Kevin Lamoureux: Mr. Speaker, it is important to recognize that victims need to be warned if there has been a breach. That is one

of the reasons why the member for York West, on behalf of the Liberal Party, moved amendments specifically dealing with the issue of a threshold and how important it is that companies recognize their responsibility and their role in informing consumers and victims once there has been a breach.

Legislation that would have encouraged this would have gone over a whole lot better, as opposed to what we have here today. That is one of the reasons why, I would suggest, the government was negligent by not accepting a number of the amendments, not just the one I just cited from the Liberal Party critic. There were many other amendments that also could have been passed, I suspect.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, as the member of Parliament for Renfrew—Nipissing—Pembroke, it is my pleasure to rise in my place and express strong support for Bill S-4, the digital privacy act. This legislation would make important updates to the Personal Information Protection and Electronic Documents Act, commonly known as PIPEDA.

I take issues of privacy very seriously, just as do the people in my riding, like teachers, parents, and grandparents. The number one concern that is expressed to me by individuals is their right to privacy and their right to be protected from the misuse of private information. When it comes to the Internet, while it has brought many improvements to the lives of Canadians, the concern always is what happens to the information that is collected from the Internet on individuals and how it may be used.

Under the current law, companies must seek permission from an individual to collect personal information and may only use this information for legitimate business purposes that had been identified prior to collection. Businesses are required to protect this information when it is in their possession, and they cannot share it with anyone, except in the case of very narrow, limited circumstances. The digital privacy act would build on these protection policies and would add new requirements by which companies must abide.

For example, the bill would require companies to inform Canadians if their personal information has been lost or stolen and if they have been put at risk as a result. It would also clarify the rules around obtaining individuals' consent to collect their personal information, clarifications that would ensure children and other vulnerable groups would be protected when they go online.

The recent high-profile criminal court case in Ontario of a hand-picked senior Liberal provincial deputy minister being convicted of charges related to the heinous crime of pedophilia using the Internet demonstrates how dangerous a place the Internet is for children and the continual need to try to stay one step ahead of the bad guys. The fact that an individual could occupy such a senior position for years as deputy minister of education and a senior advisor to the Liberal premier of Ontario, and apparently do so undiscovered until uncovered by an international crime investigation, is shocking. Convicted pedophile Ben Levin was photographed happily campaigning with the leader of the third party in this place undetected, apparently, or otherwise. This demonstrates why we must always keep up our guard, particularly when children are involved. The Internet is a dangerous place for children.

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My constituents in Renfrew—Nipissing—Pembroke know that, when children are involved, I will always err on the side of caution. As we have discussed many times before, strong rules are meaningless if they are not backed up with strong compliance tools. I would like to focus my comments in this critical area.

Let me begin by explaining how PIPEDA currently works with respect to compliance. The act is enforced by the privacy commissioner, who has the ability to investigate complaints and the power to launch investigations in the event that he feels an organization is in violation of the law. PIPEDA gives the commissioner broad investigative powers, which allow him to enter premises, compel the production of information and gather evidence. It is a criminal offence to obstruct the commissioner in the process of an investigation. However, for the most part, the commissioner acts as an ombudsman, using a range of dispute resolution tools to address any violations of the act he discovers in the course of an investigation. At the conclusion of an investigation, the commissioner issues a report outlining any violations of the act, a list of recommendations, and an assessment on whether corrective action needs to be taken moving forward.

● (1650)

PIPEDA's compliance regime has, for the most part, been successful in resolving issues brought to the commissioner's attention. Most organizations in Canada are good corporate citizens, and when the commissioner identifies that they are in violation of the law, they move quickly to correct their practices.

Unfortunately, as a lawmaker, I know from experience that there will always be those who try to skirt the rules. That is why Bill S-4 would make some important improvements to PIPEDA's compliance framework. These changes would make sure the commissioner has the necessary tools to ensure organizations respect the law and the privacy rights of Canadian citizens.

First, Bill S-4 would increase the amount of time available to take an organization to court. Currently, an application to the Federal Court has to be made within 45 days after the commissioner issues the report of findings. In their testimony to the standing committee, officials from the Office of the Privacy Commissioner explained why this period needs to be increased. They stated:

As we've experienced in practice, 45 days is a very short time period to resolve some of the highly complex technological issues or broader accountability issues that organizations quite rightly need time to rectify.... We...follow up with them several months, if not a year, afterwards to ensure they did follow through on the recommendations they said they would undertake to do.

To address this issue, Bill S-4 would increase the time in which an organization could be taken to court from 45 days to 1 year. As the Privacy Commissioner pointed out to members of the standing committee, organizations are often given up to a year to implement recommendations. This amendment would enable the commissioner to enforce compliance in court if a company fails to take the necessary action.

The second important change brought forward by Bill S-4 would give the privacy commissioner the authority to enter into binding compliance agreements with organizations. A compliance agreement is a regulatory tool that provides an alternative to taking an organization to court if it was found to be in violation of PIPEDA.

Compliance agreements are voluntary but binding agreements. They are agreements between an organization and the commissioner. These agreements benefit both sides. From the organization's perspective, it gets certainty and clarity. From the commissioner's perspective, these agreements increase the accountability of the organization to become compliant with the law. Currently, commitments made by an organization to implement the commissioner's recommendation are non-binding. Compliance agreements, however, would make these commitments binding and enforceable by a court.

The inclusion of compliance agreements in the digital privacy act was supported by a broad range of stakeholders during committee hearings on the bill. The Privacy Commissioner himself stated that there are two main amendments that are very necessary and would be helpful for us to implement and apply. The first amendment he was referring to was about mandatory data breach reporting. The second was about compliance agreements. Similarly, Mr. Tamir Israel, from the Canadian Internet Policy and Public Interest Clinic, stated, "We're particularly pleased to see the inclusion of compliance agreements and an extended appeal period..."

Finally, Bill S-4 would give the commissioner more power to name and shame, or to publicly disclose information when organizations are not co-operating. Under the current act, the commissioner can only publicly reveal information about the way in which an organization handles personal information. However, the commissioner cannot, for example, disclose that an organization is not co-operating with an audit or is otherwise acting in bad faith. For many organizations, the threat of having their lack of action made public would be an effective tool to hold them accountable and encourage them to comply with the law; and the proposed amendment could be used, for example, against foreign-based companies that are otherwise beyond the reach of Canadian courts.

● (1655)

[*Translation*]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, my Conservative colleague spoke about corporate accountability with regard to privacy protection. However, she knows full well that Bill S-4 allows those same businesses to decide for themselves whether or not they will address the complaints people make regarding the use and sharing of their personal information without their knowledge, without consultation and without a warrant.

Many witnesses told the committee that there is a problem with transparency in this bill and that it creates a conflict of interest because the company at fault is the one that decides whether or not the complaint will be addressed. This bill does not provide greater protection for consumers and Canadians. On the contrary, it opens the door to abuse. Many people and experts told the committee that the bill is seriously flawed.

I am wondering how the member opposite can say that this bill is going to protect children when it is flawed. Even the Privacy Commissioner said that the bill does not have the power to really protect Canadians.

• (1700)

[English]

Mrs. Cheryl Gallant: Mr. Speaker, if a company refuses to cooperate with requests for information, the commissioner could publicly disclose this fact, which would send a signal to consumers of the privacy implications of the organization's practices. The organization would, in turn, have to explain to its customers why it is not respecting Canadian privacy law, and this change would ensure that Canadians are informed and aware of issues that affect their privacy, so that they can make educated choices to protect themselves.

Our government is taking action to give the privacy commissioner powerful new tools to promote compliance with PIPEDA, whether through binding agreements, the possibility of court action, or being held to public account. These proposed amendments would increase the accountability of organizations to maintain good privacy practices, and if they do not report a breach, they would be heavily fined for each name that is disclosed, up to \$100,000. When a company has thousands of clients, that could add up to quite a bit of money.

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, in committee, one of the issues that was discussed at length is elder financial abuse. I would like to ask the member how Bill S-4 would work to combat this serious problem in our society today.

Mrs. Cheryl Gallant: Mr. Speaker, unfortunately, senior abuse is a tragic fact in our society, and our government has put forth common-sense proposals in the digital privacy act to combat financial abuse of seniors. The digital privacy act would not broadly expand warrantless disclosure but would narrowly allow banks and other financial institutions to voluntarily disclose financial abuse to the proper authorities. It is a targeted proposal that would help combat the unfortunate situation of financial abuse of the elderly.

[Translation]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, I am pleased to speak about a topic as important as privacy protection.

We need to amend the Personal Information Protection and Electronic Documents Act to bring it in line with the reality of the digital era. The bill seeks to impose new requirements for the collection, use and disclosure of personal information by a company or organization.

What really bothers me about this bill is the provision that would allow organizations to share personal information without a warrant—yes, I did say without a warrant—and without the consent of the individual concerned. That is a major problem.

Even though this bill is called the digital privacy act, it contains a provision that could really interfere with the protection of privacy. I find that deeply contradictory.

