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Speaker: The Honourable Geoff Regan

CONTENTS

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

HOUSE OF COMMONS

Monday, September 25, 2017

The House met at 11 a.m.

Prayer

• (1105)

[*Translation*]

PUBLIC SECTOR INTEGRITY COMMISSIONER

The Speaker: I have the honour, pursuant to section 38 of the Public Servants Disclosure Protection Act, to lay upon the table the case report of the Public Service Integrity Commissioner in the matter of an investigation into allegations of wrongdoing.

[*English*]

This report is deemed to have been permanently referred to the Standing Committee on Government Operations and Estimates.

It being 11:05 a.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

CANADIAN BILL OF RIGHTS

Ms. Rachel Blaney (North Island—Powell River, NDP) moved that Bill C-325, An Act to amend the Canadian Bill of Rights (right to housing), be read the second time and referred to a committee.

She said: Mr. Speaker, I am incredibly proud to stand in the House to speak to my private member's bill, Bill C-325, the right to housing.

I believe having a home is a human right, and in a country as wealthy as Canada no one should be without a safe place to live.

It did not take me long to grasp the magnitude of the housing crisis in my riding of North Island—Powell River. Housing cases continue to come into our office, and the number is growing. I have heard horrifying stories, such as a single woman living in a van because she has been diagnosed with a significant health issue, which meant she had to choose between either medication and a special diet or her home; a couple with a teenage boy with special needs living in a tent in their parents' backyard; and a retired man of 70 couch surfing between several friends. As well, there was the case of a local business owner who hired a new employee but had to wait

eight months for the individual to start because no housing could be found and people calling the police and breaking the law until they are arrested because they are old and have nowhere else to sleep except jail. I have heard of bidding wars on rentals, with people using over 65% of their income to pay the rent. I have heard of seniors waiting in acute care ready to go to a home, but there are no homes available.

There is no doubt that the stories of North Island—Powell River are the same as too many others across Canada. Housing is a priority that must be advocated for loudly and boldly.

I want to thank our NDP housing critic and MP for Hochelaga for working so hard. She has travelled across the country and she understands the realities of people struggling every day for affordable, decent housing, whether in a large urban centre, rural areas, or indigenous communities. She is there fighting. I am proud to be by her side and bring this important piece of legislation forward.

I am not the first member in the House to bring forward legislation on the right to housing. There is a reason that the reiteration of the bill has survived all of these Parliaments through the many members who believe that this is a right. I gather it rings true because it embraces a fundamental ingredient of our survival in finding shelter and our right to dignity.

It is my hope that together we can pass this bill. It would be timely and key for the coming years while we start to reinvest in housing.

As a country, Canada is at a crossroads. We have lived through almost 30 years of inaction and budget cuts. In the last budgetary cycle, the Liberals promised an abundance of cash. Months later we still do not truly know how this money will be spent.

I want to be very clear in the House. Whether it is in downtown Toronto, small cities, rural and remote communities, or indigenous villages, there is no more time to be had. We are in a national housing crisis, people are desperate, and time has run out.

Bill C-325 aims to be the cornerstone for that long-term plan. This bill would ensure the foundation of a national housing strategy that can be built solidly and will stand the test of time. We can no longer just say housing is a right; it is time for it to be legislation. My bill would do this. It would amend the Canadian Bill of Rights to introduce housing as a human right.

Private Members' Business

In 1976, Canada enshrined the fundamental right to housing when the government of the day ratified the International Covenant on Economic, Social and Cultural Rights. However, this right has never been formally incorporated into Canadian law. This bill would make that happen.

While I was working on the bill, a few of my constituents were concerned with this approach, thinking I wanted to give free houses to people. Although this would support many people in moving towards their personal goals, this is not what the bill would do.

Adding housing to the bill of rights means redefining the lens that housing is viewed through. It is about a fundamental approach to reviewing regional differences, working with all levels of government and the market to address the reasons we are facing such a housing crisis, and then building a national housing strategy grounded in the right to housing that will address it head-on. It is about creating a long-term solution. It is my hope that as a country we never get to this place again.

We must think differently about how we approach housing. What we need is a new lens, and Bill C-325 offers that. Building a building here and there is not going to address the severity and systemic causes to our housing crisis.

The housing crisis is again and again portrayed as a big-city issue. This is simply not the reality. A recent report from one of my communities with a population of 35,000 shows we have 47 unsheltered homeless—people literally sleeping outdoors—and 32 people reported as being sheltered homeless, meaning they are sleeping in a shelter. This does not even address the concerns of overcrowded homes and people who are couch surfing.

•(1110)

This has led to the local municipality working hard to have accessible bathrooms. This is a serious result of having people without a home in our community.

I referred to dignity earlier in my speech. Human rights are that: moral principles. When our fellow citizens do not have a safe place to sleep or a place to go to the bathroom, these are incredibly dehumanizing experiences. A home is more than a physical space. Housing is intrinsic to the sense of security for families and stability needed to prevent marginalization. All of us look to home as an anchor in our community life, a retreat, and a refuge. What happens to people when they do not have this is debilitating. The ramifications have been studied repeatedly, and the stress on our communities and our society can attest to this.

In Canada, it is estimated that more than 235,000 people are without a home during the year. According to a joint study by the Canadian Observatory on Homelessness and the Canadian Alliance to End Homelessness in 2014, the gradual withdrawal of federal investment in social housing is one of the primary causes of this problem.

Our society and our governments are letting people down, devoid of a comprehensive safety net. Cracks are appearing at an alarming rate. Affordability is central, but cracks are appearing because of the results of not having a stable home: mental health problems, addiction issues, illness due to stress, family breakdowns, and so much more.

I believe all of us in the House have sat with constituents and heard heartbreaking stories. We are on the front lines of hearing where the human reality of legislation lives. I recently sat with a couple who shared their story of homelessness. It is a story that I hear all too often. One partner falls ill, so they can no longer work, and the family loses their home because they cannot afford their mortgage.

To add more weight to their reality, this couple has a son with a significant disability, one that leads a child to express himself through loud yelling when frustration grows. Finding a home that is not in an apartment building where the noise upsets the neighbours is their priority.

This is just one story, and it exemplifies the need for a different approach, a more holistic model to viewing housing. Let us imagine a housing plan that respects human rights.

In the government consultations, the right to housing was a recurring theme in many comments shared at the expert round table. Stakeholders clearly spelled out the need for the legally recognized right to housing. They insisted that a national housing strategy should examine whether our laws, policies, and practices are sufficient to prevent homelessness, forced evictions, and discrimination in accessing adequate housing. They agreed on a rights-based approach to housing and that the right to housing must be recognized and realized through laws and policies.

It is inspiring to see Canadians like Leilani Farha, a UN special rapporteur on adequate housing and executive director of Canada Without Poverty, take a leadership role internationally. She said:

Crafting a human rights-based policy would include eliminating discrimination in housing programs, setting measurable goals and timelines to reduce poverty and giving people the means to hold governments to account if their rights are violated.

This accountability is so badly needed. Many first nations communities are living in appalling conditions, and homelessness continues to rise across the country. For first nations people living on reserve, the national household survey shows that almost 40% of these homes need major repairs and close to 35% are not suitable for the family's size. In some Inuit communities, the proportion of housing not suited to family size exceeds 50%.

I did several round tables on housing in my riding. What I heard was clear. Municipalities are doing everything they can with their very limited resources. Community-based organizations are working together to do what they can to support people who are homeless or at risk of homelessness. People are desperate and ready to live anywhere to have a stable home. I also saw how exhausted they were, doing what they could and needing help.

They need help now, today, if not sooner. Hope is in short supply. The broad range of people experiencing the housing crisis is only growing.

Private Members' Business

•(1115)

It is alarming to talk to couples who are both working in good jobs, who cannot find a home they can afford to rent, let alone buy. There is a deep sense of betrayal because they have done everything right. They have worked hard to get where they are, and now they are hopeless. I have spoken with parents who have lost their children to care because they were evicted due to renovations and could not find appropriate housing. They can get their children back once they have a home to go to, but they simply cannot find one.

Seniors are renting out extra rooms in their homes. One senior I spoke to is even renting out her living room, because there is no other way she can afford to live.

These are just a few of the many stories that are happening in all of our ridings.

I want to say a special thanks to the Right to Housing Coalition for its hard work and continued work in advocating for these rights. Housing is and will always be a top priority for New Democrats. We want the federal government to recognize the historically vital role of government in housing. The Government of Canada has a responsibility to take appropriate steps to ensure the realization of this fundamental right by meeting the security, affordability, health, and safety needs of all Canadians. The government has a duty to ensure that all its citizens have access to suitable housing so they can participate fully in society, as is their right.

We seek action when the federal government returns to the table on housing policy, and a commitment to housing as a basic human right. We want the framework of any solution to be based in the legislative right to housing.

It is my hope that today the members will speak in support of Bill C-325. It is time to give hope to those who desperately need and deserve it.

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, it is always a good day to be in the House to talk about housing, and in particular to talk about what this government has done on historic levels in terms of its investment, not just in the last year's budget but in previous years as well.

As the House knows, we not only doubled the money upon taking office in 2015 and 2016, but in last year's budget we also put on the table a 10-year program, the longest proposal ever put on record in the House of Commons, with the most money ever invested: \$11.2 billion over the next 10 years, \$10.9 billion dollars in below-market loans and below-interest mortgage rates, and almost \$5 billion in aboriginal housing.

The member opposite talked about the right to housing and the legal process that will find people talking to lawyers instead of landlords. If housing is as critical an issue as she suggests, and if a fundamental need for a national housing strategy is so important to this country and for those seeking better housing, safe housing, and affordable housing, my question for the member opposite is simple: Why did the NDP vote against that budget?

Ms. Rachel Blaney: Mr. Speaker, all I can say to the member opposite is how sad I am to hear that it sounds like the Liberals will not be supporting the essential human right to housing. He can talk about the campaign promises and the money that is going to be out there some day. However, right now people are homeless and looking for homes. They are struggling in profound ways that we cannot imagine. The right to housing is a human right, and it is shameful that the government does not support that.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, I would like to thank my colleague for bringing awareness to this important issue. As a person who was on the board of a homeless shelter in my riding and who is aware of the needs that Canadians have, I am concerned that if a good law is without the money to back it, it is not going to be effective. The need is immediate. In my riding, we are \$40 million short to even maintain the existence of the affordable housing we have, which is woefully inadequate, as well as the shelters. I wonder if she could explain the circumstances in her riding, so that we might get an idea of the amount of money the government would need to put in to fix this.

•(1120)

Ms. Rachel Blaney: Mr. Speaker, the reality is that there are no shelters in the community of Powell River in my riding. When shelter is desperately needed, people are put on a ferry and sent an hour and a half away in the hope that there will be space available in that community's shelter. The community of Port Hardy that I represent has 4,000 people who are experiencing a significant housing crisis and cannot find homes. Recently, an apartment building burned down and those residents are desperately looking for affordable housing.

A right to housing should work hand in hand with a national housing framework strategy. We heard clearly from all of the government consultations that the right to housing requires a fundamental framework if we want to move forward with long-term solutions to create a difference in the future. This is the only way forward. I am very disappointed to hear that we will not be moving in that direction.

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, I am so glad that my colleague introduced this bill.

Not long ago, she submitted a question to the government in writing about why Canada has never officially incorporated international conventions on housing rights into domestic law. The answer was that the government is fulfilling its obligation to ensure the right to proper housing as set out in international law.

Does my colleague agree with that answer?

Private Members' Business

[English]

Ms. Rachel Blaney: Mr. Speaker, I disagree with the hon. member. When we listen to people who have been working in housing, and when we make national commitments, I hope the government will not be afraid to take the next step and bring forward that legislation. It is easy to say something, but much harder to bring it into legislation and create a framework that would look at the issue and provide long-term solutions. I ask the government to be less afraid, to take that step, and to make sure that no one in this country ever is without a home again, because we have a right to housing in our Canadian Bill of Rights.

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, the ability to talk about housing is the reason I sought election to federal office. The ability to form a policy that would once and for all put behind us the days when there was no national housing strategy is the reason that I sought elected office.

I could not be prouder of the last budget that was presented in this House by our government because it delivers that. It not only delivers the resources and the time frame to deal with this issue comprehensively, but the government has been working tirelessly over the last several months to make sure it consults with provinces, municipalities, people with lived experience, front-line shelter workers, everybody, to make sure that this is put in place.

The trouble with this notion, the slogan in this campaign around the right to housing, is that it frames it in a legal context. It ends up with the slogan being realized but not with housing necessarily being built. The worst part is that the right to housing does not necessarily guarantee those needing it the right sort of housing.

There are empty houses in this country that we could move people to, based on the argument presented by the opposition. The trouble is that the commute would make it useless. People would end up living in deserted villages on the east coast trying to get to work on the west coast. People could be living in the south when they have school to go to in the north.

The issue is to build a national housing strategy that is comprehensive and that works right across the full spectrum of housing needs. That is the central goal of this government as it pursues 10-year agreements with the provinces and territories, and long-term agreements with aboriginal partners, both on and off reserve, in urban settings and in rural communities.

We need to build a housing policy that works as well for the people living on the street in the south as it does for people living in crowded environments in the north. There is a rural program. There is an urban programs. There are northern programs. There are indigenous programs led by indigenous leaders in the housing sector. This is the goal of the government.

This notion that the problem can be solved by making a legal argument to the courts is going to leave people in the courthouse, not in their own housing. The act of housing is not simply building housing, it is moving people, with care, into the appropriate spot so they are safe and secure in their tenure.

If we read the UN report on housing, it is not simply about embracing a set of rights, it is about creating those policies which deliver those securities and those opportunities to people as a fundamental tenet of being a citizen of the country.

I would argue further, on the legal front, that if we want to look to the charter and to the rule of law around housing, if we stop looking at it as a commodity that must be provided, and instead as a service that people must be partnered with and delivered on, we end up looking at the charter from the perspective of dignity, of the right to health, of the right to security and safety. The best way to achieve those goals is with the national housing strategy, and that is why our government has embraced it as such.

Our government is in the process of finalizing those negotiations with provinces and territories to deliver on the \$11.2 billion set out for new housing in the federal budget. The government has additionally announced \$10.9 billion in below-market mortgage guarantees and loans, which is a foundation of the co-op program as it existed in the early eighties, a program that was started by the Liberal government. As well, more than \$5 billion has been set for indigenous services and housing, where many communities need both the infrastructure and the housing simultaneously to make it safe and secure for people who live there.

The government is not done with that. There are additional measures being taken which were introduced in our very first budget. The effective housing budget in this country was doubled from \$2.1 billion to about \$4.8 billion. Also, in the last budget there was a guarantee that the operating agreements that were due to expire under the previous government would no longer be allowed to expire. They will be renewed and replaced with new ones that give permanence and security to people living in public housing to this very day.

My question for the party opposite, as it pursues this slogan and pursues this right that is not going to deliver housing to people in real time with real needs in a real way, as it pursues this as the focus of its housing policy, as it talks about the challenges facing people, is why is it constantly getting in the way of programs that are delivering real housing to real people? Last year, the budget was filibustered by the party opposite. Those are real dollars that, if executed, could have delivered shelter to people. Instead, the party opposite chose to politic instead of produce housing.

Private Members' Business

The other problem I have with the way this bill is being presented is that the party opposite thinks that by talking to a lawyer, one is going to get a house all of a sudden. The reality is that with building out the comprehensive housing program, which deals with everything from the most vulnerable on the streets to those who need supportive housing, social housing, affordable housing, low-income homeowners who need opportunities, to those who need to make sure their investment and mortgage is carefully cared for, all of those programs are currently under way and in negotiation and consultation with all of our partners across the country in delivering it.

• (1125)

Why the party opposite is so focused on talking about rights instead responsibilities is beyond me. Our government has taken responsibility. Our government is taking action. Our government is delivering housing. Our government is putting this country in a position where no longer will we be able to say that the federal government is absent on this file but rather has taken a leadership position on this file.

If people talk to indigenous leaders, talk to municipal leaders, talk to provincial governments, but more importantly, talk to the people who provide housing, who are on the front lines of the housing crisis across this country and have lived experience, they know which government is acting. They know which government is respecting their rights. They know which government has now seen housing as a tool of health care to deliver the full rights of citizenship to every citizen, because this government has not only acted but has continued to act. It will not rest until the national housing strategy is established, the full funding is there, and we are set on a 10-year course to once again be proudly building and supplying housing for all who need it, in appropriate ways, in appropriate settings, with appropriate supports. That is what this government is doing.

I am still surprised that the party opposite is opposing this. I am still shocked that it cannot and will not support these investments and this process. Instead, it sits on the sidelines critiquing it and pushing people toward the courts instead of toward real solutions in real time for real people.

That is what our government has done. We are proud to get that done. We are proud to work with those people, all of them, across the entire sector, to deliver on a national housing strategy. I look forward to their questions.

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Mr. Speaker, first I would like to thank the member for Spadina—Fort York for that passionate campaign speech. I would also like to thank the member for North Island—Powell River for the actual passion she has on this. That being said, I personally cannot support this bill, which would put the right to housing under the framework of the Canadian Bill of Rights. Unfortunately, I am concerned that this bill would not actually combat the real barriers, and those are actually the barriers the member for Spadina—Fort York focused on. The bill fails to deliver the necessary measures needed to help Canadians who are hurting the most.

I would like to first talk about the style of the bill and how it does not properly take the current state of the Canadian Bill of Rights into account. To be honest, that is one of the key issues we looked at as a caucus when we were discussing this. What is the Bill of Rights?

What was put forward by the Right Hon. Prime Minister John Diefenbaker at the time he wrote this in 1960? What would be the significance of this amendment? While I appreciate the difficulty the sponsor of this bill must have faced in forging new ground by seeking its amendment, I have a few issues with the language of Bill C-325.

Primarily, the framework set out in the Canadian Bill of Rights is a prohibitive one. The Bill of Rights put forward by Diefenbaker in 1960 is not about including things like housing. The former prime minister understood that the framework and the purpose of the Bill of Rights was to expand individual freedom and to protect people from the long reach of the government. This would become a very short reach of the government if we were to start enshrining it in the Bill of Rights.

The point of the Bill of Rights was to ensure that Canada would continually be a society of free men and free institutions. All the rights currently present in the bill are to protect the rights of the individual by ensuring that the government cannot interfere with the practice of those rights. They include freedom of religion, speech, assembly, and association, among others. That is why it is a key point that Bill C-325 does not actually fit into the Bill of Rights adopted in 1960.

The reason is that the right to housing, as outlined in Bill C-325, does not work within this framework and would try to create a potentially massive program and government intervention as a right. This activist role of the government is opposite to the framework of the Bill of Rights and would do damage to the rich history of the legislation, which has truly stood the test of time. We have had this legislation for more than 50 years, and it continues to be vibrant and to have a part in today's debate.

I disagree with Bill C-325 on more than just stylistic grounds. The content of this bill naively assumes that Canadians' housing needs can be resolved with a single stroke. That is something we have heard from the member as well as from the government. It seems to put forward the idea that housing is a right and that if the federal government steps in, the housing concerns of Canadians would magically disappear. Unfortunately, the reality is much more complex than that.

First, the bill completely ignores that jurisdiction for housing is shared with the provinces and territories. Almost all federal funding that goes toward housing and homelessness initiatives is funnelled through the provinces and delivered through the municipalities and individual housing co-operatives, which provide housing to those in need. As it stands, the plan put forward by our NDP colleague would simply give an unreasonable mandate to the federal government in an area that is a jurisdiction shared with our fellow governments. It is also worth noting that as a simple act of Parliament, the Bill of Rights is only able to create rights that fall within federal jurisdiction. We are talking about shared jurisdiction with the provinces, territories, and municipalities. This Bill of Rights put forward by Prime Minister Diefenbaker is specific to federal legislation, and it rules over all levels of government.

Private Members' Business

The question then becomes this. What is the point of this bill? Is it a simple token sentiment? Is it an attempt to seize power unilaterally from the provinces? I believe, after listening to the member who put this forward, that it is about passion. I do not want to say that the work she is doing is not admired, but at the same time, we have to ask what the role of the federal government is and how we can go forward with this. We need to look at the logistics.

All the issues I have raised so far need to be taken into account. However, the issue at the core of this bill is that it would not make housing more affordable for average, hard-working Canadians. This is a key issue. Allow me to be clear on this. As a Conservative member representing the Conservative Party today, I can say that we firmly agree that Canadians deserve a reasonable opportunity to own their own homes and to have access to safe and affordable housing. Unfortunately, we currently have a government that seems bent on making home ownership increasingly difficult for aspiring Canadians. Housing is one area where the truly damaging policies of the current government can clearly be seen.

• (1130)

By raising taxes, the Liberals have cut the ability of Canadians to save up for a down payment or a mortgage. By hiking CPP payroll taxes on hard-working middle-class earners, the people the Liberals pretend to help are being forced to give to the government their hard-earned money. We see this more and more as we continue to talk about some of the proposed tax legislation being put forward.

It is no surprise that the Liberals feel that they know how to spend Canadians' money better than Canadians, but the damaging effects of the government's entitlement mindset are clear when we see how regular people are crippled in their ability to make large financial decisions, such as moving toward permanent home ownership. The debt the government is racking up is only looking to get worse, and Joe and Jane taxpayer are feeling the pain.

When budget 2017 was unveiled, it was apparent that the Liberals had no plan to make life more affordable for regular Canadians. Although the Liberals often boast about their purported investments in housing, it has largely turned out to be a game of smoke and mirrors. One of the foremost examples of the government's failure to deliver is the recent parliamentary budget officer's report that clearly demonstrated that despite big talk and flowery language, the government's money has not made much of an impact on Canadian families. Communities are not getting the funding the government promised. The PBO's report even says that it does not expect that the federal government will spend all the money on housing and infrastructure investment that has been promised.

More directly related to housing, the government has further burdened young Canadians who are working hard and aspiring to home ownership by tightening the rules for obtaining a mortgage. What is more troubling about this move by the government is that it was done without engaging any stakeholders, including young Canadians. It will push home ownership more out of reach for Canadians and will not help affordability at all.

To summarize, the government has tightened rules, requiring Canadians to pay more for a mortgage while simultaneously pickpocketing Canadian families through tax hikes, debt, deficits, and credit eliminations, not to mention slamming a carbon tax on

living necessities for every middle-class family in this country. The government is speaking out of both sides of its mouth. It seems to be striving to set Canadians up to fail in the housing market.

In light of this, I can understand my colleague's desire to step in and more clearly define the government's role in housing through Bill C-325. However, adding it to the Bill of Rights, where it does not belong and will not be effective, is not the way to fix such a broad issue. Instead, the federal government needs to be taking practical approaches that will empower Canadians to own their own homes.

The Conservatives have a strong track record of making progress in this area. By 2014, the Conservative Party had brought the low-income cut-off poverty rate to a historic low of 8.8%, making huge strides in reducing poverty through fair-minded policies. Conservatives also expanded saving mechanisms such as the tax-free savings account, reduced taxes, and invested in responsible policies to bring home ownership within the realm of possibility for every Canadian.

The Conservatives invested over \$19 billion through CMHC to improve the state of housing in Canada and began initiatives, such as the investment in affordable housing and the housing first initiatives, to empower Canadians and fight homelessness at a fundamental level. Last week, when I was taking part in a housing symposium in Ottawa—Vanier, one of the things I heard about time and time again was specifically housing first and what an excellent approach it is. Does it need additional things put into it? Absolutely, but it was a great first step in what the former Conservative government did in 2008. We need to continue to build on that.

The symbolism of the member's bill is understandable but somewhat misguided. If the federal government is serious about making home ownership for regular Canadians a reality, it needs to seriously re-evaluate its policies. Canadians deserve more action, rather than more talking, to make home ownership a reality.

I know that a government member is likely to stand up in this House and brag about how much the Liberals are throwing at housing in budget 2017, but high taxes, reduced saving capabilities, strict rules on the market, and expensive household items will not help Canadians and will continue to lock them out of this market. Broad-based relief when people are trying to own a home or are seeking affordable rental housing is essential.

In conclusion, I would like to compliment the sponsor of this bill for her attempt to make amendments to a well-crafted bill that has never seen such additions. I am thankful for the opportunity to speak today. As we move ahead, I look forward to the debate.

•(1135)

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, it is truly an honour for me, as the New Democratic Party's housing critic, to support my colleague from North Island—Powell River's Bill C-325, which we are debating today.

Too rarely do we have the opportunity to debate a housing bill in depth. I thank my colleague for choosing to debate this bill today and for giving us a chance to advocate for housing rights here in the House.

When I was made my party's housing critic, I launched a campaign called A Roof, A Right, which I have promoted all across Canada because I strongly believe that housing is a basic right and should be treated as such.

To put things in context, Canadian law differs from that of some other countries in that, for an international treaty to be law and enforceable in Canada, it must be incorporated into our legislation. Simply ratifying an international treaty does not mean that the content of that treaty becomes part of Canadian law. True, by ratifying a treaty, Canada makes an international commitment, but that is all. The rights that Canada commits to recognizing by ratifying a treaty cannot be enforced in Canadian courts unless those rights appear in Canadian law.

This bill seeks to address this unacceptable situation by adding the right to housing to Canadian legislation. In 1976, Canada ratified the International Covenant on Economic, Social and Cultural Rights, or ICESCR, which obliges nations to take appropriate steps to ensure “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.” In doing so, signatory states made a commitment not only to formally recognize the right to housing, but also to remove barriers to achieving that.

Here we are more than 40 years later, and unfortunately there is no federal legislation that formally recognizes the right to housing in Canada. On top of that, the housing situation in various regions of the country clearly shows that the federal government has not taken any meaningful action to remove barriers to housing and to the full exercise and realization of that right. This is precisely the reason why Canada has been chastised repeatedly by the UN Committee on Economic, Social and Cultural Rights for failing to take appropriate action on housing.

In its observations adopted on March 4, 2016, not so long ago, the committee stated the following regarding the housing situation in Canada:

The Committee is concerned about the persistence of a housing crisis in the State party. It is particularly concerned at: (a) the absence of a national housing strategy; (b) the insufficient funding for housing; (c) the inadequate housing subsidy within the social assistance benefit; (d) the shortage of social housing units; and (e) increased evictions related to rental arrears.

The committee also recommended that Canada develop and effectively implement a human-rights based national strategy on housing. It made a list of recommendations in light of its observations on the right to adequate housing and on forced evictions.

Private Members' Business

Last week, my colleague from North Island—Powell River received a response to written question Q-1086 in which she asked the government, “Why has Canada never formally incorporated the international covenants on the right to housing”?

The government's response was absolutely unbelievable:

Canada currently answers to its obligation to ensure the right to adequate housing, as it is framed in international law. The United Nations ICESCR recognizes the right to adequate housing as a component of an adequate standard of living. Canada currently implements the right through a wide range of federal, provincial, territorial and municipal laws, policies, programs, and administrative measures.

In light of the observations by the United Nations Committee on Economic, Social and Cultural Rights that I just mentioned, I do not understand how the government can claim to be meeting its international obligations. If the government wants to claim that it is being compliant, then it has a responsibility to incorporate the right to housing into the Canadian Human Rights Act, and especially to implement the necessary measures to ensure that the fundamental right to housing is fully realized.

•(1140)

The current housing situation in Canada clearly shows that since the ICESCR was ratified, successive governments never took the steps required to eliminate the obstacles preventing the full implementation of that basic right.

We have been hearing for years about a housing crisis in Canada. Rising rents, a shortage of rental housing units, the lack of federal government funding for social housing, too many families spending over 30% of their income on housing, and increasing homelessness are only a few examples of the causes and consequences of that crisis.

According to the Canada Mortgage and Housing Corporation, CMHC, housing is considered affordable if it represents 30% or less of a household's revenue. Households that spend more on housing are considered to be in “core housing need”.

According to the 2011 National Household Survey, one out of four households spend more than 30% of their total revenue on housing costs. Also, one out of three Canadian households are renters, and of this number, 40%—almost half—spend over 30% of their income on rent.

The proportion of income spent on housing is over 50% for one out of five Canadians, and over 80% for one out of ten Canadians.

This means that households in “core housing need” are too often forced to choose which basic needs they will meet.

In a wealthy country like ours, no one should have to choose between buying groceries and paying rent. We must admit that we are unfortunately not respecting a person's right to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions, as set out in the ICESCR.

Private Members' Business

The government must release the details of its national housing strategy this fall. If it wants to show that it is serious and ensure that this strategy will be successful in the long term, the government's measures must give everyone the opportunity to fully exercise and enjoy their right to housing.

Bill C-325 is a first step towards ensuring that Canada fulfills its international commitments by enshrining the right to housing in Canadian legislation. The bill would amend section 1 of the Canadian Bill of Rights by adding paragraph (b.1) the right of the individual to proper housing, at a reasonable cost and free of unreasonable barriers.

Because the Canadian Bill of Rights takes precedence over all other federal laws, it would offer a means of recourse to any person who feels their right to proper housing has been infringed by the federal government.

Consider the example of an indigenous family of 10 living in a two-bedroom home, which is the reality on too many reserves. I think we can assume that their right to proper housing is being infringed, so they could use this recourse to assert their rights, particularly since the federal government already has a fiduciary duty to indigenous peoples.

Given that the Supreme Court also decided last year in Daniels that indigenous peoples living off-reserve are also "Indians" under subsection 91(24) of the Constitution Act, 1867, it is also the responsibility of the federal government to ensure that their right to housing is respected.

That is why, a few days ago, I joined the member for Abitibi—Baie-James—Nunavik—Eeyou and the Canadian Housing and Renewal Association in calling for a targeted strategy to tackle the indigenous housing crisis.

Right now, 10% of Canadian renters are spending more than 80% of their income on rent. It is easy to imagine that any of these renters could invoke their right to housing at a reasonable cost and require the government to take the necessary steps to fulfill that right.

There is also the matter of the homelessness rate. In this country, it is estimated that more than 235,000 people experience homelessness in a given year. Any of them could potentially seek recourse under this bill to make the federal government do whatever it takes to ensure that every person in Canada has a roof over their head. The Liberal government has told Canadians all about its good intentions on the housing issue. Now it is time it turned words into action.

• (1145)

If the government wants to show that it is serious about keeping all of those promises, why does it not start by recognizing the right of every person to housing? On that note, I would urge my colleagues on both sides of the House to vote in favour of this bill and finally acknowledge once and for all that a roof is a right.

[*English*]

Mr. Bryan May (Cambridge, Lib.): Mr. Speaker, if you will indulge me for a moment, I would like to take this opportunity to wish my wife Kristin a happy 13th anniversary. We are all surrounded by people who support us, and she is definitely my rock. Without her, frankly, I would not be here today.

I would also like to thank the hon. member for North Island—Powell River for raising this important issue. Her career prior to entering the House was dedicated to helping some of society's most vulnerable people. Bill C-325 shows that she has carried this commitment forward in the House.

As chair of the Standing Committee on Human Resources, Skills and Social Development and the Status of People with Disabilities, this is a critical issue, one which my committee has discussed and studied at length over the past years and is something we are currently studying as it relates specifically to seniors.

Housing is such an important issue. Our government believes that Canadians deserve to have safe, affordable, and accessible housing. This belief has guided our international commitments. It has been the underlying principle behind many of our government's actions; and it is the force behind the national housing strategy, which will be released later this fall.

Housing is so important, and it is important we do it right. While I support the principles and goals behind Bill C-325, I will unfortunately not be supporting the legislation when it comes to a vote.

My main concern for the legislation is how it casts housing as a right by enshrining that right into the Canadian Bill of Rights. This has the potential to shift focus and resources away from the work already being done on housing toward legal challenges. I do not believe this is the most effective way to deliver housing for Canadians or to solve the housing or affordability issues.

Our government has already been taking action and working to include a diversity of viewpoints in creating a national housing strategy. An effective strategy will require buy-in at all levels, which is why we have been consulting housing experts, municipal and community groups, and other housing stakeholders, as well as nation-to-nation conversations with our indigenous partners. We are confident that, with their support, we will be able to achieve a housing strategy that addresses the needs of all Canadians.

This widespread consultation will demonstrate that this strategy represents cross-Canada viewpoints and that it is not a made in Ottawa solution. Our government wants to create a national housing strategy that reflects the different needs of people in Tofino and in Toronto, in Vancouver and in Valcartier, in Calgary and in Cambridge.

The strategy must recognize urban and suburban living and it must appreciate rural and northern living. It must consider those living on reserves and Canadians in all four corners of Canada.

The national housing strategy will, similar to Bill C-325, work to benefit those who do not have adequate, accessible or affordable housing in Canada, but move the needle further, in ways that do not put our government at legal risk.

Private Members' Business

Before my time as an MP, I worked in the non-profit sector with organizations like the YMCA and the Boys and Girls Clubs of Canada. Many of the issues I dealt with every day were either connected to or rooted in housing issues. Adequate housing is a solution to so many ancillary problems.

I am concerned the bill takes too narrow an approach to the idea of housing. As a signatory to the UN International Covenant on Economic, Social and Cultural Rights, Canada has long been guided by the notion that adequate housing is more than simply four walls and a roof. Adequate housing has access to safe drinking water and proper sanitation. Adequate housing is not cut off from early learning and child care, health care, schools, or social infrastructure.