Once again, this Conservative government has proven that it spends more time coming up with grandiose titles than working on

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content. It is also extremely important to point out that between the drafting of this bill and today's debate, the Supreme Court ruled that information such as the data that Internet service providers have on users and clients—IP addresses, email addresses, names, telephone numbers, and so on—is considered personal information and cannot be obtained without a warrant. I am not the one saying that. It was a Supreme Court ruling.

I have some serious concerns about the constitutionality of this provision. The government must comply with the Supreme Court's ruling and remove all the provisions enabling the disclosure of personal information without a warrant.

During the study in committee, a number of witnesses expressed concerns about this very provision. For example, the Privacy Commissioner said the following in a submission:

Allowing such disclosures to prevent potential fraud may open the door to widespread disclosures and routine sharing of personal information among organizations on the grounds that this information might be useful to prevent future fraud.

We want to protect privacy, but it is questionable to allow access to personal information without a warrant, without consent, without any kind of judicial oversight and without transparency. The Conservatives have a poor record when it comes to protecting privacy, and Bill S-4 will not erase the past.

In one year alone, government agencies secretly made at least 1.2 million requests to telecommunications companies for personal information, without a warrant or proper oversight. Why did they ask for this information? We do not know.

• (1705)

The government should have taken advantage of Bill S-4 to close the loopholes in PIPEDA that allow this kind of information transfer without legal oversight, consent or transparency.

There is another provision in the bill that made my jaw drop. This bill would require companies to declare a data loss or breach if and only if it is reasonable to believe that the breach creates a real risk of harm. In other words, it is up to the company itself to determine whether or not it should notify the authorities in the event of data loss. That is crazy.

This measure will actually give companies less incentive to report data breaches by leaving it up to the company whose data were breached to decide whether the breach creates a real risk of significant harm to an individual.

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This blatant conflict of interest is what really kills the purpose of this bill because a company will see no benefit to reporting a data breach and every benefit to hiding it. Deciding that a breach is benign will save the company money, damage to its reputation and inconvenience.

It will also help the company avoid being put under the microscope by the Office of the Privacy Commissioner of Canada for an audit or investigation. It will create a culture of non-reporting because the commissioner would be nothing more than an observer.

In conclusion, the Conservatives say that their bill is balanced, but we can do much better. We are increasingly aware of the harm that data breaches can cause, so we cannot create a bill that will barely be useful.

We need a bill that will do an excellent job of giving Canadians better protection from data breaches. This bill has not been looked at carefully enough, and we need to fix it. Canadians deserve better.

• (1710)

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I thank my colleague for her speech.

I completely understand why my colleague was so shocked when she saw the provisions allowing companies that disclose personal information to manage and discipline themselves.

It is quite surprising that, ultimately, the Conservatives are refusing to be guided by the most informed, most qualified experts on the matter. One example is Daniel Therrien, the Privacy Commissioner.

With Bill C-51, once again, the Conservatives tried to take evasive action by not inviting the commissioner. However, in the case of the committee work on this bill, the commissioner was able to have his say.

Can my colleague comment on the fact that the very reasonable amendments brought forward by the NDP, which were inspired by the commissioner's comments, were flat out refused by the government, without any discussion?

Mrs. Djaouida Sellah: Mr. Speaker, I thank my colleague from Beauport—Limoilou for his very relevant question.

As I said, since we have been here, since the beginning of the 41st Parliament, we have learned that this government prefers self-regulation. We have seen this in many areas, including rail safety, drug reporting—until we forced the government's hand—and personal information. Some 18 amendments were brought forward at committee. The commissioner also suggested that the bill be amended to reflect the Supreme Court ruling.

However, we know that privacy is a thorny issue and not a priority for the Conservatives. What, then, is their priority: getting personal information without authorization or income splitting?

• (1715)

[English]

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, why is my hon. colleague across the way opposed to the position of the Privacy Commissioner? The Privacy Commissioner came to committee. The fact is that almost every witness agreed. Some did not agree with Bill

S-4, and as we have heard, there were diverse opinions. However, the vast majority supported the changes that Bill S-4 presented, and the Privacy Commissioner was part of those.

Why does the NDP ideology get in the way of recommendations from the committee and the Privacy Commissioner?

[Translation]

Mrs. Djaouida Sellah: Mr. Speaker, I would like to respond to my colleague across the way with some facts and key figures.

In one year alone, the Conservatives made 1.2 million requests to telecommunications companies for Canadians' personal information. What is more, 70% of Canadians feel less protected than they did 10 years ago. That came from a 2013 survey of Canadians on privacy protection.

Some 97% of Canadians would like organizations to notify them in the event of a breach of security of their personal information. It has been proven that there is a directive that is not clear. It surprises me that there is no authorization, no consent, no judicial oversight.

[English]

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, I am pleased to speak to Bill S-4, the digital privacy act, which was recently reviewed by the Standing Committee on Industry, Science and Technology.

Bill S-4 introduces a number of important improvements to the Personal Information Protection and Electronic Documents Act that will increase the level of privacy protection for Canadians.

PIPEDA is privacy legislation that has been in place for more than a decade now. Under the law, organizations are expected to apply stronger protection in situations that are privacy-sensitive. As an overriding rule, businesses must limit what they do when it comes to the collection, use, and disclosure of personal information to activities that one would consider reasonable and appropriate in the circumstances.

Not all individuals have the same capacity to understand what is reasonable and appropriate, nor can they necessarily appreciate the immediate or long-term consequences of providing information about themselves to a commercial enterprise. This is particularly true of minors. The range of online activities today's kids engage in is astounding. They take part in multi-player games with people from all over the world. They explore virtual worlds. They join chat rooms and post comments, photos, and videos about themselves and their friends.

Today's kids have grown up with the Internet and digital technologies. Social networks, gaming consoles, and smart phones have always been a part of their lives. When kids interact with their friends and when they play games, more often than not it is through technology.

According to a survey conducted in 2013, more than 30% of grades 4 to 6 students have Facebook accounts. By grade 11, 95% of students have such an account.

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Digital technology offers tremendous benefits to children's education, development, and social lives. In today's digital economy, children must be able to safely and securely use network technologies and access the online world if they are to develop the skills they will later need to find jobs in the digital marketplace.

What children may not be aware of is that the information they share in the context of online play or learning can actually have unintended consequences. Online personal information has become an enormous source of revenue for companies. Kids are able to play online games, download and use apps, and talk to their friends at no cost because companies offering these services generate revenue by harvesting and using personal information for profiling and marketing purposes.

This government does not wish to prevent today's youth from fully realizing the benefits of the digital world. The skills they develop through these many online activities will provide them with significant advantages when they enter the job market as young adults. This government fundamentally believes that digital literacy and skills are at the core of what is needed for individuals to succeed in today's digital economy.

However, with an increased online presence comes added risk. Strong protections for children's online privacy are needed.

PIPEDA already contains defences that safeguard the personal information of minors. For example, the act prohibits organizations from using deceptive means to obtain consent. Most importantly, it requires companies to limit the purposes for which they collect, use, or disclose personal information to reasons that individuals would consider reasonable and appropriate in the circumstances.

Bill S-4 enhances these protections by clearly setting out requirements that organizations must meet when obtaining consent. These new provisions will have a positive impact, especially when it comes to the protection and the privacy of children.

The new measure will require organizations to clearly explain why they are collecting information, what they will do with it once they have it, and what the consequences of providing it will be.

• (1720)

What is more, they must provide this explanation in a way that can be understood by the audience they are targeting with their product or service. This means that any business targeting children must pay very close attention.

The amendments in Bill S-4 mean from a legal perspective that when a company is seeking permission to collect, use, or disclose personal information from a group of individuals such as children, it must take steps to ensure that these individuals are able to fully understand what would happen to that information.

In practice, this would mean that the organization's request for information can be easily understood by the target audience. This includes making sure that the wording and language used in the request are age-appropriate. For example, a video game designed and marketed to preteens would clearly need to take a different approach to obtaining the consent of players to collect personal information than a video game marketed to adults.

We heard from a number of witnesses during the committee's consideration of the bill, and the majority were supportive of our government's proposed amendments in Bill S-4 to enhance consent.

The Privacy Commissioner of Canada repeatedly expressed his support for the amendment. This is what the Privacy Commissioner told the committee:

Consent is a big part of PIPEDA, and I think it's useful to have this clarification of what actually is consent. We obviously know that it is a huge challenge for organizations to properly advise individuals of the reasons they collect information and they use it, so any tool that enhances, that provides an incentive for organizations to be clearer, and to take into account the context of the individual or consumer I think helps Canadians.

The commissioner further emphasized:

So, when the individual is a child, if your product is addressed to children, you should think about what is reasonable to expect of a child in understanding the consent being sought. Overall, I think, again, the definition of consent in Bill S-4 will assist generally and will assist particularly groups that are more vulnerable, like children.

Privacy information must be clear to the user. The privacy policy should be specific to whatever service the child is using and not be a one-fits-all privacy policy.

The standing committee also heard support for this amendment from a number of other witnesses, including from business. For example, the Marketing Research Intelligence Association, a national self-regulatory body that represents Canada's survey research industry, wrote in a submission to the committee that it fully supports the enhanced consent requirements of the bill.