• (1150)

All governments, and all levels of government, must engage with and recognize that housing must be considered holistically. That holistic approach has consistently guided our government's actions. This is why budget 2017 did not just allocate funding for urgent on-reserve housing needs, but also invested in clean drinking water, repairs, and renovations of on-reserve child care centres and community health centres. This holistic approach also guides community-based initiatives like the homelessness partnering strategy, in which we work with partners at the local level to reduce the strain on shelters and on health and justice services while continuing to address the needs of the most vulnerable.

This understanding has continued in our most recent budget, which included substantial investments in housing, alongside investments in clean energy, green infrastructure, and world-class public transportation systems. Through these actions, we will meet not just the letter of our international commitments but also the spirit.

A well-rounded and informed view of housing will also guide our upcoming national housing strategy. Thanks to the extensive consultations I mentioned earlier, we heard from stakeholders and partners about the pressing need to build, renew, and repair Canada's stock of affordable housing. We will act to meet these needs through initiatives like a national housing fund that will prioritize support for vulnerable citizens; a co-investment fund that will provide opportunities for our partners in the provinces, territories, and the social and private sectors to pool resources and undertake large-scale community renewal projects; together with initiatives to improve housing conditions in the north and for indigenous people on and off reserve; an expanded and reformed homelessness partnering strategy using surplus federal lands and that makes buildings available to housing providers at low or no cost; and strengthened capacity to gather, analyze, and act on housing data.

Like the hon. member for North Island-Powell River, I want the House and the government to commit to doing the right thing for all Canadians when it comes to housing. I want to see a housing policy that listens and responds to the concerns of our partners and stakeholders across Canada. I believe that our upcoming national housing strategy will allow us to do these things and so much more.

I am sure I speak for everyone in the House when I say that the hon. member's passion and willingness to work toward housing solutions is welcome and I hope that even if we cannot support this private member's bill, she will work with us as we move forward in

implementing a national housing strategy that meets the needs of all Canadians.

• (1155)

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, I am delighted to be here today to speak in strong support of the private member's bill brought by my colleague from North Island—Powell River, which would make the right to housing part of Canadian law through the Canadian Bill of Rights. Her passion for this topic came through loud and clear during her remarks. It is so easy to get lost in the statistics of the housing crisis that Canadians face, but she has put faces behind those statistics so that we all understand just what a crisis we are dealing with in this country.

It is our belief that all Canadians have a right to housing as a place of refuge and a sense of security for themselves and their families. Therefore, we ask that the Canadian Bill of Rights be amended to include the internationally recognized right to housing, which should be at the heart of any national housing strategy the government is anticipating. We have heard about this strategy and on this side fervently hope that it is not simply a case of platitudes piled upon platitudes but real action in the short term. I say this because in the 2017 budget, the Liberals promised over \$11 billion over 11 years, with 90% of that funding allocated after the next election, should they be re-elected.

I live in a community with a housing crisis that is an emergency. Therefore, words do not do enough. The money is nowhere to be found in my community, and we have to get serious about this issue. As my time is limited, I will start with the specifics in Victoria, British Columbia.

Every day we have people come into our constituency office who are concerned about this crisis. It has meant that our city is now ranked among the most expensive places to buy housing in Canada. For those who live in Victoria, the high cost of purchasing a home remains a barrier to so many people. The reality facing those looking for an affordable place to rent is also a daunting problem.

In addition to the homelessness crises in our community, many of our working poor are barely able to make ends meet. That was confirmed by a recent research study by the United Way. Renter households face far greater housing affordability challenges and hardships. They have lower incomes and pay a larger proportion of their income for housing than owners do. Victoria has one of the lowest vacancy rates of rental properties across this country. The Canada Mortgage and Housing Corporation listed the vacancy rate for rentals in Victoria at a shocking 0.6% last fall.

Government Orders

How people can afford housing and rent is a serious mystery to many of us. It is simply an affordability challenge. Paired with the extremely low vacancy rate I spoke of, securing suitable accommodations is virtually impossible for many people in our community. The rents are so high that people who are working for minimum wage are often simply unable to afford a place to live should they be able to find one.

To better understand the situation, we should consider the CMHC's discussion of what it terms "core housing need". If a family spends more than 30% of its income on housing, it is said to have a core housing need. Therefore, as the cost of rent remains high, far too many Victorians experience a core housing need. Of Victoria's renters, almost half spent more than 30% of their income on shelter in 2011, and a quarter spent more than 50% of their income on housing.

Our constituency office has been deluged with people struggling with this reality. My office is currently working with Beth, for example, one of many seniors who can no longer afford her rent after she separated from her partner. We work with young families who have no money left at the end of each month for contingencies given how much they pay for housing. They could find themselves in dire financial straits if they had to cover an unforeseen emergency, take their child to a dental appointment, suddenly require vehicle maintenance, or even purchase new shoes for their child. Those examples could put people in a state of housing crisis. We feel the stress of our constituents daily.

This also has a disproportionate impact on our indigenous population. According to our local newspaper earlier this year, the *Times Colonist*, indigenous people in Victoria made up 21% of shelter users experiencing chronic homelessness despite making up just 4.1% of the population.

● (1200)

Across Canada, almost one in two senior-led households faces rent affordability challenges, and affordable housing options for seniors are very limited. Senior women who live alone are much more likely to live in poverty than senior men. We find that to be very much a fact of life in our community as well.

The housing crisis is having an enormous impact on our business sector as well, because people cannot afford to live where the jobs are. We hear that every day from our chamber of commerce and other local business groups that are struggling to attract and retain talented people, because prospective employees simply cannot find affordable, suitable places to live in Victoria. Without adequate staff, business owners are afraid of losing their livelihoods.

This past spring, CTV did a story about students in Victoria who, faced with the exorbitant cost of accommodations, had to drop out of university. Some live in their vehicles to try to stay at university.

The housing crisis affects people from young to old; indigenous and non-indigenous; people who rent; people who are living on fixed wages, often minimum wage; and even young families who are trying to get a foothold to purchase in the housing market. It has simply become unaffordable. This is shocking in a country like Canada.

I have not spoken adequately in the time available about those living in homelessness, but we have estimated that there are 1,500 homeless people in the greater Victoria area today, according to the City of Victoria's recent statistics. These circumstances are simply unacceptable in a country as wealthy as ours.

As Canadians hear about the housing hardship in my riding and elsewhere in Canada, does it sound like the federal government is ensuring their right to adequate housing? I do not think so. The seniors I spoke of, the young families, local business owners, indigenous people, students, and the homeless are in crisis now. They cannot wait for the Liberals to finally do something serious and immediate about this crisis. They must have the government live up to its obligations. This bill would allow that to occur.

● (1205)

The Assistant Deputy Speaker (Mr. Anthony Rota): The time provided for the consideration of private members' business is now expired and the order is dropped to the bottom of the order of precedence on the Order Paper.

GOVERNMENT ORDERS

[*Translation*]

ACCESS TO INFORMATION ACT

The House resumed from September 22 consideration of the motion that Bill C-58, An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, it is always a pleasure to rise in the House, and I am particularly pleased to be able to speak to this bill. This is not the first time that I have risen in the House, and I have had even more opportunities to do so since being appointed to the shadow cabinet as Treasury Board critic. However, this is the first time that I have had a chance to talk about a subject that comes straight from the Treasury Board. The hon. President of the Treasury Board introduced this bill just before the House rose for the summer in June, which means we had time to look it over and make observations about it. I am very honoured and proud to take on this essential role of providing positive, constructive, and, above all, vigilant opposition.

As such, I am very pleased to rise and speak to this extremely important bill that amends the Access to Information Act. That act was first introduced some time ago, so we have been living under its provisions since 1983. Fundamentally, our party is in no way opposed to carefully scrutinizing any act, statute, or procedure in order to enhance or improve it. A number of changes have been made over the past 35 years, since the bill was first debated and passed here in the House, particularly when it comes to information technology. Everyone agrees that access to information has changed over time. Simply put, we are not opposed to scrutinizing this act from 1983.

Government Orders

Still, we need to be logical and consistent, since this is about drawing a very fine line between access to information, which is necessary in a democracy, and for which I would be the first to fight as a former journalist, and the ability of the executive branch to do its job, for which it requires certain information. Some of the exchanges and debates that take place within cabinet are crucial and healthy for a democracy, but they need to remain behind the closed doors of cabinet. The same is true in parliamentary life, considering that every Wednesday morning, each parliamentary group has caucus meetings, where we can discuss the issues that matter in a positive, constructive way that lays a foundation for the future, while also sometimes having different points of view. That is democracy at work.

The government says that it tabled this bill to fulfill a political commitment. Really? Let us look back at the promise made by the Liberal Party two years ago during the campaign, which was, “Real Change. A New Plan for a Strong Middle Class.” That was the Liberal Party’s program. On page 24, regarding access to information, it states, “We will make government information more accessible.” No one can disagree with that. It is like apple pie. No one is against better access to information.

The Liberals’ specific objectives are, “We will ensure that access to information applies to the Prime Minister’s and ministers’ offices, as well as administrative institutions that support Parliament and the courts.” That is where the problem lies, because the first of these objectives has not been met and access to information still does not apply to the PMO. That is a broken promise by the Liberals.

I will come back to that a bit later on. We will show that the commitment made during the campaign, the very reason why Canadians elected this government, was once again, unfortunately, not upheld by the Liberals. We believe that it fuels public cynicism towards politicians. When a government does not keep its promises, which we strongly condemn, every single politician pays the price.

Let us take a closer look at what Bill C-58 entails exactly.

● (1210)

[*English*]

The real novelty of the bill is that the government is imposing a system of proactive publication, which is not so bad.

Let us look at what the government has tabled in the bill. Access to information lies in ministers’ offices and the Prime Minister’s office to properly publish the following information: mandate letters, and we have the mandate letters and everybody has seen them, so there is nothing new there; documentation on the training for new ministers; title and reference numbers of briefing notes; development notes for question period; backgrounders for occurrences before parliamentary committees; travel and hospitality expenditures; and contracts of more than \$10,000.

This is the main problem. We are talking about proactive tabling of documents. That is great. Nobody can disagree with that, but on the other hand, and we will see it later, this is the end of the mandate for the Prime Minister and ministers.

[*Translation*]

Government organizations will also have to proactively publish the following information: travel expenses and shared travel expenses; reports tabled in Parliament; briefing packages for deputy heads; information about briefing notes; briefing materials for parliamentary committee appearances; contracts over \$10,000; contributions over \$25,000; and reclassification of positions.

The big change with this new bill is that the government is now deciding to publish this information proactively, which is not a bad thing, but the problem is that it ends there. That is why we have serious reservations about this bill, which does not really honour the Liberal Party’s campaign promise. This bill is actually at odds with that promise.

Broken promises lead to disappointment. When people have expectations, they want those expectations met. People, especially those in the information sector, felt that this was one of the Liberal Party’s key promises, so they expected the Liberal Party, once in government, to keep it. Unfortunately, people’s faith was wasted on the Liberal Party because it did not keep that promise. That is from them, not me.

[*English*]

Let me read some quotes from important stakeholders about this important issue.

Katie Gibbs, executive director of Evidence for Democracy group, says that by ruling out the possibility to obtain information from ministers’ offices and the Prime Minister’s office, the government is breaking its campaign promise to establish a government “open by default”. Moreover, she says, that the possibility to refuse access to information requests on an undefined basis jeopardizes the transparency and the openness of the government.

[*Translation*]

That is the problem. The Liberal Party promised to be more open, but proactively publishing information and then leaving it at that poses a problem.

Government Orders

I do not want to undermine this approach, but the reality is that the documents that are released and that will be proactively released, are general access documents, or documents that almost anyone can access, such as the ministers' mandate letters that were made public by the Prime Minister on the day the ministers were sworn in, which was a good thing. A minister's mandate letter is indeed published on the day he or she is sworn in, if memory serves me correctly. It was a good idea. That has been the practice for the past two years, and it is working out well enough. However, when it comes to preparing ministers for question period, we are talking about factual information, facts, figures, and basic information. When we ask for a technical briefing, or a refresher course on the ins and outs of a bill, then we are generally given more specific information. We have an excellent working relationship with the ministers' offices and departmental officials who are there to serve all Canadians.

Then, once we all have the same background information, we can prepare our arguments for or against the topic in question. This is what is great about democracy. There will always be people for something and people against it. It would be odd if everyone were in favour of the same thing.

As Katie Gibbs, the executive director of Evidence for Democracy, said, this bill falls short, and that is disappointing.

• (1215)

[English]

It is the same thing for another important stakeholder.

Duff Conacher, co-founder of Democracy Watch group, says:

The bill take a step backwards in allowing government officials to deny requests for information if they think the request is frivolous or made in bad faith. Public officials should not be given this power, as they will likely use it as a new loophole to deny the public information it has a right to know.

[Translation]

Mr. Conacher is on the same page. It is all well and good to be proactive, but there is no recourse if access to a document is denied because it is an executive-branch document and cannot be disclosed. That is the problem.

The government can go on and on about how open it is, but the government's actions and this bill do not reflect that reality.

Some people in Quebec have been very disappointed in the Liberal government. These people may have been seduced by the Liberal Party's big promises during the last election campaign, but now reality has caught up with them. Stéphane Giroux, the president of the Fédération professionnelle des journalistes du Québec, said, "We were most interested in getting documents from ministers' offices. False alarm. It was too good to be true." This is yet another disappointment.

This bill is a complete letdown. I have one more very interesting stakeholder to mention. He is so important that I saved him for last, because he is someone who really knows what he is talking about. His name is Robert Marleau, and he served as Information Commissioner from 2007 to 2009. He said, and I quote:

For the ministries, there is no one to review what they choose not to disclose, and I think that goes against the principle of the statute. They have taken the commissioner out of the loop. If you ask for these briefing notes, and you have got

them and they were redacted, you had someone to appeal to. So there is no appeal. You cannot even go to a court. It is one step forward, two steps back.

This was not some big bad Conservative or New Democrat speaking, or even anyone from the Green Party or the Bloc Québécois. This was Robert Marleau, a man who spent years enforcing the Access to Information Act as Information Commissioner from 2007 to 2009, pointing out very clearly the problems stemming from this act.

The government claims to want to be open and proactive, which in theory is not a bad thing. However, in reality, it is no longer possible for people to appeal if the information they requested is not provided. Robert Marleau pointed out that problem.

Other observers have been extremely critical. I am not talking about people with a direct interest in the issue, or about pressure groups, or anything like that. Rather, I am talking about observers like Shawn McCarthy of *The Globe and Mail*, who said the following in an article published on September 18:

[English]

The Liberals also vowed to amend the ATI law to make government "open by default." But C-58 would give government departments the right to ignore information requests that they deem to be "frivolous or vexatious." That exemption is being imposed without warning or justification, and is a power that should not be held by a government department that could benefit by wide interpretation in its own interest. It should be removed from the bill.

[Translation]

Once again, that was said by a well-intentioned individual who wants to see things change. He believes that things have to change. He thought that the Liberal government would be the one to bring about those changes, but that is just another disappointment for those who are unhappy to add to the list.

Another such person is Stephen Maher, who wrote the following in an article published in *iPolitics*:

• (1220)

[English]

The proactive disclosure of some ministerial documents may be a step backward, because the decisions about what to release and what to redact will not be reviewable by the information commissioner.

[Translation]

That is similar to the point that was raised by the former commissioner, who said that, from now on, there would be no appeal process and that this was a step backward. I would like to once again quote Mr. Maher. He said:

[English]

This bill takes baby steps toward greater openness, but it does not offer what [the Prime Minister] promised—that government documents would be open by default.

[Translation]

In the business community, Fasken Martineau issued a notice, not to say a warning, to its clients concerning Bill C-58, which reads:

What if an application is made that raises grounds of contestation which do not respond to the third party's real concerns or interests? Despite this drafting, we expect that the Court will nonetheless allow the third party to file its own application to raise its concerns and interests—although it would be ideal if Parliament avoids useless battles in Court on the standing of third parties and clarified the provision immediately.

Government Orders

In other words, Fasken Martineau is saying that, as it stands, this bill will result in court challenges.

God knows, we certainly do not need yet another process clogging up our justice system, considering that this government is dragging its heels on appointing the judges that Canadians want and expect.

In Quebec, the justice minister has been waiting for months for this government to appoint 14 federal court judges. Of that number, barely half has been appointed so far. Until the appointment process is complete, dozens, hundreds, even thousands of Canadians awaiting a fair trial will not get one because the government is dragging its heels on this.

We certainly do not need to further clog up our courts by passing this bill. It may have been drafted with good intentions, and we are not against scrutinizing legislation that has been in effect since 1983, but we need to do things properly, which is not the case. Politically speaking, the Liberals should at least keep their election promise.

Is it any wonder that this bill only adds to the government's track record, which is a long list of broken promises? On top of that, just two years ago, this government said that it would not raise anyone's taxes, and yet what does it intend to do with its tax reform for small and medium-sized businesses? It intends to create even more obstacles and impose additional taxes on business, like the 73% tax, which is nearly 50% higher than the tax rate for large corporations.

Meanwhile, this government was elected barely two years ago on a promise that it would run small deficits of \$10 billion. Where is the deficit now? It is about 80% higher than what the government promised. The Liberal Party also promised to return to a balanced budget by 2019, which happens to be the next election year. Now this government is abandoning its commitment, since it does not even know when Canada will return to a balanced budget. At no time in living memory has there ever been a government, a finance minister, and a prime minister who could not tell us when the budget would be balanced, except perhaps in times of crisis.

As many members will sadly recall, deficits became necessary in times of war, but it was the current Prime Minister's father who invented deficits in times of prosperity. That said, at least he had some idea as to when he would balance the budget. This government, however, has no idea when it will achieve that, which is a first in Canadian history. It has been one broken promise after another, and the same is true of Bill C-58.

[*English*]

Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.): Mr. Speaker, there is no question that our government has made a commitment to openness and transparency and better access to information. That is exactly what this bill is all about. In fact, in the member's speech, he talked about more openness and transparency for the Prime Minister's Office and ministers' offices. I want to assure the member that this bill would apply to the Prime Minister's Office, ministers' offices, and administrative institutions that support the work of Parliament.

There are things in this bill, including the elimination of the access to information fee, so now there would only be a \$5 fee presented in the bill. As well, there is empowering the commissioner to order the government to release information, and a mandatory five-year

review. Each of those three things was actually included in a private member's bill by the now Prime Minister, prior to him serving as Prime Minister, in Bill C-613. Also, the bill would support ensuring that the access to information is done, and would put in supports, so that we would get timely responses.

Would the member opposite support those things in the bill that would help Canadians gain the access to information that they want?

• (1225)

Mr. Gérard Deltell: Mr. Speaker, I have had the privilege to work with my colleague on the finance committee.

I recognize that the Liberal Party was involved in the campaign, saying that it would abolish the \$5 payment to access information. Fine, the Liberals have done that and I recognize that. On the other hand, if people want to get information and the Prime Minister or the minister refuses, there is no call for that. That is not just me stating that; it is Mr. Marleau, who was the Information Commissioner in 2007 and 2008, who recognized that this bill had some openness. On the other hand, they open the door but they lock it just after opening it.

This is why we disagree with that. This is a demonstration of good ambition, goodwill, and a good idea, but when it is time to use it correctly and use it day to day, if the Prime Minister or the minister refuses to give information on some issue, there is no call after that. They cannot get back to *l'appel*, like we say in French. This is why this is a step in front or two steps forward. I do not know how to say that in English.

[*Translation*]

It is one step forward, two steps back.

[*English*]

I am not very good in dance, and certainly not good at the dance in English.

We have to fix it, and if the government is well intentioned, it should address this issue with seriousness.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, it would have been encouraging if the member's party had moved on the kinds of amendments that he is now calling for. Canadians have waited for more than three decades to finally have a strong Access to Information Act so we would have a better reputation internationally.

The member is bright and I always appreciate his comments, so I think he might agree with me. We all recall another promise, and that was that this would be the last election of first past the post. The government then decided it would not deliver on that promise, and what did it do. It simply switched ministers and changed the mandate letter.

Government Orders

The Liberals have failed to deliver on the vast majority of recommendations by the commissioner or the committee, or most legal experts. Does the member think that the next action we will see is that they can now just amend the mandate letters to the ministers and remove the higher bar for openness and transparency in government?

Mr. Gérard Deltell: Mr. Speaker, first of all, I want to be clear. It is quite normal to review a bill that was tabled 35 years ago. That is fine. However, there is a thin line to define exactly where there is openness and also the reality of the power. The government must run the country, and it is very delicate to know exactly where to draw the line between what it wants to be published and having strong and important debate among the executive branch.

Second, the member talked about electoral reform. A year ago, I was in the member's riding in Edmonton. We had consultations there, and I was part of the committee. It was another broken promise. I said earlier that the list of broken promises is so long that I forgot to talk about that. I could talk about broken promises until tomorrow afternoon, and I would not be finished. Yes, that was another broken promise.

At the end of the day, with every political party when it breaks a promise—I have never broken any promises, but I know some other parties that have tried—there is a political price to pay. I hope and know that two years from now, Canadians will make the Liberal Party pay a huge price for this and all the other broken promises.

• (1230)

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, I appreciated my colleague's comments on the tax changes coming forward. We know that this rushed, overreaching action on the part of the government is going to hurt our economy, hurt middle-class Canadians, farmers, small businessmen, and accountants. These are the people who have been communicating with the government and with us on this issue. The response from the government has been to try to say that we have been misinforming them and that we are causing this issue to be overblown.

In the same case, we know that Canadians are concerned. We have comments that you quoted from democracy groups, professional journalists, and even a previous information commissioner. Are these also people the government is going to dismiss as being somehow responsible to us in our arguments as to why Bill C-58 is not a good bill?

The Assistant Deputy Speaker (Mr. Anthony Rota): Before we go to the hon. member for Louis-Saint-Laurent, I want to remind hon. members to speak through the Chair and not directly to each other. It makes life a lot easier for all of us in the long run.

The hon. member.

Mr. Gérard Deltell: Mr. Speaker, I am very pleased to take my colleague's question. I think that all 338 members of the House have a lot of contact with people. When we talk to people in our ridings, and small business owners, they are very concerned with the appetite of the government that likes to get more and more taxes to pay for its bad judgment when it is time to spend money. When the Liberals run deficit after deficit, it has to be paid for. Now the government is trying to pick up a quarter of a billion dollars from the pockets of small business owners. This is all wrong.

[*Translation*]

I was in Alma last week, and business owners told me that the government's attitude was jeopardizing their business, their expansion plans and their opportunities to create even more jobs and wealth in their communities. The government wants to increase their tax burden, which could also adversely affect every worker's potential raise.

[*English*]

We do not have to see this as just a business class opportunity. Every business owner has employees. When one wants to give good wages to their employees, one does not have to pay more taxes. What the Liberal government is doing is imposing new taxes, and it will hurt small business owners. More than that, it will hurt all Canadians who work in those businesses.

[*Translation*]

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, I want to congratulate my colleague from Louis-Saint-Laurent on his appointment as official opposition critic for the Treasury Board.

I will begin by quoting from the 2006 Conservative platform: a Conservative government will “implement the Information Commissioner's recommendations for reform of the Access to Information Act.” That is what was said in 2006.

In 2013, the Information Commissioner said, “...there are unmistakable signs of significant deterioration in the federal access system.” What did the Conservative government do? Nothing. Zero.

Our Liberal government took a different approach and decided to act. We are proud to be the first government to bring significant changes to the Access to Information Act since it first came into force over 30 years ago.

The member opposite admitted that it is a step forward. Why does he refuse to work with us on this initiative, which is, as he said himself, very important?

Mr. Gérard Deltell: Mr. Speaker, I thank my colleague from Vancouver Quadra for the quality of her French, and I would like to point out that my riding was named after a former prime minister, but hers was once represented by a former prime minister, the Right Hon. John Turner.

I unfortunately do not know the riding of the former president of the Treasury Board, who is sitting right in front of me, because federal riding names are so long. He explained that when our party was in government, we started the process to proactively make documents public. Did we get as far as some would have liked? We took some steps forward. Could more steps forward have been taken? Some may think so. We think that a party must wisely manage a government and a country, and we are very proud to have governed Canada for nine years and for three consecutive terms.

We had five commitments back in 2006, and we fulfilled them all.

Government Orders

•(1235)

[English]

Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.): Mr. Speaker, I am pleased to offer a few words about Bill C-58 and its proposed amendments to Canada's Access to Information Act. In fact, I would like to begin with some specific comments about the Information Commissioner's expanded role under these legislative amendments.

[Translation]

Among the many changes we have made in our proposed reform of the Access to Information Act, one that we believe is important, and that the Information Commissioner has herself requested, is for strengthened oversight of the right of access.

Currently, the Information Commissioner has no power to order a government institution to release records that have been requested under the Access to Information Act.

[English]

For example, if a requester is dissatisfied with the reduction of records in response to a request, they have the option to send a complaint to the Information Commissioner. This complaint is then investigated, and the commissioner can make a recommendation to the government institution to release the records.

[Translation]

If the institution does not accept that recommendation, the commissioner currently has the option to challenge the decision in court, with the agreement of the requester.

[English]

Under Bill C-58, the person would continue to have the right to complain to the Information Commissioner if he or she does not agree with how the government institution responded to the request.

[Translation]

This right would be clearly communicated to the requester as required by the act, but when it comes to the conclusion of the commissioner's investigation of such complaints, the commissioner would now have the power to issue an order to release the record if she deems it was improperly withheld.

[English]

The government institution would have to release the record in accordance with an order from the Information Commissioner or, if it disagreed with the commissioner's order, go to court and convince the court, based on evidence it provided, that it has applied the act correctly.

[Translation]

Mr. Speaker, this is a first at the federal level. Never before has the Information Commissioner had the ability to order the government to release records.

[English]

If the head of the institution disagrees with the order, believing, for example, that the record should be withheld for security reasons,

Bill C-58 proposes to give the head of the institution 30 business days to ask the court to review the matter.

In short, the new reforms to the Access to Information Act would provide the Information Commissioner with order-making power. This would transform the commissioner's role from an ombudsperson to a powerful authority with legislative power to compel government to release records.

[Translation]

These new powers include the authority to make orders about such things as fees, access in the official language requested, format of release, and decisions by government institutions to decline to act on overbroad or bad faith requests.

•(1240)

[English]

To enable the Information Commissioner to carry out this new authority, we will also be providing the commissioner with additional resources.

The improvements we are proposing will reinforce the act's original purpose and respond to the recommendations of the Information Commissioner to strengthen her oversight of the right to access.

The changes to the commissioner's role from ombudsperson to an authority with legislated order-making power will increase the commissioner's effectiveness.

[Translation]

This is a sea change in the way access to information works at the federal level, and we are taking the important step to strengthen government transparency and accountability.

[English]

We are committed to modernizing the act and making continual progress towards a more open and transparent government.

To that end, the legislative package we have introduced proposes a new part of the act that sets out proactive publication requirements for all areas of government. This will entrench into law the obligation for the government to proactively publish a broad range of information to a predictable schedule. It will apply across departments and agencies, as well as new areas such as the Prime Minister's and ministers' offices, senators and members of Parliament, institutions that support Parliament, and administrative institutions that support the superior courts and over 1,100 judges of the superior courts.

Making more government information publicly available and on a predictable schedule will promote accountability.

[Translation]

Like the Information Commissioner, we are aiming for increased openness and transparency across government.

[English]

At the same time, we recognize that proactive publication does not eliminate our responsibility to strengthen the request-based aspect of the system.

Government Orders

For that reason, we are also investing in tools to make processing information requests more efficient. We will support training across government for consistent application of access to information rules and we will provide written explanations for exemptions and exclusions.

[*Translation*]

We have also heard the commissioner's concerns regarding overbroad or bad faith requests, those where the intent is clearly to obstruct or bog down the system.

[*English*]

Under very specific circumstances and subject to oversight by the Information Commissioner, government institutions will be able to decline to act on bad faith requests. Doing so will help government better direct its resources to responding to requests that reflect the original intentions of the act, making government more transparent, responsive, and accountable to citizens.

[*Translation*]

We are making significant reforms to the access to information system, while continuing to establish a relationship of trust between those requesting information and the government that can provide that information. The amendments will also add a new requirement to review the act every five years to make sure it remains current.

[*English*]

The first review will begin no later than one year after the bill receives royal assent.

[*Translation*]

In addition, we will have a policy requiring departments to regularly review information requests and to use that analysis to make more types of information more easily accessible. This analysis would in turn guide the five-year reviews to ensure ongoing improvement.

[*English*]

After 34 years, the time has come for the ATI laws and program to be revitalized. The reforms we are proposing affect the whole of government, including areas never before touched by the legislation.

● (1245)

[*Translation*]

They also provide greater powers to the Information Commissioner to oversee the access to information regime and the ability to order the release of records.

[*English*]

I call upon all members to examine, debate, and support the goals of this legislation and to continue to work together to strengthen access to information and make government more open, transparent, and accountable.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, we believe it is unacceptable for the government to think that it can assess the motivations of those making access to information requests and make an evaluation about the quality of their motivations as the basis for whether or not that request is honoured.

A fundamental principle in a free, democratic society is that people have the right to request information. Of course there are limitations on that, if there are issues of national security and so forth. However, the principle that it is not the contents of information but rather the motivation of the individual asking for that information that somehow can or should be assessed by government, we would argue, is quite out of step with the way access to information is supposed to work in a free and democratic society.

Can the member agree that this is an impossible and dangerous road for the government to go down, assessing whether or not someone has the right kind of heart or disposition when they are applying for information? Should the government not instead focus its energy on providing information that people ask for, as long as there is not some compelling public interest in not providing that information?

Ms. Anju Dhillon: Mr. Speaker, after a decade of neglect, secrecy, and obstruction, the party opposite now purports to be a champion of access to information.

An hon. member: What?

Ms. Anju Dhillon: We know the previous government operated as a one-man show that placed countless roadblocks in the way Canadians sought to know how their government made decisions. Our government is fixing that issue for future governments. This legislation gives order-making power to the Information Commissioner. This legislation codifies proactive disclosure for all parliamentarians.

The Assistant Deputy Speaker (Mr. Anthony Rota): Before we go to questions and comments, I know that hon. members have been gone for a while and perhaps forget the rules to some extent, but I would remind them to ask their questions and then wait for the answers, as opposed to coaching the person giving the answer or asking the question. I did not write the rules; I am just enforcing them.

The hon. member for Regina—Lewvan.

Mr. Erin Weir (Regina—Lewvan, NDP): Mr. Speaker, in the last election the Liberal platform promised to extend the Access to Information Act to the Prime Minister's Office and ministers' offices. I am wondering if the member across the way could explain to us why this bill does not seek to extend access to information to cabinet ministers' offices.

Ms. Anju Dhillon: Mr. Speaker, with these proposed changes, we are stepping up on our commitment to make government more open and transparent. Bill C-58 is the first major overhaul of the Access to Information Act in 34 years. It proposes to enhance the accountability and transparency of federal institutions and promote an open and democratic society. We have already committed to the principle of openness by default, and the changes we are proposing to the Access to Information Act are another step on that bold path.

Government Orders

In brief, here is what we are proposing. We would amend the act to entrench in law the requirement that government organizations proactively publish a broad range of information in a timely manner and without having to receive an access to information request; we would give the Information Commissioner new powers to order the release of government records; we would put in place a range of measures to improve the administration of the request-based system, an outdated system that has not significantly changed since the act came into effect in 1983; and we would make mandatory a review of the act every five years so that it never again becomes outdated.

• (1250)

Mrs. Eva Nassif (Vimy, Lib.): Mr. Speaker, this legislation would ensure that the Access to Information Act never gets out of date, as it is today, and that it would be mandatory for the act to be reviewed every five years. Can the hon. member explain to the House how this would increase openness and transparency?

Ms. Anju Dhillon: Mr. Speaker, our amendments would increase a new section of the act, part 2, requiring more than 240 government institutions to proactively publish key information that is known to be of interest to Canadians and that Canadians have a right to know. Under the provisions of part 2, we would extend the Access to Information Act for the first time ever to the Prime Minister's and ministers' offices, senators and members of Parliament, and to institutions that support Parliament and the federal courts. Proactive publication would include information such as travel and hospitality expenses, contracts over \$10,000, service contracts for senators and members of Parliament, mandate letters, briefing packages for new ministers, question period binders and binders for appearances before parliamentary committees, and that is just the beginning.

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, I want to draw attention to what the member said. She said that this legislation would cover areas not previously touched by the legislation and that it would never again be out of date. However, the member has not answered the question, the big elephant in the room, and that is the breaking of an election promise again, wherein the Liberals indicated that there would be transparency and access to cabinet ministers' and the Prime Minister's information, and she continues to go around it.

We have another elephant in the room—it is getting very crowded here—which is what the reasoning is behind choosing to kick that can down the road and not fulfill their election promise.

Ms. Anju Dhillon: Mr. Speaker, proactive publication not only increases the availability of government information but also increases transparency and allows citizens to more easily hold their government to account for its use of public funds. The current access to information system is under strain. The number of requests is rising at a rate of roughly 13% every year. The sheer amount of government information has risen exponentially. We have heard fair criticisms from Canadians about delays and inconsistencies in the current request-based system. Therefore, we are making investments that would improve the way requests are proposed, including updating the electronic processing tools government institutions use to respond to requests for information and proposing amendments to the act that would allow government institutions to work together to process requests more efficiently and quickly.

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, I am going to take the third, or maybe fourth crack, with

this member at asking the same question. It was a campaign commitment that the act would be extended to include matters that are ministerial and part of the PMO. It was also in the minister's mandate letter.