The association noted in particular that the amendment provides "added clarity for organizations when they seek the valid consent of an individual" when collecting, sharing, and disclosing their personal information. It went on to say:

We believe that specifying the elements of valid consent will go a long way to protecting the most vulnerable Canadians, such as seniors and children.

Our government has already taken significant action when it comes to protecting children online. We have made important progress to shield our children from online intimidation, cyberbullying, and other similar threats and abuse through amendments to the Criminal Code of Canada that were passed under the Protecting Canadians from Online Crime Act.

The amendments put forward under the digital privacy act build on those actions taken to address cyberbullying and represent additional real and tangible measures to protect Canadians and their families from online threats.

Business of Supply

PIPEDA has been in force since 2001. Concerns about the protection of children's online privacy were raised with Parliament in 2007 during the first statutory review of this act. There was general consensus among witnesses that children warrant extra privacy protection, given their particular vulnerability to deceptive and privacy-invasive practices. Indeed, at the conclusion of its review of the act, Parliament recommended that the government examine the issue of consent by minors to determine if PIPEDA should be amended.

● (1725)

Our government heard stakeholder concerns and is responding to the recommendations of committee by introducing enhanced protection for the privacy of minors that is now before the House. This is an important amendment, and along with all other measures in this bill, it should be passed quickly.

The digital privacy act takes real and tangible steps to protect society's most vulnerable individuals. I hope hon. members will join me in supporting this bill so that these new protections can come into force quickly.

[Translation]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I listened carefully to the speech by the hon. member, who, if I am not mistaken, is also a member of the Standing Committee on Industry, Science and Technology.

The government seems to be in a hurry to move forward with this bill. However, we still have some concerns about privacy protection. The Privacy Commissioner raised those concerns.

Can the hon. member elaborate on how this bill will really protect the privacy and communications of Canadians who communicate honestly and in good faith? Does this bill contain measures that will really protect Canadians' privacy?

[English]

Mr. John Carmichael: Mr. Speaker, the committee heard many witnesses. They provided views and testimony from both sides of the spectrum.

It is important to note, as per my colleague's question, that the digital privacy act would require organizations to tell Canadians if their personal information has been lost or stolen. As well, heavy fines of up to \$100,000 would be imposed on companies that deliberately break the rules. The legislation would place strict limits on the type of personal information companies can disclose; establish new rules to protect the privacy of vulnerable Canadians, particularly children, as I just discussed; provide provisions to protect seniors from financial abuse, something we have spoken about extensively this afternoon; include measures to allow the use of information to help find missing children; and give the Privacy Commissioner of Canada more power to enforce the law and help hold offenders to account.

Bill S-4 meets those objectives more than adequately.

● (1730)

[Translation]

BUSINESS OF SUPPLY

OPPOSITION MOTION—CARE FOR VETERANS

The House resumed from May 11 consideration of the motion.

The Deputy Speaker: It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion of the hon. member for New Westminster—Coquitlam relating to the business of supply.

Call in the members.

● (1810)

[English]

And the Clerk having announced the results of the vote:

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Burnaby—New Westminster on a point of order.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, as you know, the practice in this House is that we stand and we vote in our seats. The Minister of National Defence is not in his seat. He is in the seat of the Minister of Industry. That is a practice that is a long-standing parliamentary tradition, and since he was not in his seat, I would ask you, Mr. Speaker, to rule on the matter.

The Acting Speaker (Mr. Bruce Stanton): Order. I thank the hon. member for Burnaby—New Westminster for bringing this to the attention of the House. As is customarily the case when members are standing in their place to vote, I note that the hon. Minister of Defence essentially is normally seated immediately next to the hon. Minister of Industry, and when members are standing in their place, they are essentially in the same place as where their seat is. The fact that the Minister of Defence happens to be sitting in a different chair at the moment I do not know necessarily negates the fact that he was essentially standing in his place at the time of the vote, and therefore his vote would count.

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

(Division No. 402)

YEAS

Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Welland)	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Angus
Armstrong	Ashfield
Ashton	Aspin
Atamanenko	Aubin
Ayala	Barlow
Bateman	Bélangier
Bellavance	Bennett
Benoit	Benskin
Bergen	Bernier
Bezan	Blanchette
Blaney	Block
Boivin	Borg
Boughen	Boulerice
Boutin-Sweet	Braid
Breitkreuz	Brisson
Brosseau	Brown (Leeds—Grenville)

Government Orders

Brown (Newmarket—Aurora)	Bruinooge	Rempel	Richards
Butt	Byrne	Rickford	Ritz
Calandra	Calkins	Saganash	Sandhu
Cannan	Carmichael	Saxton	Scarpaleggia
Caron	Carrie	Schellenberger	Scott
Casey	Charlton	Seeback	Sellah
Chicoine	Chisholm	Sgro	Shea
Chisu	Chong	Shipley	Shory
Choquette	Christopherson	Simms (Bonavista—Gander—Grand Falls—Windsor)	
Clarke	Cleary	Sims (Newton—North Delta)	
Comartin	Côté	Sitsabaiesan	Smith
Crockatt	Crowder	Sopuck	Sorenson
Cullen	Cuzner	St-Denis	Stewart
Daniel	Davidson	Stoffer	Storseth
Davies (Vancouver Kingsway)	Day	Strahl	Sullivan
Dechert	Devolin	Sweet	Tilson
Dewar	Dion	Toet	Tremblay
Dionne Labelle	Donnelly	Trottier	Trudeau
Doré Lefebvre	Dreeshen	Truppe	Valcourt
Dubourg	Duncan (Vancouver Island North)	Valeriotte	Van Kesteren
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)	Van Loan	Vaughan
Dusseauit	Dykstra	Wallace	Warawa
Easter	Eglinski	Warkentin	Watson
Eyking	Falk	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Fast	Findlay (Delta—Richmond East)	Weston (Saint John)	
Finley (Haldimand—Norfolk)	Fletcher	Wilks	Williamson
Footé	Freeman	Woodworth	Yelich
Fry	Galipeau	Young (Oakville)	Young (Vancouver South)
Gallant	Garneau	Yurdiga	Zimmer— 266
Garrison	Genest		
Genest-Jourdain	Giguère		
Gill	Glover		
Godin	Goguen		
Goldring	Goodale		
Goodyear	Gourde		
Gravelle	Grewal		
Groguhé	Harris (Scarborough Southwest)		
Harris (St. John's East)	Harris (Cariboo—Prince George)		
Hawn	Hayes		
Hiebert	Hillyer		
Hoback	Holder		
Hsu	Hughes		
James	Jones		
Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)		
Keddy (South Shore—St. Margaret's)	Kellway		
Kenney (Calgary Southeast)	Kent		
Kerr	Komarnicki		
Kramp (Prince Edward—Hastings)	Lake		
Lamoureux	Latendresse		
Lauzon	Laverdière		
Lebel	LeBlanc (Beauséjour)		
LeBlanc (LaSalle—Émard)	Leaf		
Lemieux	Leslie		
Leung	Liu		
Lizon	Lobb		
Lukiwski	Lunney		
MacAulay	MacKay (Central Nova)		
MacKenzie	Maguire		
Mai	Marston		
Martin	Masse		
Mathysen	May		
Mayes	McCallum		
McColeman	McGuinty		
McKay (Scarborough—Guildwood)	McLeod		
Menegakis	Michaud		
Miller	Moore (Abitibi—Témiscamingue)		
Moore (Fundy Royal)	Morin (Chicoutimi—Le Fjord)		
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Saint-Hyacinthe—Bagot)		
Mulcair	Murray		
Nantel	Nash		
Nicholls	Norlock		
Nunez-Melo	Obhrai		
O'Connor	O'Neill Gordon		
Opitz	O'Toole		
Pacetti	Papillon		
Paradis	Payne		
Péclet	Perkins		
Perreault	Pilon		
Plamondon	Poilievre		
Preston	Quach		
Raitt	Rajotte		
Rankin	Rathgeber		
Ravignat	Raynault		
Regan	Reid		

NAYS

PAIRED

Nil

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

GOVERNMENT ORDERS

● (1815)

[Translation]

FACILITATING THE TRANSFER OF FAMILY FARM OR FISHING CORPORATIONS ACT

Ms. Francine Raynault (Joliette, NDP) moved that Bill C-661, An Act to amend the Income Tax Act (transfer of family farm or fishing corporation), be read the second time and referred to a committee.

She said: Mr. Speaker, I am very pleased to speak today to my Bill C-661, the facilitating the transfer of family farm or fishing corporations act. I will start by explaining the objective of this bill, and then I will talk about some problems it addresses and I will give some broader context.

I strongly believe that this bill is a step in the right direction for our regions' economies, and I hope that I will have the support of the entire House to help our farmers and fishers. It will be up to my colleagues to decide what they think, but I believe they will agree with me that this bill offers a clear solution to a major problem people are currently faced with.

Government Orders

As everyone probably knows, I was a farmer for a number of years in Saint-Alexis-de-Montcalm in Lanaudière. I owned and managed a market garden and started a small canning factory so that I could distribute my products myself. The farm was not a big operation by any means, but it made a decent living for my family and me. The bill I am introducing today was inspired by that experience because I want to give farmers in my region and across the country all the flexibility they need to overcome the challenges they are facing.