In fact, just last week, September 15, a Federal Court judge ordered the central bureaucracy that serves the Prime Minister and his cabinet to partially release pages of information that were central to the Senate spending scandal in 2013. The judge ruled that these had been wrongly classified as ministerial advice and improperly withheld.

Everything we have seen from NGOs and the Information Commissioner says that this legislation does not close that loophole. Therefore, I ask for the fourth time, could the member point us to the part of the act that tells us it is being extended to include cabinet confidences and ministerial information? Otherwise, we will have to say again that the Liberals have broken their campaign promise.

Ms. Anju Dhillon: Mr. Speaker, the Liberal Party has led the charge on openness and transparency. We were the first party to proactively disclose expenses. Now in government, we have unmuzzled scientists, made data open by default, and are now making substantial reforms to the Access to Information Act.

The information commissioners and stakeholders have long advocated for order-making powers. This legislation would ensure that the Access to Information Act never gets out of date, as it is today. It calls for a mandatory review of the act every five years.

The Access to Information Act regime is over 30 years old and has never been substantially changed until now. Our government is doing something that other governments failed to do.

Government Orders

•(1255)

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, I am happy to rise today to be part of the discussion on Bill C-58. As many of the members of the opposition have pointed out with some degree of consistency and clarity, this is perhaps the best example of the legacy of broken promises by the government. This broken promise in effect comprises 31 broken promises. In the midst of my speech I will address how this is not just a simple broken promise. Rather, it affects the entire open government concept paraded by the Liberals in the last election and goes to the heart of the sincerity of the Prime Minister on this subject. Many of the new members of Parliament were not here in the last session when the Prime Minister was the leader of the third party. However, when listening to my speech, members will learn that this was a centrepiece of the Prime Minister's time as MP for Papineau. He seems to have forgotten his passions from his time in opposition.

My friend, the member for Kings—Hants and President of the Treasury Board, in his remarks on this bill last week spoke a lot about his time in cabinet and how proud he was to be in the cabinet of Paul Martin. What was absent in his remarks was that he is no longer in that cabinet but in the cabinet of the current Prime Minister. Possibly he did not work that into his remarks because he was handed the biggest broken promise of the new session. It is never fun to have a prime minister make a minister come to the House of Commons to try to sell a dead fish. That is essentially what this bill is.

I will remind the members who did run on the Liberal platform of their promise. We all remember the various hashtags used by the government in the last election, hashtags about hope, hard work, and real change. "Real Change" was the title of their policy platform. What was contained in that platform? I will quote, "We will ensure that Access to Information applies to the Prime Minister's and Ministers' Offices, as well as administrative institutions that support Parliament and the courts." That was a real change in the section of their platform that talked about open and accountable government.

On the page before that in the document the Liberals also talked about giving real independence to and listening to government watchdogs, such as the Information Commissioner. Many previous information commissioners have provided commentary that the Liberals suggested they were going to act on. I am sure there are countless former watchdogs who are quite disappointed that the Liberals ran on this commitment but have fallen far short. If we look at the Liberals' campaign promise to earn the trust of Canadians, they said that the Prime Minister's Office would be governed by access to information, as well as all ministers' offices. There were 31 different offices they pledged to bring under the umbrella of access to information. Those are 31 broken promises contained in Bill C-58. Of the litany of broken promises by the government, this is probably the most ambitious because there are 31 broken promises rolled into one.

I would love to have seen the emails about the Prime Minister's trip to a private island, along with the current Minister of Veterans Affairs and various members of Canada 2020 or the Liberal Party of Canada. I have a hard time distinguishing them. We know dribs and drabs about that trip because senior officials at the Privy Council Office had a hard time making sure that the Prime Minister could

remain in touch. This was at a secluded billionaire's island. The Government of Canada had a hard time keeping up with the vacation ambitions of the Prime Minister. Had the Prime Minister kept his promise, I would love to have read a bit about what his senior officials thought and how they were pushing the government to accommodate this very unusual request.

•(1300)

Similarly, with regard to the investigations of the Prime Minister by both the Ethics Commissioner and Commissioner of Lobbying, it is unparalleled for a Prime Minister to be subject to one, let alone two, investigations in his first two years. I guess that is real change, and certainly a big change from Mr. Harper. There were no investigations of him over nine years by those officers of Parliament. Now we have two. I would love to see the emails of Gerald Butts and Katie Telford on how to handle the investigation of the Prime Minister's fundraising dinners with Chinese billionaires, the same ones who are building a statue of his father in Canada before the Prime Minister's government builds a statue and monument to the Afghanistan mission. The Pierre Elliott Trudeau Foundation is going to make sure that Pierre Trudeau has a monument before the 40,000 Canadians who served in Afghanistan do. I would love to see a little bit of the commentary on that.

What we have heard from government members, and we are at the beginning of debate so will hear these talking points quite regularly now, is that instead of keeping their promise and providing that 31 offices would now be subject to the Access to Information Act, they are going to produce proactive disclosure. This is their key defence of their broken promise. They are going to release schedules, agendas, and draft question period documents and say those should satisfy us. No, they will not. As members will see, if they stay with me a few moments, this is far more than a broken promise in the real change campaign document to Canadians. Why is that?

I am going to refer to remarks by the Liberal MP for Coast of Bays—Central—Notre Dame, a good guy, I might add, a friend. In the last Parliament, he said, "It almost seemed that the Conservatives wanted to have a little more proactivity involved in the sense of what we are doing here with the Liberal Party of Canada, when in fact, we were the ones who brought forward far greater measures on proactive disclosure than this House has ever seen." He gave a really good speech. I recommend that the member and some of his colleagues refer to it. In the same speech he said, "A country's access to information system is the heart of open government." These are wonderful words by my friend from Coast of Bays—Central—Notre Dame, the longest-serving member in the House from Newfoundland and Labrador.

Government Orders

Why such eloquent prose? What was that member speaking about in the last Parliament? He was speaking about a private member's bill on reforming access to information. Who brought forward that bill? It was the MP for Papineau, now the Prime Minister of Canada, whose own private member's bill in the last Parliament championed open government and reform of access to information. When he spoke, no wonder my friend from Coast of Bays—Central—Notre Dame was so eloquent in his praise and prose. It was his leader's bill, his leader's *raison d'être*, as the MP for Papineau.

I always found the number of that bill, Bill C-613, interesting. All government officials are generally in the 613 area code, so I always thought Bill C-613 was kind of ironic. It was the open government bill. The actual name of the bill was an act to amend the Parliament of Canada Act and the Access to Information Act (transparency). We know that when a member has a bill tabled and debated in the House, it is the most important issue to them.

We have seen great bills brought forward by passionate members of Parliament. For example, my friend from Cariboo—Prince George brought forward a national framework for post-traumatic stress disorder for our first responders. We have debated that framework, that passion of his, in this Parliament. In the last Parliament, when the Prime Minister was leader of the third party, what was his passion? It was access to information reform and open government.

● (1305)

Someone in the PMO should remind him of that and send him an email. However, we will not be able to see those emails because he is carving that out in these reforms. However, someone should remind the member for Papineau. He is still the member for Papineau. He is also the Prime Minister, and I respect that role. However, I am here to remind him what he brought to Parliament, when he would regularly grill the Conservative government of the day. I remember because I was in cabinet.

From the Prime Minister's bill on reforming and improving access to information, what did it start with? Proposed section 2 read:

2(1) The purpose of this Act is to extend the present laws of Canada to provide a right of access to information in records under the control of all government institutions in accordance with the principles that

(a) government information must be made openly available to the public and accessible....

That was the thrust of the Prime Minister's private member's legislation. In fact, it went on to talk about when it should be held back. I refer to paragraph 2(1)(b) of that bill, which stated, "necessary exceptions to the right of access should be rare, limited and specific."

With this farce of a bill, how does it measure up against the Prime Minister's Bill C-613? It fails dramatically and terribly. Therefore, the hope and hard work the Prime Minister championed in opposition are long forgotten. His hopes and his promises on open government, which made it all the way to the Liberal platform, were dropped once he formed government. I hope Canadians see this for what it is. Once again, the photo ops and the hashtags do not match the conduct of the government.

I will leave the Prime Minister's Office with one last quote. The people of that office were not here with the member for Papineau in the last Parliament.

Mr. Kevin Lamoureux: I was.

Hon. Erin O'Toole: No, the people of the Prime Minister's Office were not here. My friend from Winnipeg is heckling me, but he remembers early on that Canadian taxpayers paid to move the Prime Minister's officials to Ottawa. I know they were not here. We paid for them to come after the Liberals won. I would like those officials to also look at proposed subsection 2(4) where it says:

In the event of any uncertainty as to whether an exception applies to a record requested under this Act, the principle set out in paragraph 2(1)(a) applies and the record shall be made available.

Paragraph 2(1)(a) is that, all "government information must be... openly available". This was the Prime Minister's *raison d'être* in the last Parliament. He has now brought a bill, through his President of the Treasury Board, to the House that would get an F if it were graded alongside what he suggested, not just in the election campaign but as a private member of the House.

As I said, not only is this a broken promise, it is 31 broken promises because he said that every minister of that front bench would have to have his or office open to disclosure under the Access to Information Act. That was a broken promise for a couple of rows of Parliament.

He then said that the purpose was to always lean in favour of disclosure, that holding back documents should be rare and specific. In this bill, there is also a paragraph that says that, if in the opinion of someone, it is a frivolous request, he or she does not have to disclose it either. This is an exception that one can drive a truck through in what someone might consider frivolous. Therefore, the lofty language and goals of the Prime Minister in the last Parliament certainly did not make their way into Bill C-58.

My colleague from Louis-Saint-Laurent did a great job in outlining our opposition concerns with the bill. However, I want officials in the Prime Minister's Office to remind the Prime Minister of not only his commitments in the election but his commitment to this Parliament. His only private member's bill was on access to information and reform of Parliament.

● (1310)

Whether it is Bill C-58 or his commitments to never use omnibus bills, and I have lost track of how of those bills we have had, and how many times the government House leader has brought forward time allocation, the rhetoric of the Liberals in opposition, when held up alongside their actual record in government, is hypocrisy of the highest order. This bill is probably the best example.

Government Orders

I do not like being the voice of doom, but every bill the government brings forward just gives me hours' worth of material, as a parliamentarian. Therefore, with my remaining time, I want to thank Madam Suzanne Legault, who served Canada with great distinction and capability as our Information Commissioner for many years.

Many of her recommendations and the work she did, at the vanguard of global, open government access to information, was the basis of the Prime Minister's bill and the Prime Minister's old thinking in this area. Once he was sworn in, he forgot all that. I am sure Madam Legault, like many other people, is disappointed.

Here is what she said when I happened to be at committee with her in the previous Parliament, in December 2014:

Over the years, I have also made recommendations to the President of the Treasury Board on various ways to advance accountability and transparency. I am very pleased that most of these recommendations over the years have been implemented by the government.

That was the Information Commissioner's testimony before committee in the last Parliament.

We heard the last Liberal speaker say that Stephen Harper was not in favour of open government, and that it was a one-man show. That is simply not true. That was a narrative the Prime Minister liked to bring forward and it led to his bill and his showboating on the subject. However, it was not the testimony of our officer of Parliament. That was her quote, that generally governments under her tenure had responded, generally the president of the treasury board had responded to modernization.

I hope the Liberals remove, from their talking points, the aspersions they are casting at Mr. Harper, because they simply are not true. I would refer them to the testimony of Madam Legault and her great record. I asked her some difficult questions that day and she handled them with capability and aplomb. She also ran her department very effectively.

This bill would give more resources to the department, and that is needed. In the last Parliament, I think she lapsed \$30,000. I have literally never seen a department run so efficiently. It is impossible for government to meet all its estimates right on. There always will be a lapse or a request for more funds. The department ran a very capable program at a time. Under her watch, there was a 30% increase in access to information requests. That department used technology and a number of means to modernize.

Another thing I see lacking in the bill, and I spoke about this in the last Parliament, is that the Access to Information Act comes from 1983, when the Prime Minister's father was the prime minister. The cost for an access request was \$5 in 1983. It has not changed, and it should. The testimony given by Madam Legault suggested that it was a \$1,300 internal cost for each request. We want to have open and accessible government, but \$1,300 is the internal cost.

With requests going up by 30%, we need to change that. In fact, 21,000 requests of all departments of the government are commercial in nature. I used to see this as a corporate lawyer, companies looking at regulatory issues would submit an access to information because there was no barrier to just firing in thousands of requests. With 55,000 requests, on average, per year, and 30,000

of those being commercial requests, that is \$71 million in costs for law firms, accountant firms, and businesses requesting information.

I have always been an advocate of a zero cost for a member of the public, one of our great people interested in democracy, but more like a \$25 or \$50 cost for a corporation other than a media outlet. We actually could stop some of the frivolous requests being made and clogging the system. John or Jane public member would have full access, but more of a threshold to show we changed a bit since 1983

● (1315)

I would refer the Prime Minister and members of his government to his bill from the last Parliament. I hope we can amend Bill C-58 to capture some of the promises that clearly have been broken.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, I want to remind viewers of this debate today and readers of *Hansard* that when they are watching or reading about the grandstanding and righteous indignation of Conservative members that it was the Conservative Party that put forward a promise in the 2006 election to reform the Access to Information Act and the Conservative Party did nothing to reform the act. With its culture of secrecy, that party fully exploited the weaknesses in the act.

Thank goodness we have a Prime Minister who is committed to access to information. We are reforming the act, including giving order-making powers to the commissioner of whom the member for Durham has been so congratulatory.

My question for the member is on his colleague's comments on frivolous and vexatious requests. He essentially said that we should not address that in this reform even though the commissioner and the committee recommended it, and eight provinces and three territorial governments have some variation of it. In the absence of frivolous and vexatious exclusions, the system can get completely bogged down with individuals, for example, ATIPing their ex spouses daily activities and emails.

Would the member agree that by removing those types of applications for information, the system could respond much better to the real access to information requests of ordinary Canadians?

Hon. Erin O'Toole: Mr. Speaker, I hope the hon. member for Vancouver Quadra does not feel that a passionate, fiery, and well-researched speech is somehow grandstanding. I would suggest that grandstanding is a third-party leader introducing a private member's bill that he had no intention of following once he had the power.

Government Orders

I would refer the member to the comments made by Madame Legault during the last Parliament, when she could have criticized the Harper government. She said, “I am very pleased that most of these recommendations over the years have been implemented by the government.” Madame Legault wanted to see far more open government. She wanted zero cost for access. She wanted everything to be accountable, including the Prime Minister and his 30 ministers. She would obviously be disappointed, as would most of the Liberals who voted for them, if they voted on this promise.

The member asked about frivolous and vexatious requests. I provided an easy way to thin out the vexatious or frivolous requests by changing the fee structure, which has not changed since 1983. The fee has been \$5 for everything. Maybe we do not charge the public and media—

Mr. Garnett Genuis: And the opposition members.

Hon. Erin O’Toole: My colleague is right, Mr. Speaker. Opposition members of Parliament, of course.

Maybe we charge more for access to information requests from commercial enterprises that might be preparing to do a merger or are preparing due diligence documents for a deal. Lawyers and accountants are billing hundreds of dollars per hour and the Government of Canada is charging them \$5 for something that costs at least \$1,300 to do. That approach would be far superior from what we see.

The broad language in the bill right now further erodes the grandstanding promises made by the Prime Minister in the last Parliament and in the election.

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, I share the Conservative member’s disappointment that the campaign commitment made by the Liberal government to close the loophole for access to information to the Prime Minister’s Office and ministerial offices was not done even though that was in the Liberal mandate letters and in the campaign promise. I agree that Bill C-58 fails on that.

However, we have a bit more prehistory. In 2006, the Harper Conservatives campaigned on a promise that they would update access to information legislation, but they did not. The New Democrats introduced private members bills based on the recommendations by successive information commissioners. My colleague, Pat Martin, brought a private member’s bill forward in 2006, 2008, 2011, and 2014, and the Conservatives voted against every one of them.

Why the change of heart now?

• (1320)

Hon. Erin O’Toole: Mr. Speaker, when we are giving our speeches or asking questions or making comments here, we all focus on elements of our own past. I quoted the Information Commissioner and how she responded to how the government had responded to her recommendations. She said, “I am very please that most of these recommendations over the years have been implemented by the government.” I know that the member was not in the previous Parliament. However, she can refer to Madam Legault’s comments.

Did the Conservative government do all of what was in Bill C-613, or in Pat Martin’s private member’s bill? No, it did not. I

remember debating Pat Martin about one of his versions of the bill and suggesting that he bring the same disclosure he aspired to in government to his legal defence fund. Members might remember that from the last Parliament. He actually had unions contribute in a roundabout way, which I felt went around the rules for fundraising, to pay some of the bills for a libel action he had. I remember that debate. To his credit, Pat Martin did bring it regularly.

However, what I am highlighting today is the acute hypocrisy of the Prime Minister, because not only did we all see it in the “Real Change” document, and we have all referred to the Liberals’ promise, but he brought a private member’s bill forward in the last Parliament as the member of Parliament for Papineau. Just as we all bring bills or motions forward on areas we care the most about, that is what the Prime Minister said he cared the most about.

As I said, if we compare Bill C-58 to what he brought forward in Bill C-613 in the last Parliament, one cannot even recognize it. Certainly, at an absolute minimum, of the 31 broken promises, I think we all would agree that with respect to the Prime Minister’s Office and all the cabinet offices, this is the most egregious of the broken promises. I am highlighting, based on my experience here in Parliament, where I think this falls short the most.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, I want to ask my colleague about a point of broader principle. The government’s justification for many of the bills it brings forward often comes down to saying that it is modernizing or updating. Something has not changed in a while, so it is modernizing or updating it. However, very often in the process, its so-called modernization moves in the opposite direction from what it promised. We saw that in the spring with its desire to make unilateral changes to the House of Commons. It said it would update and modernize the House of Commons, but actually, it was trying to make the House less democratic. Usually when we think of updating or modernizing, we think of improvements to democracy and transparency. However, the government is moving in the opposite direction with this legislation, as with the legislation it brought forward in the spring.

I wonder if my colleague can comment on the disingenuousness of some of that language and how it is not enough for the government to say it is modernizing. It has to explain how it is modernizing and what the real impact of those changes would be.

Government Orders

Hon. Erin O'Toole: Mr. Speaker, I agree with my friend from Sherwood Park—Fort Saskatchewan. Normally we would bring modernization forward in such a way as to see the improvements that are recommended either by officers of Parliament, such as Madam Legault and others, or by aspirational politicians of the past, such as the member of Parliament for Papineau when he was in opposition and wanted to see far more from government. Now he is not fulfilling that.

I would also direct my friend to an interesting comment. I quoted at length my friend from Bonavista—Gander—Grand Falls—Windsor, who was the democratic reform critic in the last Parliament, when the Liberals were the third party. He also suggested in question period to my friend from Muskoka, who was the minister at the time, that salaries and full contract details for members of the Prime Minister's Office should be disclosed. I would like the member from Newfoundland to go to the PMO and suggest to the senior officials that full details on salaries, contracts, and the email correspondence should be accessible under access to information, because certainly that is what the Prime Minister sought as modernization through his bill, Bill C-613. It is also what the member from Newfoundland asked the Conservative government to do with respect to open government. I hope the modernization my friend asked about, the aspirations of the Liberals when they were in opposition, will slowly start meeting the reality of the Liberals in government.

• (1325)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if there was one question I was hoping to ask the member across the way, it was why the Harper government, in over a decade, chose to do absolutely nothing in terms of modernizing the act we are debating today.

I find it interesting that the government has brought legislation that would ensure more accountability, more transparency, and a better society as a direct result of the legislation, and both opposition parties, once again, have united in opposition to moving forward. The New Democrats surprise me. The Conservatives do not. I am a bit surprised. I thought that with the new leadership, maybe there would be a change. Conservatives do not listen to what Canadians want. They are out of touch with reality when it comes to Canadians and what they want to see in good government. It is being demonstrated once again today.

We have had a member stand up and spend his full time criticizing a very progressive, positive piece of legislation that would make a significant difference. We have to wonder why. The member across the way was a leadership candidate. I would have expected some recognition that the legislation we are debating today is moving us forward. However, there was no admission to that coming from the loyal opposition or the New Democrats.

Let me give them some advice. I was in opposition for over two decades—

Some hon. members: Hear, hear!

Mr. Kevin Lamoureux: When the government does something good, it is okay to say that it has done something good. They can

always try to improve the legislation, by all means. That is why we have standing committees.

The principle of this legislation is solid. It is positive. They should be supporting it. They do not have to be looking at the dark side in every aspect of life. This is a wonderful piece of legislation that would advance transparency and accountability. There are lots of good things in here they should talk about.

When I was in opposition and the member across the way was in government, I recall when the leader of the Liberal Party—

Some hon. members: Oh, oh!

The Assistant Deputy Speaker (Mr. Anthony Rota): Order. I want to remind hon. members of the House that the House rules are that when one person is speaking, we are very respectful to that person. We do not coach him or try to give him some ideas.

I will ask the hon. parliamentary secretary to continue.

Mr. Kevin Lamoureux: Mr. Speaker, I want to do a bit of a flashback, because my colleague across the way was also doing some flashbacks. When our current Prime Minister became leader of the Liberal Party, we were in third-party status. I am sure all of us will recall quite well a motion the member for Papineau, the leader of the Liberal Party, proposed back then. He was proposing that every member be subject to proactive disclosure.

I remember the leader of the Liberal Party asking for unanimous consent to do that. What was the response? Thirty-plus members of Parliament said they wanted proactive disclosure. However, the government of the day said no, and the New Democrats said no. We did not leave it at that. We asked again. The record will clearly show that this was the case. All we were really asking was that members of Parliament share with their constituents how much money they were spending on hospitality or flights, for example. It was very basic. We continued to hear no from the government and the New Democrats.

The leader of the Liberal Party then said that he was going to expect all his members of Parliament to follow proactive disclosure. We even allocated the resources necessary to ensure that Liberal members of Parliament did just that.

• (1330)

Hon. Erin O'Toole: Mr. Speaker, I rise on a point of order. I hate interrupting my friend in full rhetorical flight, but he is referring to the Liberal leader's Bill C-613 in the last Parliament and suggests that it was about proactive disclosure. He has been saying this in the House, when the bill, which I quoted in my speech, does not take that approach—

The Assistant Deputy Speaker (Mr. Anthony Rota): As this is not in the realm of debate, I will refer back to the parliamentary secretary.

Government Orders

Mr. Kevin Lamoureux: Mr. Speaker, the member knows quite well that it is not a valid point of order. Trying to attempt to change the topic is not going to stop me from telling the truth as to what actually took place. I know that the member across the way might be a little sore, because we remember that it was the leader of the Liberal Party back then that mandated that all Liberal MPs participate in proactive disclosure. As a party, we dedicated the resources to ensure that it would be the case.

A couple of months later, the Conservatives saw the light and agreed that because the Liberals were now doing it, maybe they should be doing it too. They succumbed to public pressure, or common sense, as we would like to think, and we had the Conservatives agree that they would buy into proactive disclosure. We were grateful at the time.

Our New Democratic friends, on the other hand, needed a little more persuasion. A number of months went by, and we introduced an opposition motion, which the government of the day supported. The Conservatives and the Liberals were onside. The NDP did not want to be the odd ones out, so its members supported it. We are grateful. Today we have proactive disclosure for members of Parliament. We saw that as a positive thing. Today the constituents we represent can, through the Internet, find out where or how much individual MPs are spending through proactive disclosure. Again, we see that as positive.

Bringing it forward to today, we are talking about an expansion of proactive disclosure. The leader of the Liberal Party back then suggested that we have proactive disclosure for MPs. It took a while, but eventually, opposition parties and the government of the day agreed, and we were able to implement it. Now we have the Prime Minister, through the minister, talking about expanding proactive disclosure.

There are a number of parliamentary groups that will have to participate in proactive disclosure: the Library of Parliament; the parliamentary budget officer; the Parliamentary Protection Service; the Office of the Conflict of Interest and Ethics Commissioner; the office of the Senate Ethics Officer; the administration of the House of Commons, including the Board of Internal Economy; the office of the Speaker of the House of Commons; the administration of the Senate, including the standing committee on internal economy; and the office of the Speaker of the Senate.

This would be legislated proactive disclosure for institutions that support Parliament.

When we think of the benefits of proactive disclosure, there is the natural benefit, the one that is the most visual of them all, and that is that people can now click into the Internet and garner information that was not there before. That is a direct benefit.

One of many indirect benefits would be that people would no longer have to put in a request, an ATIP. I would suggest that hundreds, if not thousands, of ATIPs would become redundant. They would not be necessary because of this legislation. I see that as a strong positive, because prior to our having proactive disclosure, when it came to members of Parliament, we had to ATIP the information. If we did not like the information, we could appeal it. It

would take weeks, in some cases months, before we might get the answer.

● (1335)

Now what we see is a more all-encompassing approach to dealing with proactive disclosure. Why would the opposition not acknowledge that as a benefit, because that is something this legislation would do.

I started by talking about how important it is that we recognize the need for change. Liberals talked a lot about real change in the last election, and this is yet another piece of legislation that would implement real change. I highlighted one aspect and hope to highlight more, but I can say that this is the type of legislation that was meant when we talked about real change.

For example, the commissioner would now have order-making power for information. What does that mean? Today, the commissioner, on receiving an appeal and looking into a matter, might make the suggestion that the information should be made available, and that is the way it has been for decades. For the first time, we would now have legislation that would enable the commissioner to order that the information be released. There are all sorts of things that might have to be taken into consideration, which I will get back to in a moment, but that is an example of real change, in a micro way, in one piece of legislation that we have put forward. It is something that I would think opposition members would see as a very strong positive, and I question why they would not want to support it.

For well over 30 years, we have had ATIP legislation. This is the first time that there has been any real, substantial change to the legislation. Within two years of being in government, we have a cabinet and a caucus on this side of the House that is prepared to debate this legislation, ultimately send it to committee, and pass it, because we recognize there is a need to modernize and we are not scared to modernize legislation. When the opportunity is there, we are interested in doing that. This is something our Prime Minister talked about in the last election. He said that we want to modernize.

To modernize does not necessarily mean to say that it is absolutely 100% perfect. It is one of the reasons we have standing committees. However, I give full credit where full credit is due and I compliment the minister responsible for the hard work done thus far in presenting the legislation and my caucus colleagues for recognizing how important this legislation is. That is the reason the minister has the support to advance it even further.

We talked about the legislation sitting on our books for decades with no substantial change, no modernization. Now we mandate in the legislation that every four or five years it would be up for legislative review.

Government Orders

I have heard some concerns from across the way, to which there could be a lot of validity. I am not going to discredit the ideas in some of the comments made by my colleagues across the way, but I also recognize that there are two things one should take into consideration. One is that this government has demonstrated time and time again that if a member has done the research and the work and has come up with a good idea at committee stage, the committee has the ability to advance changes to the legislation. That is very important to highlight. When I sat in opposition, it was very rare. In fact, I do not think any opposition member actually got an amendment passed. The same cannot be said about this government. We recognize good ideas that can improve the legislation, and that is one aspect that members across the way might want to consider.

● (1340)

The other consideration is, of course, that every four or five years this legislation will come up for a legislative review. When we look at that, we realize that we have a government that is committed to the ongoing needs of modernizing this piece of legislation.

Why is this legislation so important to this government? I would argue that the primary reason is that the government believes in accountability. It believes in transparency. This is something that is not new, particularly to the Prime Minister. Virtually within days, if not weeks, of becoming the leader of the Liberal Party, he was advocating for more accountability on the types of issues we are debating with respect to this particular piece of legislation.

I hear the criticisms from across the way. I can assure members that when they look at the election platform, they will find within this legislation a genuine attempt to deliver on something that was important to all candidates, because these are the types of things that we talked about at the door. We wanted to ensure that there would be more accountability. However, that does not mean we are going to stop here. There are always opportunities going forward.

I will reinforce one of the things I made reference to in the past. I like it when I hear our Prime Minister talking about the importance of representing our constituents in our communities here in Ottawa, whether it is inside this chamber, in standing committees, or in our respective caucuses. On the Liberal benches, we take that quite seriously. At the end of the day, ideas and thoughts that are generated and talked about do, somehow, in some form, make others aware of what is happening in communities across the country.

I want to highlight one of the greatest strengths of this legislation. It is the order-making power for the Information Commissioner. I believe that is a significant aspect of the legislation. It gives the Information Commissioner the power to issue orders in relation to complaints under section 30 of the ATI Act, with the exception of some of the clauses.

Order-making power will not apply to self-initiated complaints under subsection 30(3). It provides the commissioner with the discretion to make orders in relation to disclosure of records after the commissioner has investigated a complaint and determined it was well founded. It provides that orders issued by the commissioner will not take effect for 30 days.

Members across the way have been asking about the Prime Minister's office and about influence within the Prime Minister's

office. In terms of what the legislation is doing within the Prime Minister's office, it is important that we look at the requirements with respect to proactive disclosure, mandate letters, and revised mandate letters for the ministers. I really thought that was a fantastic initiative by our current Prime Minister.

When the Prime Minister first announced the cabinet and provided the mandate letters, it gave a clear sense of what all Canadians could expect of the Government of Canada's cabinet. I see that as a very strong positive. Now we would have briefing packages for incoming ministers, titles and tracking numbers of briefing notes for ministers, question period binders as prepared by the departments, and travel and hospitality expenses for ministers and exempt staff.

● (1345)

I am really happy with that. I can recall that during the proactive disclosure debate when I was in the third party, there was the idea that not only should we be having proactive disclosure for individual members but that it should be extended to include the cabinet of the Harper government.

There is so much more to talk about. I always appreciate the privilege of being able to rise and share a few thoughts.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, my colleague from Winnipeg is very enthusiastic today, but I am sure that there is no link between his enthusiasm today and the last poll.

The member said many times that we did absolutely nothing when we were in office. First, that is not true. More than that, let me read a quote from Suzanne Legault, who was Information Commissioner of Canada. She said this on December 4, 2014:

Over the years, I have also made recommendations to the President of the Treasury Board on various ways to advance accountability and transparency. I am very pleased that most of these recommendations over the years have been implemented by the government.

Why can the hon. member, with his 20 years of experience, not see the truth in the House?

Mr. Kevin Lamoureux: Mr. Speaker, first and foremost, when it comes to polls, I let the professionals or dogs deal with them.

I think it is important to recognize that we have had this legislation for over 30 years, and these would be the first substantial changes. Yes, there have been some modifications over the years, some tinkering, but this is the first time we have seen substantial changes to the legislation. The good news is that within these changes is the requirement for the legislation to come before the House for review on a much more regular basis. It has been 30-plus years, and there has been modernization in the form of the Internet. When this legislation first came into being, the Internet was not around. At least, no one could actually use the Internet; it might have been usable in some space field.

Times have changed, and far too much time has gone by. The changes that we are debating today are long overdue.

Government Orders

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Mr. Speaker, as usual when the member for Winnipeg North gets up to speak, many things are said, some more relevant to the subject matter than others. I want to address some of the member's more relevant comments, which, in my view, were the ones around proactive disclosure. I just note that even those are a bit of a non sequitur, because of course there is no law prohibiting the government from proactively disclosing any information that it wants. The point of laws on access to information is for citizens to be able to get information that the government does not want to release.

I was on the access to information, privacy and ethics committee when we did a comprehensive review of the access to information laws. We made a number of recommendations. It was a unanimous report by the committee, but the lion's share of those recommendations is not in here. It is, frankly, a little misleading of the government to be touting the benefits of the proactive disclosure provisions within this legislation. It is to distract people from the fact that on the real substance of the matter, when it comes to access to information so that citizens can get information the government does not want to share, there is actually very little in this legislation.

I invite the member to stop trying to make the debate about proactive disclosure and to address the recommendations of the committee. He mentioned one recommendation, order-making power, that is in the legislation. That is a good thing that the committee recommended. However, we also talked a lot in the committee proceedings about the need to get rid of exclusions from the access to information laws, because when certain types of information, such as cabinet confidences, are subject to exclusions rather than exemptions, it means that the Information Commissioner cannot review whether that information was rightly not passed on to citizens who would want it. An exemption would allow the Information Commissioner to confidentially review the material and then make a decision as to whether the government appropriately withheld that information.

It is great to have order-making power, but it does not go very far if there is a loophole like the exclusions loophole, which is going to remain. One can drive a truck through it—in this case, a truck full of government documents that the government can say has been made available to a cabinet minister just by driving it by his or her apartment. That is a terrible loophole. The Liberals have not done anything to address it. It undermines granting the Information Commissioner order-making power. I wish we could talk about some of those concrete things that actually have to do with access to information, rather than proactive disclosure, which the government is able to do at any time it wants and which does not require legislative amendments to do it.

• (1350)

Mr. Kevin Lamoureux: Mr. Speaker, with all due respect, I have to disagree with my colleague from across the way in regard to proactive disclosure. Some would argue that if we have proactive disclosure and it is legislated, which is virtually what it took for the NDP to comply with proactive disclosure, even dealing with members of Parliament, a lot of information is made available that prevents many members of the public from having to put in requests for access of information.

At the one end, the member talks about whether we really need proactive disclosure. Absolutely, we need it. If we look at the last government, or even governments before that, there have always been large numbers of requests for information that, under proactive disclosure, would not have had to be advanced. It is very important for us to recognize that.