Bill C-661 amends the Income Tax Act in order to provide that, in the case of the shares of the capital stock of a family farm or fishing corporation, siblings are deemed not to be operating at arm's length and to be related.

This bill makes a tiny change to the Income Tax Act. However, given the current context and in light of the explanations I am about to provide, I am sure that everyone will understand how necessary this change is.

Currently, section 55 of the Income Tax Act is the only one that does not acknowledge that brothers and sisters do not operate at arm's length. This minor provision in a 3,000-page act is an anomaly; it is the only place where brothers and sisters are deemed to be operating at arm's length.

Once I explain the issue and put the problems caused by this anomaly into perspective, I am sure that the members will agree with me that this situation needs to be resolved. The provisions in subsection 55(2) were designed as anti-avoidance measures to prevent fraud. Without this section, it would be possible for a corporation to create another company to transfer a certain value, thereby reducing the value of the corporation at the time of the transaction. This is a fairly simple operation, but on a large scale, it can cause significant loss of revenue for the government for reasons that in most cases would amount to tax avoidance.

When it comes to brothers and sisters working side by side on a farm they own together, that is another story. The value of farmland has jumped so much in recent years that it would be virtually impossible to pay even just the taxes on the transaction value, if one of the partners had to quit the business. That is what is happening right now.

There are two ways to deal with this problem, but they are complicated and costly, if not impossible. The first way to get around the provisions of subsection 55(2) of the Income Tax Act is what I just explained: create a new company and transfer some of the assets of the business in order to save on taxes on the transaction. However, this solution is available only to people who are deemed not to be operating at arm's length, which is not the case for brothers and sisters at the moment.

• (1820)

The other method that is sometimes used involves costs that are prohibitive for all but the very largest companies. Tax experts hesitate to use it without first asking for a decision from the Canada Revenue Agency, which can cost between \$10,000 and \$20,000 in accounting fees, not to mention the time it takes, which can complicate the management of the company.

This approach can take a year, which creates uncertainty regarding the company's future, and the cost of the whole operation can be in the six-figure range. According to the Canadian Federation of Agriculture, this method cannot be used by companies worth less than \$2 million. Right now in Canada, large corporations are buying up large tracts of land. As evidence of this, from 2010 to 2011, 5,400 farms with incomes between \$100,000 and \$250,000 had to shut down. Over the past decade, nearly 15,000 farms of that size have had to close. That is a lot.

At present, the market is speeding up this phenomenon. Between 2007 and 2012, more than 22,000 family farms were forced to cease operations. In 2012 alone, the net worth of the richest farms increased by \$1 million, while the net worth of mid-sized farms, those that earn between \$100,000 and \$250,000, remained the same. This is still the trend today.

We wonder how family farms can survive in these conditions. That is why the bill I am introducing is so important. It provides a clear solution to the problems faced by farmers who co-own a farm with siblings. These entrepreneurs need greater flexibility, and I know we can help them out. This bill will benefit our region's economies and ensure the survival of family farms and a proven entrepreneurial spirit.

We cannot expect the trend to reverse itself. If we look at the figures, they are quite worrisome. In Quebec, land values have jumped by 600% over the last 23 years. That is a huge increase. These percentages may be appealing to financial corporations interested in land speculation. However, this uncontrolled increase in the market value of land, which is a priceless resource, poses a risk to the future of the industry.

In Quebec, the number of transactions has increased by 67% in the past year, while their value has increased by 84%. The key players in these transactions have no interest in agriculture. They include pension funds and private investment funds, which hope to turn an incredible profit through land speculation. In this context, it is not surprising that Saskatchewan recently passed legislation to prevent pension funds and investment funds from purchasing farmland.

If my colleagues think this is a drastic solution, they should consider that in this case, the market could not balance itself and that this was jeopardizing the future of agriculture in Canada's bread basket. In 2014, Saskatchewan was the province in which the overall land value increased the most—by 18.7%. I do not know who, here, has RRSPs, but it is rare for a Canadian family to be able to boast about earning 18.7% in the past year.

After Saskatchewan, Quebec saw the biggest increase in land value in 2014—15.7%—closely followed by Ontario at 12.4%. All of that was in a single year.

Government Orders

• (1825)

In this context, we need to promote family farms, because they will survive and will be able to sustain Canada's agricultural industry. A young person who wants to get involved in agriculture has virtually no chance of coming up with the money needed to buy land. Even the children of farmers have a hard time taking over the family business. In 2013, I did an agricultural tour of my region and this is a real problem.

The solution to this problem lies in a very small change proposed in Bill C-661, which would enable siblings who jointly own a family farm or fishing corporation to take up the torch.

This is more important than ever, since fewer than one in 10 Canadian farms are operated by an owner under 40 years old, which means that the average age is rather high. Many farm owners will have to think about who will take over in the coming years, and we must give them tools to ensure that this will be successful.

The change to the Income Tax Act that I am proposing today is minor, but the repercussions are significant and would incur no expense on the part of the government, although they could result in loss of revenue. Overall, I believe that our regions will be better off if they have strong agricultural businesses and a next generation ready to take over. This is the right thing to do for our economy.

The president of the Canadian Federation of Agriculture, Ron Bonnett, agrees with me on this. He said he was pleased to see Bill C-661 introduced in the House because it offers a clear solution to this problem by providing the flexibility that farmers need to reorganize their operations. He added that co-ownership by brothers and sisters will be quite common for intergenerational transfers that happen in the coming decades. The federation is eager to see this problem solved in the interest of farmers across Canada.

This bill will have a direct impact on many businesses, and it will allow for an intergenerational link to be maintained in cases where only one of the two partners in a business has a succeeding generation.

For children who want to devote themselves body and soul to the family business, this will allow them to reorganize over time without fearing for the survival of the business.

The NDP is working with farmers, of course, because we believe in the agriculture and agri-food sectors, which employ one in 10 Canadians. This is a major segment of our economy and an important part of our culture. What is more, as a former farmer myself, I want to assure farmers that the NDP is fighting hard to secure the future of family farms.

In closing, I hope that this bill can move on to committee stage and that it will lead to meaningful discussions on issues related to succession planning in Canada, because this is a very important issue.

I invite all my colleagues to join me in showing farmers that we heard their message and that their concerns will be heard in the House.

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, I sincerely want to thank my colleague from Joliette for

introducing this good bill, but also for her work on the Standing Committee on Agriculture and Agri-Food and her defence of farmers in Lanaudière and throughout Quebec.

This change is a step in the right direction for helping farmers. One in two farm transfers fails in Canada and one in eight jobs is provided through farming. This is therefore a very important sector to support. We are the only party that has a pan-Canadian food strategy.

Would the hon. member for Joliette like to comment on the support for her bill and tell us how much her bill will change things in the lives of farmers across the country?

With the average age of farmers going up, we have to think about retirement and the next generation of farmers. Can the hon. member elaborate on this issue and comment on the importance of passing this bill as soon as possible?

Ms. Francine Raynault: Mr. Speaker, I thank my colleague from Berthier—Maskinongé for her question.

First of all, in introducing this bill, we also want to ensure our food sovereignty. That is very important. Also, as my colleague said, the price of our farmland is increasing so much that people can no longer afford to buy a farm. Our young people can no longer even buy their parents' farm, and that is serious, because other companies will start buying up our land.

I do not want our farmers to become employees of large corporations, which is what is happening elsewhere in the world, and I am sure my colleagues do not want that either.

I thank my colleague for her question, and I hope everyone will vote in favour of this bill.

• (1830)

Mr. Emmanuel Dubourg (Bourassa, Lib.): Mr. Speaker, I want to thank and congratulate the member for Joliette on taking the initiative to introduce this bill.

In her speech, she talked a lot about large corporations that own farms. I would like to know if she was able to estimate the tax effects of the measures she is proposing and how she was able to limit that to small and medium-sized businesses. I think her intention is to favour small and medium-sized businesses.

Ms. Francine Raynault: Mr. Speaker, I would like to thank my colleague for his question.

The government will not lose tax revenue when people want to sell their farm.

For example, let us say that my colleague from Berthier—Maskinongé and I own a farm. She becomes an MP and wants to leave the farm. However, I am unable to buy her share; even if I could, she would not have enough money to pay the tax on what I would pay her. This is a serious issue that is preventing us from ensuring the survival of family farms.

Government Orders

Family farms, small and medium-sized businesses, are the lifeblood of our regions and keep the economy going. It is important for our food sovereignty to have small and medium-sized farms. I know of family farms where three or four brothers and sisters make a living. We consider this to be a family farm because no one outside the family owns part of the business. It is very important that we save our family farms. I believe that it will take political will to ensure the survival of our farms.

[*English*]

Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, today let me once again reassure members opposite, including the hon. member for Joliette, that our government is always standing up for the interests of Canadian farmers and fishers, and others who own and operate businesses in Canada.

Our government has worked hard to foster an environment in which businesses can grow and contribute to Canada's long-term prosperity. To help small businesses grow and create jobs, this government has delivered substantial, ongoing tax relief to small businesses and their owners. Let me remind the member of a few.