In regard to the commissioner and their ability to order, again, that is a positive thing. The member wants to focus the attention on loopholes. Yes, there are cautionary measures within the legislation, which it is absolutely imperative to have. However, the principle of allowing the commissioner to now order the release of information, something they cannot do today nor have they had the authority to do for the last 30 years, again, we see that as a very strong positive. That is why we challenge opposition parties to recognize the value of the legislation and to support it. If they have ideas that they want to share at the committee stage, that is wonderful.

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, my colleague from Winnipeg North made a case for why this is something our government is doing that is consistent with our platform and mandate. It is good public policy, and we invited members to help us with it. The contrast he pointed to was the 10 years when the Conservative government had put it in its platform and did nothing to change the Access to Information Act, even though it was its explicit promise. By contrast, in its very first year, our government has had an interim directive from the minister, which took away the fees that were preventing people from making requests. It made the case to the departments that information would be freely available by default and other measures. That was in year one.

In year two, we are making amendments to the Access to Information Act, and drawing on some key pieces that came from the commissioner's advice and from the committee. On top of that, there will be the ability for a committee to study this so we can continue to draw on those good ideas. As the member pointed out, in the previous government, there was virtually never any amendments at committee. In our government, there are often amendments allowed at committee. Lastly, by 2018-19, there will be a full review of the entire act.

Why is this update to our access to information regime important, not just to the public or business community, but to opposition members and all members of Parliament having a timely and effective access to information regime?

• (1355)

Mr. Kevin Lamoureux: Mr. Speaker, my colleague the parliamentary secretary brings up some wonderful thoughts. I concur with the underlying theme of the messaging she gave on this very important piece of legislation. We need to recognize that even with the House, the chamber, the many aspects of media relations and the stories we hear about, part of the democracy is ensuring we have access to information. That is critical in terms of helping overall good governance.

Statements by Members

I would suggest that this legislation further enhances that. I have been the benefactor of many access to information requests over the years, whether it was here in Ottawa or in the provincial legislature in Manitoba. We need to recognize that this is a very important component when it comes to accountability, transparency, and good governance. That is why I and many others within this chamber are fairly excited about the legislation. We have not seen any substantial changes to the legislation for over 30 years. It is a modernization, and I look forward to it ultimately going to standing committee. At the end of the day, we will have a more accountable, transparent system because of this particular piece of legislation. That is why I encourage all members to get behind it and vote for it.

STATEMENTS BY MEMBERS

[*Translation*]

NORTH AMERICAN FREE TRADE AGREEMENT

Mr. Rhéal Fortin (Rivière-du-Nord, BQ): Mr. Speaker, although the negotiations on NAFTA are taking place behind closed doors, their repercussions will affect the lives of every person throughout Quebec, including our forestry workers, farmers, and everyone who works in manufacturing, aeronautics, culture, or textiles.

Just about every person in our province will be affected by the ongoing negotiations on the future of free trade. To give you one example, there is a great company in my riding called Rayonese that has been a fixture in Saint-Jérôme since 1954 and employs 200 people. These are local people. Rayonese paid out close to \$9 million in wages in 2016, and 98% of what it produces is exported to United States.

If the negotiations result in the elimination of the tariff preference level that our textile manufacturers are entitled to, companies like Rayonese could, in the medium term, be forced to move production to other factories in the United States or overseas. The Bloc Québécois will never allow our workers—

The Assistant Deputy Speaker (Mr. Anthony Rota): Order. The hon. member for Kitchener Centre.

* * *

[*English*]

WORLD PHARMACISTS DAY

Mr. Raj Saini (Kitchener Centre, Lib.): Mr. Speaker, today we celebrate World Pharmacists Day. This celebration has a particular significance in Canada this year as we celebrate 400 years of pharmacy in Canada, with the anniversary of Canada's first pharmacist, Louis Hébert, settling in Quebec in 1617. This year's theme for World Pharmacists Day is "From research to health care", and today we celebrate the work of pharmacists and pharmaceutical scientists who recognize that taking care of patients means both developing and providing the medicines and education to tackle today's health challenges.

[*Translation*]

Pharmacists play an important role in health care delivery. They are a vital source of information and assistance in our neighbour-

hoods. They administer vaccines and help manage and prevent chronic disease. They often prescribe drugs for minor ailments.

● (1400)

[*English*]

Please join me in celebrating the hard work of Canada's pharmacists.

* * *

MARCEL LAMBERT

Mr. Kelly McCauley (Edmonton West, CPC): Mr. Speaker, yesterday was the anniversary of the passing of a very special Edmontonian, who served Canadians both in the House and on the battlefield during World War II, the Hon. Marcel Lambert.

Mr. Lambert served overseas with the Royal Canadian Armoured Corps during the Second World War. He was captured during the Dieppe raid in 1942, spending the next three years in a German POW camp. In 1957, he was elected as member of Parliament for my riding of Edmonton West, a position his constituents allowed him to hold for the next 27 years. In his time in office, he served as Minister of Veterans Affairs, as Canada's 25th Speaker of the House, and, like me, on the estimates committee.

I hope I have the support of the House in thanking this true patriot for his service to Canada, both here at home and abroad. Edmonton and Edmonton West will always have a special place for Marcel in their hearts.

* * *

[*Translation*]

NATIONAL FOREST WEEK

Mr. Denis Lemieux (Chicoutimi—Le Fjord, Lib.): Mr. Speaker, today I am pleased to draw attention to National Forest Week, an opportunity to celebrate the natural beauty of our forests and the environmental, social, and economic benefits they bestow upon us.

I encourage all members to read the 27th annual report, entitled "The State of Canada's Forests", which will be out this week. The report highlights our commitment to economic growth and environmental protection against the backdrop of Canada's 150th anniversary as a forest nation.

Thanks to its investment in world-class science and innovation, the Government of Canada is working to boost the forestry sector's competitive edge and grow and diversify markets for Canadian forest products.

* * *

[*English*]

HEALTH

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, tomorrow my constituent Petra Shulz will arrive in Ottawa hoping to deliver a message to the Minister of Health and to Parliament. She speaks for a network of Canadian mothers and families whose loved ones have died from opioid use or who could have hope of recovery.

Statements by Members

I encourage all to view the heartbreaking messages of their children who were lost to opioids at momsstoptheharm.com. They remind us that every victim is somebody's son, daughter, brother or sister, somebody's someone. These mothers echo the NDP's ask, that after more than 2,000 overdose deaths in our country this past year, why is the government not declaring a national public health emergency? We must heed their call for expedited action on the opioid crisis, grant interim exemptions on all outstanding applications for supervised consumption services, initiate a national anti-stigma campaign, and launch a national advisory council modelled on Alberta's council.

So many lives depend on it.

* * *

JOSEPH HOWLETT

Ms. Karen Ludwig (New Brunswick Southwest, Lib.): Mr. Speaker, with a heavy heart, I rise to recognize Joseph Howlett, a passionate and committed advocate for the marine life and history of New Brunswick. Taken too early from his family, friends, and community this summer, a resident of Campobello Island, Joe Howlett died while rescuing an entangled north Atlantic right whale in the Gulf of St. Lawrence on July 10.

It is with great sadness that I remember Joe's tragic loss of life. I wish to extend my sincere sympathies to Joe's wife, Darlene, his family, the marine community, the organizations that Joe represented and, of course, the residents of his beloved island of Campobello.

Joe spent 15 years, most often in the most dangerous role of line cutter, working with his community to protect the marine life of New Brunswick, in what could rightly be called one of our most important natural resources. Joe will be missed by many and remembered well locally, nationally, and internationally.

* * *

HUMAN RIGHTS

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I rise to bring the attention of the House to the ongoing human rights abuses against the 50 million Sindhi people of Pakistan. Many other ethnic and religious minority groups, including Christians, Hindus, and Sufis, also call the Sindh province, including the cities of Karachi and Hyderabad, home. Over 1,200 cases of missing persons in Sindh have been reported since 2010.

According to reports from the U.S. State Department, extrajudicial killings, torture, and targeted violence against ethnic and religious minority groups are common practices in the region, and the Pakistani government has done little to prevent this violence. Since February, over 150 political and human rights activists, as well as journalists, have gone missing in Sindh. Violence against women is rampant, with young girls frequently kidnapped and subjected to arranged marriages, including forced conversion to Islam.

The state-sponsored rise of violence and extremism is a denial of the Sindh people's basic human rights. Canada has a duty to stand up now for the protection of the Sindh people, not just through flowery words of support for the victims but through actions that provide practical assistance.

● (1405)

THELMA CHALIFOUX

Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.):

[Member spoke in Cree]

[English]

Mr. Speaker, the hon. Thelma Chalifoux, a Métis from Alberta and first indigenous woman in the Canadian Senate, died in St. Albert on Friday. She was 88 years old. "It was a very touching, private moment as we watched our dear mother, grandmother and matriarch go back to her heavenly home," her eldest son, Robert Coulter, is reported to have said.

Chalifoux was active in helping to get facilities and programs like friendship centres for indigenous Canadians up and running. She was also interested in housing, education, suicide, incarceration, domestic abuse, cross-cultural training in government departments, and alcoholism. She was important in getting the Cree language taught in northern schools. Recently, she helped start the Michif Cultural and Métis Resource Institute, a museum and resource centre in St. Albert aimed at preserving and promoting regional Métis culture.

She was a trailblazer and a hero.

[Member spoke in Cree]

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ARNOLD CHAN

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, last Saturday, quite a number of colleagues and friends and I, including the Prime Minister, attended Arnold Chan's funeral. Arnold's last gift to us was a brilliant rendition of themes and variations on *Twinkle, Twinkle Little Star*.

That is exactly how I saw Arnold's brief time among us, as a brilliant shooting star illuminating, guiding, and fascinating. Arnold's intellectual brilliance was instantly obvious when one first met him. He was a walking, talking version of O'Brien and Bosc. Not only did he know the arcane world of practice and procedure, but he also knew enough to know that reliance on rules and procedure quickly leads to stalemate and frustration. Some people are very bright, some quite wise. Arnold was both wise and bright and, therefore, cherished by us all.

Arnold was also determined. Scarborough celebrates Canada Day with a parade. While physically taxing, urging Arnold to give up the parade was a waste of breath. He did make it. We have the picture to prove it. I believe it is my last picture with Arnold.

I will miss his smarts, his wisdom, his determination, and most of all his sly sense of humour.

Statements by Members

[Translation]

QUEBEC CHEESEMAKER

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, the Sélection Caseus ceremony, which recognizes the work of Quebec's artisan cheesemakers, was held on September 12. Sélection Caseus is a fantastic opportunity to put Quebec's cheese industry in the spotlight and to honour its flavour artists.

I commend all of these passionate cheesemakers, especially Jean Morin, owner of the Fromagerie du presbytère de Sainte-Élizabeth de Warwick, which is located right in the heart of my riding and took home a grand total of three of the four major prizes. Made with the top-quality milk produced on his family farm, his famous cheeses, including the Louis d'Or, the Bleu d'Élizabeth, the Religieuse, and the Pionnier, take top honours in this wonderful competition every year.

Mr. Morin makes exceptional cheeses known far and wide, but he is also an entrepreneur and a great visionary. When he acquired the village rectory to set up his cheese factory in 2005, he basically ensured the survival of his community and his culture. I want to congratulate him on what he has accomplished.

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FRANCO-ONTARIAN DAY

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, today, September 25, we are celebrating Franco-Ontarian Day.

I want to thank the francophone community groups of Glengarry—Prescott—Russell and its francophone population of more than 65,000 people. I would also like to recognize the important work done by the Prescott—Russell branch of the Association canadienne-française de l'Ontario, the Assemblée de la francophonie de l'Ontario, and the French-language school boards. I also want to acknowledge the Hawkesbury French-language Catholic high school, and the Paul VI school. I participated in their march today to celebrate this day, the Centre Novas and its partners, the Union des cultivateurs franco-ontariens, the Prescott-Russell Community Development Corporation, and the countless groups that contribute to the vitality of the Franco-Ontarian community.

Happy Franco-Ontarian Day!

[English]

I would also like to take this opportunity to mention that September is National Chicken Month. This is the month when we recognize the hard work of the 2,800 chicken farmers across our country. Our chicken farmers provide Canadians from coast to coast to coast with safe, fresh, and high-quality chickens. We thank them for their hard work.

* * *

● (1410)

SPORT

Ms. Ruby Sahota (Brampton North, Lib.): Mr. Speaker, if people can dodge a wrench, they can dodge a ball. This summer I hosted a community dodgeball tournament to help connect the youth of my riding with our local fire department and local professionals.

Youth had the opportunity to ask questions, seek mentorship, and play a few games of dodgeball.

Sport often creates a comfortable environment for young people to feel confident to ask questions they may not otherwise ask. It is our responsibility as leaders in our communities to create positive environments for young people to seek guidance, have productive conversations, and learn from our first responders whom they often otherwise meet in stressful situations.

In case members were wondering, the fire department came out victorious over the young professionals with a thrilling 2-1 victory. They are not firefighters for nothing. Next year, I invite all members to come to my annual dodgeball game.

* * *

ANTI-SEMITISM

Mr. David Sweet (Flamborough—Glanbrook, CPC): Mr. Speaker, last week, Jewish people gathered with loved ones to celebrate their blessings during Rosh Hashanah, the Jewish new year. To all Canadians of Jewish heritage and descent, a belated *Shana Tova*.

This is a time not just for celebration, but also for reflection as Yom Kippur approaches. As I join in that reflection, I am troubled by the raft of aggressive acts of anti-Semitism that took place over the summer months. B.C., Manitoba, Quebec, and Ontario were home to hateful verbal attacks, graffiti on playgrounds and bike paths, social media threats, and anti-Semitic literature campaigns.

Anti-Semitism exists. It is on the rise. I ask all Canadians to be vigilant to combat it.

Tonight, all parliamentarians are invited to celebrate the high holidays and share in this reflection on Parliament Hill with the Friends of Simon Wiesenthal Center for Holocaust Studies. Together we can and must stand in solidarity against the rise of anti-Semitism.

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RICK MERCER REPORT

Mr. Nick Whalen (St. John's East, Lib.): Mr. Speaker, today Rick Mercer announced that he will be moving on from the *Rick Mercer Report* after 15 hilarious seasons, though most members would recognize Rick as well from his rants on *This Hour Has 22 Minutes*, two of the most successful shows in Canadian television history.

However, like most Canadian icons, Rick Mercer has small town roots. Townies like the member for St. John's South—Mount Pearl and I would recognize Rick from his school days, when he rose to local fame as half of *Cory and Wade's Playhouse*. If members think that slander, libel, and three months in a juvie is a bad way to start a career, they should think again. My favourite role of his was as the psychologist cab dispatcher in the film, *Secret Nation*.

However, like all good things from Newfoundland, Rick Mercer now belongs to Canada. My brother still lives in Rick's old house, where he left his PWC commemorative school president gavel in the basement. Rick should now have plenty of time to thank his life partner, Gerald Lunn, reclaim the said gavel, and perform at the LSPU Hall in our hometown.

We cannot wait to see what Rick does next.

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ANTI-SEMITISM

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, around the world Jews are celebrating the high holidays of Rosh Hashanah and Yom Kippur. It is a time for renewal, reflection, and a commitment to Jewish values in action, including *tikkun olam*, which means repairing the world, and *tzedakah*, a moral obligation to social justice and charity.

This year has been particularly difficult. Organizations like the Friends of Simon Wiesenthal Center have reported a rise in incidents of hate all across Canada. While anti-Semitism has never gone away in this country, recent factors have resulted in the resurgence of explicit prejudice and discrimination. Therefore, it seems especially important this year to gather and act in solidarity with our fellow communities to show that love is greater than hate.

On behalf of all New Democrats, I say *Shana tova u'metuka* to the vibrant Jewish community in my riding of Victoria and to Jewish families all across Canada. May they have a sweet year filled with happiness and good health.

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INTERNATIONAL TRADE

Mr. Dean Allison (Niagara West, CPC): Mr. Speaker, I would like to congratulate the member for Abbotsford, our former trade minister, for his hard work and success in negotiating the Comprehensive Economic and Trade Agreement between Canada and European Union, CETA.

This agreement came into effect on Thursday, September 21. That means there are now no tariffs on 98% of Canadian goods sold in the EU. More than 9,000 types of Canadian products can now be sold duty-free in the largest and most affluent consumer market in the world, home to over 500 million people.

In 2006, Canada had free trade agreements with only five countries. In nine years, successive Conservative governments brought that number to over 40 free trade agreements and concluded free trade negotiations with 51 countries.

Conservatives know how to sign deals that benefit Canadians and Canadian businesses. We are proud of the member for Abbotsford and proud of our party's record on free trade.

* * *

●(1415)

[Translation]

GAÉTAN GERVAIS

Mr. Paul Lefebvre (Sudbury, Lib.): Mr. Speaker, on this September 25, Franco-Ontarian Day, I want to honour a man to whom we Franco-Ontarians owe a big part of our identity: Sudbury's own Gaétan Gervais.