On September 11, 2014, the government announced further action to create jobs, growth and long-term prosperity with the introduction of the small business job credit. This credit is expected to save small businesses more than \$550 million over 2015 and 2016.

This measure builds on substantial support for small businesses, including reducing the small business tax rate to 11% as of 2008, and increasing the amount of annual income eligible for this lower rate from \$300,000 to \$400,000 in 2007, and to \$500,000 in 2009.

We are reducing the general corporate income tax rate to 15% in 2012 from 22.12% in 2007. This benefits successful small businesses on their way to becoming big businesses when their income exceeds \$500,000.

We are increasing the lifetime capital gains exemption on qualified small business shares to \$750,000 from \$500,000 in 2007. The government further increased the exemption to \$800,000 for 2014, and indexed the limit to inflation, bringing it to \$813,600 for 2015. The exemption is estimated to be delivering over \$1 billion of federal tax relief annually to small business owners and owners of farm and fishing businesses.

However, more recently, economic action plan 2015 goes even further, introducing a new reduction in the small business tax rate. It also proposes to further increase the lifetime capital gains exemption to \$1 million for qualified farm and fishing property disposed of on or after April 21, 2015.

With respect to the small business business tax rate, which was reduced to 11% in 2008, it generally applies to the first \$500,000 per year of qualifying active business income. This preferential rate allows small businesses to retain more earning than can be used to reinvest and create jobs.

Almost 700,000 small businesses benefit annually from this lower rate, including farmers and fishers.

To further encourage small business growth, economic action plan 2015 proposes to further reduce the small business tax rate to

9% by 2019. It is estimated that this measure will reduce taxes for small businesses and their owners by \$2.7 billion over the 2015-16 to 2019-20 period.

Take the example of a small business with \$500,000 of taxable income. As a result of actions already taken by the government to reduce the small business tax rate and increase the amount of income eligible for that rate, the amount of federal corporate income tax paid by this small business would be 34% lower in 2015 than in 2006. When the proposed reduction in the small business tax rate takes full effect in 2019, the amount of federal corporate income tax paid by that small business would be 46% lower than in 2006.

In other words, for this business, our government's measures provide an annual tax reduction of up to \$38,600 that can be reinvested in the business to fuel its growth.

Small businesses, many of them in rural Canada, are saving thousands of dollars in annual business taxes. That is money that can be reinvested in their business to help it grow and prosper. We recognize the important contribution rural communities make to our economy, and we are committed to helping them achieve their goals.

We are proud of our commitment to supporting Canada's farmers, who are the backbone of our country, which is why we have consistently recognized the value of farmers when it comes to job creation and opportunity. A strong rural Canada makes for a stronger economy overall.

Now let me turn the attention of the House to Bill C-661, a bill that proposes a relieving income tax amendment to expand the scope of an exception to an existing anti-avoidance rule. Currently an existing income tax rule generally prevents corporate shareholders from avoiding tax on the sale of their shares by receiving tax deductible intercorporate dividends that reduce an accrued capital gain before the share sale.

● (1835)

Bill C-661 proposes a relieving income tax amendment to expand the scope of an exception to that existing anti-avoidance rule. This exception is currently available for spouses and their children as they are presumed to have shared economic interests. In the farming and fishing context, tax deferred transfers of assets are generally permitted between spouses and parents can leave farming or fishing property to their children without triggering capital gains tax.

In contrast, siblings who are shareholders in the same business are considered to have separate economic interests. Therefore, they are not eligible for this exception for closely related persons. This is consistent with many tax rules which generally do not accommodate tax deferred transfers of assets between siblings.

Government Orders

Instead, like other taxpayers in business together, the existing rules already allow them to divide their corporate interests on a tax deferred basis as long as each of them receives their pro rata share of each type of property in the business being split up. This exception allows siblings to divide a farming or fishing business into two separate farming or fishing businesses that they can carry on separately.

Bill C-661 would allow siblings to benefit from the first exception as if they had shared economic interests. In effect, this would enable siblings to exit the farming or fishing business, while deferring capital gains tax. This would be a special tax concession not available to other shareholders in similar circumstances and inconsistent with the general scheme of the tax rules, which generally limit tax deferred asset transfers to spouses and, in some cases, children.

What makes this private member's bill all the stranger is that the same member is extremely opposed to income splitting. The member opposite does not believe that a married couple is a single economic unit. Yet now, the NDP is arguing that brothers and sisters or siblings are a single economic unit and should be allowed an exemption for this purpose. It would be interesting to hear the NDP explain this contradictory stance. How can it make a distinction between the two?

Bill C-661 would loosen the application of the anti-avoidance rule at a time when the government is trying to strengthen integrity of the tax system by closing loopholes that allow tax avoidance. The bill would provide a special tax benefit to a very small group of taxpayers in very specific circumstances.

Since 2006, our government has been working hard to promote the interests of our farmers and fishers. We also recognize that Canadians have the food choices they have thanks to the hard work of our farmers and fishers.

Through economic action plan 2015, Canadian farmers and fishers will be able to save more for their retirement through the increase in the lifetime capital gains exemption. Therefore, given all of the aforementioned consideration, we do not support the proposed bill and we encourage all members to vote against it.

• (1840)

[*Translation*]

Mr. Emmanuel Dubourg (Bourassa, Lib.): Mr. Speaker, I am pleased to rise today to speak to Bill C-661, which was introduced by the member for Joliette. This bill would amend the Income Tax Act regarding the transfer of a family farm or fishing corporation.

I want to focus on the importance of family businesses, on how challenging it is to transfer a business, and on the economic implications of a flourishing agricultural sector, fishing sector or small business. Today, a family farm or fishing corporation, for example, is still the dream or reality of many Canadians. However, our society has changed, and although we benefit from and rely on the well-being of these industries every day, many of us are far removed from them. That is why I appreciate being able to consult my colleagues who come from these fascinating worlds every time an agricultural or fishing issue comes up. We are fortunate enough to

have many of them in our caucus. They make an important contribution to the House and to the study of this bill in particular.

Agriculture and fishing have also changed, and we need to make sure that the legislation governing them keeps pace. As we discuss this bill, the main objective is still to ensure that the overall intent of Income Tax Act measures remains unchanged. In a law as long and complex as the Income Tax Act, it is easy to lose sight of the intention behind each measure. It can be easy to introduce inconsistencies. Let us keep that in mind.

Even though agriculture and fishing have changed so much, the family business remains the cornerstone of Canada's agri-food industry. Family farms are good employers. Canadian fishers are excellent contributors to their communities. Both represent our cultural wealth here and in the eyes of the world. My party was proud to promote them and represent their interests when we were in government. We continue to support them today.

The current context is particularly urgent. Estimates all show that most family farms and fishing corporations will change hands in the next 10 years. The same is true of other small businesses. We would like to make sure that they fall into the best hands as often as possible.

Those who have worked in the field, whether at the head of a small business or supporting one, will all agree: the first transfer of the business is always the biggest obstacle to its success. My colleagues will therefore understand why my party definitely wants to give farming and fishing businesses the best possible chances for survival every time they have to change hands. Given the extremely hard economic context, that is absolutely crucial.

I would like to share a few reasons why transferring from one family member to another, whether to a sister, brother or child, should be supported by law. First of all, there is no doubt that these areas—fishing and farming—require a very high level of expertise and familiarity. Family members often get a head start on developing these skills and this knowledge. Secondly, farming and fishing businesses are often integrated into the family's daily way of life. We can imagine why growing up on a farm or on the ocean would help a future business owner, in the case of a sister or brother, to successfully take over such a business.

It is also important to note that not all entrepreneurs have the chance to transfer their business easily and predictably to one of their children. Perhaps they do not have any children. Perhaps their children have moved to the city or moved away to study, or perhaps their children are simply not interested. There can be many reasons.

Government Orders

●(1845)

However, if a brother or sister is available to take the controls with a steady hand, then we should stay out of it. That type of transfer can suit everybody. Instead of rushing the transfer to a child just to take advantage of the tax rules, only to see the business crumble as a result of poor succession planning, everyone wins if a sister or brother buys the business and then possibly hires the next generation and perhaps hands down the business to them one day. If we encourage the survival of that business through the best means available, then the Canadian economy wins in the end.

Those are just some of the reasons why I believe that we must allow such a business to pass to a sister or a brother with the same tax benefits that apply to children. In many cases, the brothers and sisters, by generally having lived close to the business in question for longer, have the extra experience needed. The business may benefit from it, and the survival of the business many very well depend on it.

By supporting this bill we are simply trying to ensure that the Income Tax Act does not discourage the best qualified person in the family from taking over the business because of the tax implications. Such a distortion of this market would certainly be harmful to both these industries.

I am therefore pleased to support Bill C-661, and I encourage my colleagues to examine the bill with a view to the transfer of small and medium-sized businesses, particularly in farming and fishing, in a tough economic context. It is a matter of helping these people acquire these businesses because often, they do not have the means.

Let us do our part and support this bill for the good of the Canadian economy.

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, I commend my New Democrat colleague from Joliette for introducing Bill C-661, An Act to amend the Income Tax Act (transfer of family farm or fishing corporation).

It is a step in the right direction to promote the transfer of a farm or fishing corporation to a family member. This bill will help address some of the problems facing family farms and the next generation of farmers. This bill is common sense, which is why I will vote in favour of it and why I will try to ensure that it is passed unanimously.

In my speech today, I will try to show how this bill is in line with the ideas the NDP has been proposing for four years and how it is essential to keeping our agricultural sector healthy.

First, Bill C-661 is consistent with the work my New Democrat colleagues and I have accomplished in the agricultural sector. Compared to the Conservatives, we truly value farmers and family farms, and this bill is yet another example of that. Since the Conservative government came to power, it has shown that it favours big corporations and big producers at the expense of small ones. The best example is omnibus Bill C-18. Although it was necessary to make amendments and updates, the government did not listen to small farmers. Instead it chose to favour the big plant breeders. As a result, my colleagues and I were forced to present a number of petitions signed by hundreds and even thousands of farmers and Canadians who were critical of many aspects of Bill C-18.

We raised some problems in committee and we proposed solutions to those problems by way of amendments to this omnibus bill, but as usual, the Conservatives outright rejected our amendments.

Historically, the NDP has been the only party that has a proven commitment to helping family farms and small farmers, since we understand the vital role they play in the economy, in our regions and in our society.

The bill introduced by the member for Joliette is also in keeping with the pan-Canadian food strategy proposed by the NDP. We are the only Canadian party to have proposed a plan that indirectly strengthens regional economies by encouraging people to buy local.

At present, we are lagging behind the other OECD and G8 countries. Great Britain and Australia have already successfully adopted this type of strategy.

The NDP believes that a comprehensive food policy would stimulate the local economy and stop the increase in food insecurity in Canada. It would also address farm accessibility issues.

Our “Everybody Eats” policy would have been a good way of helping the next generation of farmers, supporting farm succession planning and reviewing the fiscal framework for farming businesses to be successfully managed. Support for the agricultural sector is a societal choice that the NDP is prepared to make, unlike the current government.

As we have seen, the government has yet to announce the compensation it will offer to dairy producers for losses incurred as a result of the Canada-European Union Comprehensive Economic and Trade Agreement, despite a number of promises, including the unanimous adoption of my motion requiring:

That...the government [respect] its promise to dairy and cheese producers of Quebec and Canada who will be affected by the Comprehensive Economic and Trade Agreement between Canada and the European Union, by: (a) revealing details without delay related to the compensation that will be paid; (b) providing for an implementation period for the agreement that is as long as possible; (c) putting an end to the circumvention of tariff quotas and the misclassification of products at the border; (d) maintaining high quality standards by imposing the same production and processing requirements on imported products; and (e) committing to provide support for commercialization.

Unfortunately, there is still nothing on the table, except for more worries about supply management being sacrificed in future trade agreements.

We see that the agriculture sector is only of use to the government for balancing its budget and electioneering.

●(1850)

Let us not forget the fiasco resulting from the Conservatives' changes to the rules for temporary foreign workers in the agricultural sector. That sector was already struggling with a labour shortage when the government further complicated things. Its bad management cost Quebec farmers nearly \$54 million.

I encourage all members to get on board and vote in favour of Bill C-661 because it is critical to maintaining our agricultural system in the short, medium and long terms. Why? Because it acknowledges the realities of the agricultural sector.

Government Orders

For many years now, the agricultural sector has been facing a number of problems related to the next generation of farmers and transferring farms. This has given rise to a new phenomenon: the dismantling of farms.

Those problems include a reduction in the number of farms, growing indebtedness and the ballooning cost of farm assets, which is sometimes as much as \$5,000 per acre. This increase in the value of agricultural businesses, which is inflated by land speculation, boosts the value of farmers' assets but does not improve their liquidity, which is essential to transferring farms.

In Quebec, over the past 23 years, the value of land has jumped by 600%. Over 8,000 family farms have disappeared over the past 10 years. The number of farms in Quebec is decreasing every year, and all across Canada, the next generation cannot afford market prices.

At the Standing Committee on Agriculture and Agri-Food, on February 26, 2015, Pierre-Luc Lacoste said, and I quote:

...farm transfers are...complicated...Transfers are extremely expensive and lead to a loss...Mechanisms should be implemented to help farmers...

That is exactly what the bill introduced by the member for Joliette does. It would allow farmers to save time, money and worry by reducing the bureaucratic and fiscal complexities of transferring a farm to a brother or sister. Furthermore, it would facilitate joint ownership of farms by brothers and sisters. At this time, 50% of farm transfers fail. That is an alarming statistic.

If we want to prevent more and more dismantling and a decline in our agricultural production, it is our duty as parliamentarians to make sure that this bill passes as quickly as possible. It appears to be a step in the right direction, because it solves some of the problems caused by the current reality in the agricultural sector.

To the NDP, the choice is clear: we must support family farms and the next generation of farmers as best we can. That is how we will ensure the vitality of the farming sector and our regions.

Farmers know that they can count on the NDP to stand up for them. We believe in an economy of entrepreneurial farmers, and the best way to achieve that is to help family farms by giving them more flexibility, less paperwork and substantial savings on accounting costs.

Quebeckers who are concerned about all the land that is being bought up can count on us to provide clear solutions to help family farms prosper and ensure that they can be transferred from one generation to the next.

I want to thank the hon. member from Joliette once again for her bill and her work. I hope that all the parties and all the members of the House will study this bill and vote in favour of it soon.

• (1855)

[*English*]

Mr. Earl Dreeshen (Red Deer, CPC): Mr. Speaker, certainly listening to some of the debate, I hear major concerns with regard to some of the issues as far as agriculture is concerned. Of course, young farmers have great opportunities and they are using all of the tools we have to make sure they have these opportunities when it comes to farm succession planning.

Our government is very much aware that a strong and vibrant farming and fishing sector benefits not only our rural communities but also the country as a whole. Our agricultural sector is a recognized leader in the development of new products using Canada's field crops, while our country's fish and seafood are among the largest food sectors exported by Canada.

I will begin by focusing on how our government is proud to partner with farmers in building a prosperous agricultural sector in Canada.

As members well know, the agriculture and agri-food sector in Canada accounts for over \$100 billion in economic activity and provides employment to more than 2.1 million people. Throughout Canada's history, it has played an integral role in our country's economy. That is why our government has continued to do what is necessary to support farmers and processors.

As just one example, in April 2013, our government introduced the growing forward 2 policy framework, which is a \$3 billion investment by federal, provincial, and territorial governments and the foundation for our government's agricultural programs and services, focusing on innovation, competitiveness, and market development.

At the same time, unlike the opposition, we know that our prosperity is strongly linked to reaching out beyond our borders and forging new trade agreements. Increasing our exports to the largest, most dynamic, and fastest-growing markets in the world is a key part of the economic action plan. We have acted to break down barriers that were preventing Canadian businesses from becoming more competitive on the world stage.

Since 2006, the government has concluded free trade agreements with 38 countries, bringing Canada's total to 43. Last September, the Government of Canada and the European Union released the complex text of the historic Canada-European Union Comprehensive Economic and Trade Agreement. The agreement opens the way to vastly increased trade, job creation, and greater prosperity, providing preferred access to the world's largest and most lucrative market with more than 500 million consumers in 28 countries.

On January 1, 2015, the landmark Canada-Korea Free Trade Agreement entered into force, giving Canadian businesses a gateway to the dynamic Asian region. Further, in October 2014, we confirmed a foreign investment promotion and protection agreement with China so that Canadian companies investing there are treated fairly and benefit from a more predictable, secure, and transparent investment climate.

This brings to 28 the number of investment agreements Canada has with countries around the world. Taken together, these agreements afford Canada preferential access to more than half of the world market.

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With new trade agreements completed, and more soon to be in place, economic action plan 2015 proposes \$152 million in trade promotion investments over the next five years to help Canadian businesses fully capitalize on global opportunities. That money would be used to create a new export market development program to share the costs as small businesses pursue new export opportunities around the world, as well as for new resources for the Canadian Trade Commissioner Service to support Canadian firms with on-the-ground intelligence and practical advice on foreign markets, to help them achieve their goals.

We are also creating a new internal trade promotion office to support federal, provincial, and territorial negotiations to strengthen the economy within Canada's borders, by comprehensively renewing the Agreement on Internal Trade.

In addition, the expansion of agriculture and agri-food sector marketing and promotion activities will continue to secure Canada's position as one of the largest exporters of agricultural and agri-food products globally.

I can assure members that we have a government that is working to set the right conditions for rural communities, farmers, and Canada's fishery to compete in Canada and around the world.

● (1900)

In doing so, we are building one of our nation's strengths. In 2014, Canada exported \$4.9 billion of fish and seafood products, an increase of \$530 million from 2013. Approximately 85% of all fish landed by Canadian harvesters is exported to foreign markets.

As members can see, our government is standing up for the interests of Canadian farmers, fishers and others who own and operate businesses in Canada. We have continued to act to ensure that they can count on their investments of a lifetime even when their working life has concluded.

In order to increase the potential rewards of investing in small business, farming and fishing, economic action plan 2013 increased the lifetime capital gains exemption, the LCGE, from \$750,000 to \$800,000 in 2014. To ensure that the real value of this exemption is not eroded over time, we indexed the \$800,000 LCGE limit to inflation. The first indexation adjustment occurred this year, raising the limit to \$813,600 for 2015. Economic action plan 2015 proposes to further increase the exemption to \$1 million for qualified farming or fishing property disposed of on or after April 21, 2015.

In addition to increasing the exemption, last year the government simplified the tax rules relating to the lifetime capital gains exemption and the intergenerational rollover for taxpayers who carried on farming or fishing businesses in combination. To accomplish this, the government passed legislation to generally treat a taxpayer's combined farming and fishing business the same as a separate farming or fishing business conducted by the same taxpayer. This will ensure consistent treatment for taxpayers who conduct farming and fishing activities in different legal forms.

Similarly, in 2009 the government extended the rule that helped farmers who disposed of breeding livestock due to drought conditions existing in specific regions in a given year to farmers affected by excess moisture conditions. This rule allows farmers to exclude up to 90% of the net sale proceeds from their taxable income

until the year following the sale or a later year if the conditions persist. Economic action plan 2014 extended this tax deferral also to bees and to all types of horses that were over 12 months of age that were kept for breeding, effective for the 2014 and subsequent taxation years.

Our government has made it our mission to put farmers and fishers first. We firmly believe that Canadian farmers and fishers should be strong and profitable and able to capitalize on market opportunities. That commitment extended to economic action plan 2015, which is why our government cannot support today's bill from the hon. member for Joliette.

Bill C-661 proposes a relieving incoming tax amendment to expand the scope of an exemption to an existing anti-avoidance rule. This exemption is available for spouses and their children as they are presumed to have a shared economic interest. In the farming and fishing context, tax-deferred transfers of assets are generally permitted between spouses, and parents can leave farming or fishing properties to their children without triggering capital gains tax. In contrast, siblings who are shareholders in the same business are considered to have separate economic interests and therefore they are not eligible for the exemption for closely related persons. This is consistent with many tax rules, which generally do not accommodate tax-deferred transfers of assets between siblings.

I am somewhat shocked that the NDP member would propose this considering the New Democrats' stance on income splitting. The hon. members opposite do not believe that a married couple is a single economic unit and are highly opposed to income splitting. Yet, the individual opposite argues that siblings are an economic unit and should be allowed an exemption for this purpose.

● (1905)

I wonder how NDP members can explain how they can remain consistent if they now believe that siblings are a single economic unit?

So that there is no confusion, let me be clear that if siblings separate their farming or fishing business in equal amounts, or their pro rata share of each type of property, they will continue to be able to take advantage of this exemption.

Given these examples, and many more, we cannot support the bill, and we encourage all members to vote against it.

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[Translation]

The Acting Speaker (Mr. Bruce Stanton): The hon. member for LaSalle—Émard has four minutes left in the time provided for private members' business.

The hon. member for LaSalle—Émard.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I must admit that it will be very difficult for me to express the passion I share with my colleague, the member for Joliette, for agriculture and especially for the future of agriculture in just four minutes.

I am an agronomist by training, and I grew up in a rural area. I went back to school in 2004 to get a degree in agriculture and the environment. During my studies and over the years, it became clear to me that farmers across Canada, and in Quebec especially, are people who work very hard and who are passionate about putting food on our tables.

The agricultural industry is currently in crisis, which is one of the reasons why I went back to school to study in this field. A number of businesses are having a hard time with succession planning, and we are seeing an increasing number of farms that do not have anyone to take over.

Bill C-661, An Act to amend the Income Tax Act (transfer of family farm or fishing corporation), introduced by my colleague, the member for Joliette, is an attempt to address the serious succession problem and use Canadian tax laws to make it easier to transfer a farm to a second generation. The previous speakers on the official opposition side also mentioned that there is currently a lot of speculation in farmland across Canada. Saskatchewan recently took measures because its farmland is sought after by non-agricultural businesses that simply want to manage and speculate in this farmland. We have to think about what kind of agriculture we want in Canada.

Not only is agriculture part of our economy, but it is also part of our history and heritage. We have to decide how we want to develop agriculture and what we can do to attract more people to this sector and this industry. I am talking about front-line agriculture. We know that the agri-food sector employs many Canadians, that it is expanding and that it makes a huge contribution to our economy. However, front-line agriculture is beginning to lack vitality and people to take over farms. Many farmers are close to retiring, if they have not yet reached the average age of retirement in Canada.

I believe that my colleague, the member for Joliette, has introduced a very important bill about how the Government of Canada, through tax measures, could facilitate the transfer of farms, ensure agricultural succession and ensure that we have healthy agriculture in a healthy environment that is in keeping with our vision of what it should be, with passionate farmers who will produce food with confidence and guarantee that Canada has home-grown, healthy food.

● (1910)

I believe that the House could hear much more about agriculture and its future, which is cause for concern. I hope that we will have a long debate about this matter so that we can identify concrete solutions and offer our farmers a promising future.

The Acting Speaker (Mr. Bruce Stanton): The hon. member for LaSalle—Émard will have five minutes to complete her remarks when the House resumes debate on this motion.

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

ADJOURNMENT PROCEEDINGS

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

● (1915)

[Translation]

PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, we are here tonight to discuss a question that I asked on March 26 about contracts that might be awarded to Davie Canada, a shipyard that deserves to contribute much more to the success of the Canadian navy.

At the time, the minister replied that Davie Canada was welcome to bid on other contracts. That is a shame. I would like to talk a bit about the Davie shipyard. Founded in 1825, the company will celebrate its 190th anniversary this spring. To date, it has produced 715 vessels, and four more will be delivered shortly. The shipyard has a 348-metre dry dock, the largest dry dock in Canada. It also has five construction berths and six wharves. Until recently, it employed as many as 1,100 people.

This is not a small shipyard. It is one of Canada's major shipyards. In February, it was voted top North American Shipbuilder 2015 at the Lloyd's List North American Maritime Awards. It came out on top of all of the other shipyards in North America. That is a big deal.

What contracts has the Canadian government awarded to Davie Canada over the past few years? There have been very few. To date, there have been three contracts worth \$24.6 million, when companies on the east coast and on the west coast have received billions of dollars in contracts.

Furthermore, to give some idea of the capacity at the Davie shipyard, the last contract that it was awarded, the biggest one, which is worth \$13 million, will be carried out in the smallest dock that the Davie shipyard has. That gives some idea of its capacity.

The current team at the Davie shipyard is very proactive. The Canadian navy is having problems right now with its supply ships. In fact, it no longer has any, because those ships were built in the late 1960s and have both been retired. The Canadian navy has not had any supply ships at sea for over a year now. Davie Canada came up with a proposal in that regard. It is still being reviewed and unfortunately, nothing is happening so far.

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Canada does not necessarily benefit from awarding small contracts worth \$5 million or \$6 million here and there. This does not reflect the Davie shipyard's ability to help make the Canadian navy strong. That is why I am asking the minister to consider the industrial capacity of this shipyard. This shipyard is capable of making a much larger contribution to the Canadian navy, and God knows we need it right now.

[English]

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, I am certainly pleased to take part in this debate this evening. However, I have to say that I am bit surprised that my colleague from the NDP has even asked this question, seeing that it was the NDP that voted against our government's plan to build these ships in Canada. Our government's decision to build these ships in Canada will create 15,000 jobs right across this country.

While the former interim NDP leader advocated for work to be taken away from Halifax and Seaspan, our government respects the fair, open, and competitive process that was used to choose the two shipyards to build these large vessels. In fact, here is what the Auditor General had to say about the process involved in selecting the Irving and Seaspan shipyards:

The competitive process for selecting two shipyards [led by PWGSC] resulted in a successful and efficient process independent of political influence...carried out in an open and transparent manner.

That being said, under our national shipbuilding procurement strategy, there remains a significant amount of work that other shipyards in Canada, including Davie, can bid on. In fact, the reality, as I am pleased to inform the hon. member and the House, is that Davie continues to undertake work for the federal government. Maybe he is not aware of this.

In spring 2014, a \$6.5-million contract was awarded to Babcock Canada for critical refit work for the Canadian Coast Guard ship *Louis S. St-Laurent*. The shipyard portion of the work was carried out, in fact, by Davie.

In October 2014, a \$4.5-million contract was awarded to Babcock Canada for refit and vessel life extension work on the Coast Guard's *Des Groseilliers*, and again, Davie carried out the shipyard portion of that work.

On March 11, 2015, the Government of Canada awarded a \$13.6-million contract to Davie for refit and vessel life extension work for the Coast Guard ship *Earl Grey*.

Further, as the minister said in her response on March 26, significant shipbuilding and support opportunities lie ahead under our national shipbuilding procurement strategy, and we continue to encourage Davie to compete for this work. For example, industry consultations are being held for an in-service support contract for the Arctic offshore patrol ships and the joint support ships. This work will span a period of 20 to 30 years and will have an estimated value of over \$5 billion.

Small-ship construction valued at an estimated \$2 billion over the next 30 years has been set aside for Canadian shipyards other than Irving Shipbuilding and Vancouver Shipyards. Repair and refit work will also continue to be competed for by shipyards in accordance

with the Government of Canada's fair and transparent procurement processes.

The national shipbuilding procurement strategy is still only in its early stages, but it is already reviving Canada's shipbuilding and marine industries and is providing opportunities for shipyards right across this country. The industry itself has estimated that the strategy will create, as I said earlier, up to 15,000 jobs and more than \$2 billion in annual economic benefits over the next 30 years. That is definitely great news for Canadian shipyards and for all Canadians.

• (1920)

[Translation]

Mr. Denis Blanchette: Mr. Speaker, I would kindly remind the parliamentary secretary that my speech had nothing to do with what was voted on in the budgets or with the national strategy, and that I also mentioned the three contracts.

What I am saying is that the shipyard has shipbuilding capacity and the navy has problems. I talked about the supply vessels. Let us not forget that we have been without these ships for a year now. We have to lease them from outside. Pressure is building and the strategy will not get us these boats before 2022. What are we to do until then? That was one of the fundamental questions we were asking.

It is also important to know that this is the largest shipyard that currently has production capacity available in Canada, and the need is there. It seems that the government is having a hard time coordinating production capacity with demand.

In closing, I would kindly remind the House that the Davie shipyard is an underused partner that provides good jobs, significant expertise, and good production capacity. This also contributes to diversifying the economy.

[English]

Ms. Roxanne James: Mr. Speaker, as I said, our government's national shipbuilding procurement strategy offers opportunities not only for Davie, but all Canadian shipyards. For example, over \$2 billion worth of work for the construction of smaller vessels will be tendered through a competitive process. A large in-service contract worth an estimated \$5 billion will be tendered for the maintenance of Arctic offshore patrol ships and the joint support ships over 20 to 30 years. Also ship repair refit and maintenance will also continue to be contracted through a competitive process.

The strategy is already reviving Canada's shipbuilding and marine industries. It is estimated, as I mentioned earlier, that the strategy will create up to 15,000 jobs and more than \$2 billion in annual economic benefits over the next 30 years.

The Davie shipyard is welcome to compete for this upcoming work and we encourage it to do so.

PUBLIC SAFETY

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, I rise once again to call on the government to act now to address the gang violence that is happening in my community of Surrey. Crime levels in Surrey have reached crisis levels. There were 27 shootings in the past two months.

I stood in the House multiple times in the last number of weeks demanding that the government take action on the issue and I still have not received any concrete answers or commitments from the government. People come to Canada because they want to give their children a better future in a country that is safe. It is simply unacceptable that there are communities in this country where parents are afraid to let their children play outside in case of a lone bullet.

A first step in resolving this problem would be providing Surrey with the necessary resources to deal with escalating gang violence including youth gang prevention programs. Youth gang prevention programs funding in Canada is unstable and inconsistent. That is why I have introduced Motion No. 407 that calls on the government to provide stable, long-term funding for youth gang prevention and intervention programs. I hope my Conservative colleagues will vote in favour of the motion and work together to keep our families and children safe.

I am urging the government to work with us to find solutions to fix this alarming problem. However, in order to find solutions for this problem, we need the government to be transparent about the current situation. Last week I stood in the House with a number of questions for the minister that were not answered. I asked the parliamentary secretary at that point to be aware that I would come back to the House at this time for those answers. Hopefully she will provide us with those answers.

I do not want to hear talking points. I do not think people in my community want to hear talking points, so I will repeat the questions again.

The parliamentary secretary keeps talking about \$2.8 million in crime prevention funding in Surrey. The minister says it is about \$3 million, so which one is it? Is it \$2.8 million or \$3 million? These are the kinds of questions I had for the minister last week and I hope she comes prepared.

What is the itemized amount for spending on crime prevention in Surrey? What components are grants or contributions? What is the government's definition of crime prevention? Which departments were involved in spending with what amounts?

What I keep hearing from the government are the same talking points from the parliamentary secretary and the minister, but still no action to deal with the gang violence problem.

The parliamentary secretary will stand and tell us the Conservatives have brought in 30 new laws to deal with this and she will say "that member voted against it".

This crime wave is happening in Surrey despite the number of laws they brought in. They are not sufficient. We have been telling them that we need to invest in communities and crime prevention programs. Experts have been telling us at committee that we need to

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invest in crime prevention. Crime prevention pays. A little investment goes a long way.

The parliamentary secretary is also going to tell us that Conservatives have increased the funding for the RCMP. The fact of the matter is they cut the funding for RCMP in 2012 by \$195 million. Now she is going to tell us they have increased it for seven straight years in the last eight years. If it is increased by \$2 million each year, yet they take out \$195 million, I think Canadians can do the math.

I urge the parliamentary secretary to answer my questions. My question is not what the government has done or what the Liberals did wrong. My question is what are the Conservatives doing now in my community? What is the government's plan to deal with escalating gang violence? When will the government approve the 100 RCMP officers the city has requested? What will it take for the government to prioritize public safety?

• (1925)

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, it feels a little like *Groundhog Day*, because I have responded to these very same questions again and again, and in fact I did so not too long ago in adjournment proceedings.

Nonetheless, I am very pleased to respond again to the same remarks and the same questions that I have answered before for the member for Surrey North regarding the issue of escalating violence in the city of Surrey. Contrary to what the member is saying, I am actually going to talk about the facts.

Over the last few years, our Conservative government has proven its commitment to protecting Canadians. That is why we have passed over 30 measures to combat dangerous and violent criminals—that is a fact—by getting tougher on crime. However, I am compelled to note that the very same member for Surrey North was not as concerned for the safety of his own constituents when he voted to reduce sentences for drive-by shootings. He is standing in the House asking about these very same things.

Our Conservative government has put an ever-increasing focus on supporting intervention measures to prevent crime and youth gang activity, issues that are of great concern for all Canadians and indeed to the Surrey community. We know how important it is to steer youth away from crime and gangs before they get caught in a life of violence, drugs, and criminal activities. That is why, in 2008, we renewed and provided additional ongoing funding to the national crime prevention strategy of \$40.9 million per year. Again, it is a fact.

The issue of youth gangs continues to be a government priority. As the opposition member may be aware, as part of the national crime prevention strategy, this government created the youth gang prevention fund to address growing concerns about youth gangs, with an annual investment of \$7.5 million over five years. Again, this is a fact.

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What is also a fact is that the member for Surrey North actually voted against making the youth gang prevention fund a permanent program. Now he is standing in the House and saying he needs this type of support. This program has supported 31 youth gang prevention projects through a total investment of \$39.3 million in contribution funding in cities right across this country. Of that money, \$2.8 million has gone into crime prevention initiatives in Surrey alone. Again, this is a fact.

Further to that, we are committed to working with the Province of British Columbia to ensure that there are enough law enforcement boots on the ground to combat dangerous and violent criminals.

Again, the member opposite stood and asked for an answer about support for the Surrey area. Apparently he was not listening the last time I stood, so I will reiterate it again now, and maybe this time he will listen. I answered that question, as I said, in adjournment proceedings not too long ago. We have actually approved the request that the member is referring to. I do not know what part he does not understand. I do not know what part he has not heard.

I hope that the NDP member opposite will finally get on board with our Conservative government's approach to protecting Canadians and that he actually begins to listen to the answers that I give him.

● (1930)

Mr. Jasbir Sandhu: Mr. Speaker, I know facts are not something that Conservatives like to talk about, because those are not facts. Those are fictions. One can twist facts any way one wants. The parliamentary secretary talks about investing \$2.8 million in Surrey. Is that since 1970 or was it last year? Those are the very simple questions I am asking.

People in my constituency will see what the answers were, and they were not the answers that people in Surrey are expecting, so I am going to ask the parliamentary secretary one more time very clearly. My question is not what the government has done or what the Liberals did 10 years ago. My question is this: what is the government going to do now to address this concern? The need is immediate. There have been 25 shootings. It is about time that the government offered some immediate commitments and concrete plans to the City of Surrey.

What is the government's plan to deal with this escalating violence? How are we going to move forward?

Ms. Roxanne James: Mr. Speaker, if the member's constituents are watching, then they have probably just heard that the member voted against everything this government has done to try to prevent those very crimes and reduce the crime rate across this country. We actually have the lowest crime rate because of this Conservative government.

That said, our government has taken strong action to keep British Columbians and all Canadians safe. Again, the member is not really listening to the answers. He has asked the same questions again and again, but they are just words and rhetoric. On this side of the House, the Conservative government has adopted a balanced approach to community safety. Instead of supporting reactive measures, we have made significant investments in the crime prevention area as well. I talked about those just a moment ago, and still the member has not heard any of those things.

Despite the opposition and the member for Surrey North, we will continue to support all British Columbians. We will support the area of Surrey. If the member has not heard, I will try one more time: we did approve the request for the additional support. Maybe he is typing it in his tablet right now. I am not sure, but that is the correct answer.

Canadians know that when it comes to keeping communities and Canadians safe, it is the Conservatives who have taken strong action legislatively with preventive measures, and the NDP has voted against absolutely everything. I think the constituents of the member's riding actually know this is a fact.

● (1935)

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:35 p.m.)

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