Through his teaching and contributions, Gaétan passed on the Franco-Ontarian heritage to generations. He authored a number of literary books that are still read today. A true leader, he wanted to change things in the post-secondary and research worlds in French.

Oral Questions

He helped found the Institut franco-ontarien. In recognition of his contributions, he received the Order of Canada in 2013, and I had the privilege of attending that ceremony.

We will always be grateful for the efforts he made during his time as a history professor at Laurentian University, when he co-created a green and white flag with the fleur-de-lys and the trillium, our Franco-Ontarian flag; it was raised for the first time on September 25, 1975, at the University of Sudbury.

Gaétan, thank you for your tremendous contribution and thank you for giving us our beautiful flag.

ORAL QUESTIONS

[Translation]

TAXATION

Mr. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, the Prime Minister does not seem to understand that his plan to raise taxes will have a real impact on the ability of local businesses to compete and employ workers.

It is already hard enough for local business owners to make a living. Now, the Liberals want to make it harder for them to hire new employees.

When is the Prime Minister going to admit that these tax increases will kill jobs, and when is he going to scrap his plan to raise taxes?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, what we understand is that our current system encourages the wealthiest Canadians to incorporate so they can get a lower tax rate than middle-class Canadians. That is a problem with our system. We are going to continue to implement our measures, but at the same time, we realize that it is very important for small and medium-sized companies to invest in their business. We think that is very important. Thanks to a very low tax rate for SMEs, we can continue to maintain a high level of investment for our economy.

[English]

Mr. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, I cannot understand why the Prime Minister cannot answer simple questions.

The Liberals have tried explaining their tax hikes to Canadians, but it is not working. They have failed to convince Canadians that their plan to hike taxes on local businesses will do anything but harm entrepreneurship and put good jobs at risk.

If the Liberals were listening to Canadians, they would hear that raising taxes will keep local businesses from creating jobs, employing Canadians, and investing in their communities.

Will the Prime Minister finally listen to local business people and cancel these tax hikes?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we have a tax system that encourages wealthy people to incorporate to pay a lower level of tax than the middle class. We know that does not work.

Oral Questions

The member opposite either knows or should know that the system right now has a low level of tax for small businesses. We will continue with that lower level of tax, because we know that encourages people to invest in active businesses, to help us to grow our economy, and to create great jobs. That is what we are working toward, and we are going to continue on that path with a fair tax system.

Mr. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, since the Prime Minister will not answer these simple questions, I will try the Minister of Finance.

First, he launched his consultation in the middle of summer. Then he doubled-down on these tax hikes before he had even heard from Canadians. Nobody believes that the Minister of Finance cares what Canadians think. Every time the finance minister says he is out listening to people, Canadians say he is ignoring them.

This weekend, after hearing the Minister of Finance explain his plan, chambers of commerce from across the country voted 99% against it.

Why is it that every time the Minister of Finance explains what he is doing, more and more people are against it?

• (1420)

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we are going to continue with our approach, and that approach is to make sure we do not encourage wealthy Canadians to incorporate to pay a lower rate of tax than the middle class. At the same time, we are going to listen to Canadians, and that is exactly what I have been doing.

I was with the Canadian Chamber of Commerce this past weekend to hear what it had to say. I have been across the country, in Newfoundland, in New Brunswick, in British Columbia, in Quebec, in Ontario, and in Nova Scotia. We will continue to do that because we want to take people's ideas into account.

We know Canadians want a foundation and tax system that is fair, one that allows them to invest and one that allows long-term growth for our economy.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, the Canadian Chamber of Commerce wants the Minister of Finance to apologize. Here is what it had to say: “Characterizing the last 45 years of Canadian tax policy as loopholes is insulting to businesses that have worked within the rules in good faith to build their businesses, to save for retirement, and sometimes just to keep their doors open.”

Will the Liberal government issue an apology and show some respect for Canada's job creators?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we know that our current tax system encourages the wealthy to incorporate so they have a lower tax rate than the middle class. We know that is the case. I also know that the Conservatives like having this kind of system, where the wealthy have a lower tax rate. That was their choice, but we think that a fair system means one that provides opportunities for all Canadians. We will maintain active investments but at the same time create a system that is fair for everyone in this country.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, even the provinces are speaking out against the Liberals' tax reform. Manitoba, Nova Scotia, British Columbia, and Newfoundland and Labrador have all spoken out against it. The Premier of Manitoba said, “Who do you trust to create jobs in Canada? Is it small businesses or the federal government that taxes those small businesses?”

When will the Liberal government show some respect for job creators and when will it stop taking more and more money out of their pockets?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we know that investing is very important for our economy, just as it is very important to have a fair tax system. Our country is experiencing the highest growth it has seen in a decade. Last year, more than 350,000 new jobs were created in our country. That is significant. With this kind of growth, it is good for small and medium-sized companies to invest in the future. That is our approach, and now our approach is working.

* * *

[*English*]

INTERNATIONAL TRADE

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, the first round of NAFTA renegotiations has started, yet the U.S. has not brought forward expected demands on rules of origin, leaving 550,000 Canadians worried in the auto sector and having great uncertainty. Even trade experts are concerned that no serious offer is tabled, making the year-end deadline for the deal impossible to meet. Auto workers were stunned that this sector was not even identified as a priority.

How can the minister be trusted to protect workers without significant changes to labour provisions, a lack of an auto policy, and potential changes to rules of origin in play?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I want to assure Canadian workers in the auto sector, and in all sectors of our economy, that we are strongly and in a very prepared and confident way defending their interests at the NAFTA negotiating table. That is why we have put forward the strongest, most progressive labour provisions ever put forward by Canadian trade negotiators.

When it comes to autos, I held a consultation on Friday afternoon with representatives of the auto sector. This is very much top of mind for us.

[*Translation*]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, Canada's chief negotiator expects NAFTA renegotiations to include rules of origin, but that has not been discussed yet. Having heard nothing from the government, the auto sector is worried about the effects that changes to the rules of origin in a new NAFTA could have.

Given that there has not been any new auto plant built in Canada in 10 years and that several are being built in Mexico, can the Liberals be upfront with Canadians and assure them today that they will protect Canadian jobs in the auto sector?

• (1425)

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, as I already mentioned, Canadian workers in each and every sector are important to our government. We are working very hard and very constructively at the negotiating table.

That is why we have a chapter on workers' rights that is very robust and progressive. Regarding the auto sector, I had a very constructive consultation session with auto sector leaders on Friday. I can assure Canadians that the auto sector is paramount to our government.

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, that is not very reassuring.

As part of the NAFTA renegotiations this week, the United States and Mexico will primarily target our supply management system. Our farmers are worried about the Liberal government's ability to stand up for them. Time and time again, the Liberals have risen in the House and said that they support our supply management system, but behind closed doors they are opening loopholes in the Canada-Europe agreement and the trans-Pacific partnership signed by 11 countries.

Will the Liberals promise today not to open any loopholes in our supply management system, yes or no?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, we are here to help our dairy farmers and the Canadian dairy industry as a whole, as well as to defend supply management.

I would like to remind everyone that American dairy producers enjoy a five to one trade surplus with Canada, and that is what we are saying at the negotiating table. We are committed to working with our farmers, industry groups, and our American counterparts to continue to promote Canada's agricultural interests. We will vigorously defend our national interest.

[*English*]

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, that is not quite the answer we were looking for. This week, U.S. and Mexico plan to tag team against our supply management system during the NAFTA talks. Unfortunately for our producers, they are not in good hands with the government.

When the cameras are rolling, the Liberals say that they will protect supply management. When they are off, the Liberals are giving more and more access to other countries like they have in CETA and now TPP 11.

Could the Liberals promise our producers that they will not grant further access?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I would like to remind the member opposite of something our chief negotiator said in a scrum yesterday, which is that at the negotiating table we have not yet received U.S. proposals on the dairy sector. Therefore, it is important for people to understand that.

Oral Questions

When it comes to our dairy farmers, we will defend their interests vigorously at the NAFTA negotiating table. We are committed to working together with farmers, industry groups, and American counterparts to promote Canada's agricultural interest. We will fiercely defend the national interest and promote our values.

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TAXATION

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, this weekend, over 98% of the Canadian Chamber of Commerce voted against these Liberal tax increases. Business leaders across the country have real concerns and real questions. What is the Minister of Finance's answer? He ignores them, because he thinks they are tax cheats who are milking the system.

Why is the Minister of Finance ignoring legitimate concerns from reputable business groups like the Canadian Chamber of Commerce in regard to his tax increases?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, the short answer is that I am not. What we are trying to do is make sure our system works. We are showing Canadians that, in fact, it encourages right now wealthy Canadians to incorporate so they can pay a lower tax rate than the middle class. What we are out doing is listening to Canadians. We are explaining that, frankly, 2% of these corporations hold 80% of the past investment income. That is really important for Canadians to know.

We know that helping middle-class small businesses to invest actively is critically important for our economy. Having a tax system that is fair is also critically important. We are going to serve those two goals.

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, this weekend it was clear he did not explain anything to the Canadian Chamber of Commerce, and that is why it voted 98% against his tax increases.

Business leaders are seeing right through the hypocrisy of the Liberal tax increase. Why? Because wealthy people like the Prime Minister and the Minister of Finance and their companies will not be touched by this increase.

I will give the Minister of Finance another chance. Could he tell the House in what way Morneau Shepell will be affected by these tax increases, just one way?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we are trying to get at how the system works, and the way the system works is it encourages wealthy people to incorporate to pay a lower rate of tax than middle-class Canadians. That is not a system that makes sense.

We know that what needs to happen is to look at the system to make sure we deal with the kinds of things that give wealthy people an advantage, that grows as they get wealthier, so all Canadians have an opportunity to be successful. That is what we are working toward, and that is going to help our system be fair for the long term.

Oral Questions

• (1430)

[Translation]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, let us talk about how the system works.

Across Canada, thousands of entrepreneurs, job creators, and small business owners know how to run their businesses and create jobs, but those people are worried.

I was in Alma last week, where I met a businessman, François Émond, who owns Meubles Gilles Émond. He told me that he is very worried about these tax changes because they will leave him with less money to reinvest in his company.

Can the Minister of Finance explain to the House why he is going after this businessman and the jobs he creates while giving big companies like Morneau Shepell a free pass?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, our current system encourages the wealthiest Canadians to incorporate so they can get a lower tax rate than middle-class Canadians.

We want to protect small businesses like the one my colleague mentioned because we know that with a very low tax rate, the lowest in the G7, we can continue to invest, and people like the owner of that business can, too. That is very important. We will stay on track because this is important for small and medium-sized businesses across Canada.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, the last thing entrepreneurs need is another tax increase. The minister should know that.

Is it any wonder that the Prime Minister has so much contempt for entrepreneurs, when he thinks they are getting away with not paying their fair share of taxes, but meanwhile he thinks so highly of the Chinese dictatorship?

What is our Prime Minister doing today? He is in Toronto to meet with Chinese billionaires from the Alibaba group. That is interesting.

Why does the Prime Minister prefer talking to Chinese billionaires instead of listening to the concerns of Canadian entrepreneurs, who are the real job creators?

[English]

Ms. Pam Goldsmith-Jones (Parliamentary Secretary to the Minister of International Trade, Lib.): Mr. Speaker, e-commerce offers Canada's micro, small, and medium-sized businesses unparalleled opportunities to expand their markets overseas. SMEs are the engine of the Canadian economy, and trade means more growth for them and jobs for Canadians. Our trade commissioner services provide support and advice to Canadian exporters that wish to do business online and obviously are working with commercial online platforms.

We are working very hard to promote e-exporting in support of Canadian business.

Hon. Tony Clement (Parry Sound—Muskoka, CPC): Mr. Speaker, instead of standing up for small business owners across the country, today the Prime Minister is in Toronto, wait for it, meeting with billionaires yet again. We also know that the Liberals, including

the Minister of Finance, have no desire to help small business, because the minister's own family business, Morneau Shepell, will be sheltered from this epic Liberal tax grab. Why are the Liberals determined to give billionaires a break while placing the burden of their high spending ways on the backs of Canadian small businesses?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we have done a review of our tax system to make sure that we get at what is most important. The system right now encourages people to incorporate so they pay a lower rate of tax than middle-class Canadians. That is actually the way the system works. I know that some of our colleagues from across the aisle might be comfortable with a system that allows the richest to have tax advantages that are not available to the rest, but Canadians do not. We want a system that is fair. We know that a fair system allows small businesses to invest in their business. That is what we want to continue, a very low small business tax rate.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Mr. Speaker, this weekend I was at the Canadian Chamber of Commerce's annual general meeting. Members hoped that the finance minister was there to listen to their concerns but were disappointed as he deflected every single question. In response, almost 99% voted to oppose his unfair tax changes.

Will the minister now accept the chamber's offer to have town halls across this great country, listen to local businesses, and explain why their taxes are going up while the same changes do not apply to millionaire shareholders of firms like Morneau Shepell?

• (1435)

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, I did spend a few minutes talking at the Canadian Chamber of Commerce meeting this weekend, because I wanted to make sure that we started with a frame of reference. I talked about how our system currently encourages the wealthiest to incorporate so that they pay a lower rate of tax than the middle class. However, what I really did there was listen. I listened to what was going on. The small business owners and the chambers there told me what they thought about what we were trying to do, and I think they left with a better understanding of what we are trying to achieve. My view is that they understand broadly that what we are doing is leaving a low tax rate that they can invest—

The Speaker: The hon. member for Kootenay—Columbia.

PARKS CANADA

Mr. Wayne Stetski (Kootenay—Columbia, NDP): Mr. Speaker, millions of Canadians use and love our national parks. However, the government is now considering changing the ownership of some of its assets. This summer, Parks Canada issued a prefeasibility study for the divestiture or transfer of park infrastructure, including highways, dams, and bridges. The total value of this infrastructure is upward of \$8 billion. The Minister of Environment said in a recent letter that the government has no plans at this time to divest itself of any of its assets. Will the minister state clearly that she will rule out any proposal to sell off any part of Parks Canada now and in the future?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, Parks Canada's core mandate is to protect and present Canada's natural and cultural heritage. A significant portion of Parks Canada's assets are general infrastructure, such as highways, dams, and non-heritage bridges that are not directly linked to our mandate—for instance, stretches of highway that cross through parks but otherwise fall under provincial jurisdiction.

As indicated in budget 2017, Parks Canada is developing a medium- and a long-term plan to ensure the effective and efficient management of its asset portfolio. I would imagine that most people would think it is the responsible thing to do. To be clear, it is an initial exploratory study to inform future discussions. No decision has been made.

Mr. Matthew Dubé (Beloil—Chambly, NDP): Mr. Speaker, no decision has been made, except for the tender notice on Buyandsell.gc.ca . Therefore, we have to really wonder what the government's intention is here.

[Translation]

This is another example of the Liberals trying to keep their plans to privatize our public infrastructure under wraps. This issue was never raised during the election campaign, apart from the infrastructure bank, which, once again, is more about pleasing their Bay Street friends than really investing in our public infrastructure.

Why are the Liberals so determined to hand our public assets over to their friends on Bay Street?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, I thank my colleague for his question.

To be clear, it is an initial exploratory study to inform future discussions on the management of infrastructure that is unrelated to Parks Canada's core mandate, such as highways, dams, and non-heritage bridges.

No decision has been made, but we need to have a closer look at this matter, for it is important.

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TAXATION

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, the Canadian Federation of Agriculture, the Alberta Federation of Agriculture, and the premiers of Manitoba and Nova Scotia are

Oral Questions

joining the chorus of people criticizing the Minister of Finance for wanting to take money from farmers in order to pay off the deficit.

In the Minister of Agriculture mandate letter it says that the government must use its policy and financial tools to support the agricultural sector in its vital work.

Why is the minister doing the opposite? Why is he using all of the government's financial tools to threaten the survival of family farms in Canada?

[English]

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, we want to create a fair tax system, and that is why we are consulting Canadians.

We are listening to the concerns of farmers and encouraging them to share their ideas on how to create a fair tax system. Being a farmer, I fully understand that farmers have to save for a rainy day, or if they have problems with repairing buildings, buying machinery, and for investing in their businesses. In fact, the dollars that are invested are there for their businesses. That is what the dollars are there for.

We have and will continue to make sure that the farming sector thrives.

Mr. John Barlow (Foothills, CPC): Mr. Speaker, dozens of farm and ranch families came to an open house in High River yesterday to loudly voice their concerns with these punitive Liberal tax changes.

They are angry, they are frustrated, and they are worried that the Liberals are trying to take away the legacy they have built for generations, their family farm. They have reason to be concerned. Tax experts agree that these changes could wipe out the family farm.

Will the Minister of Agriculture finally be the voice for Canadian farmers? Will he stand up and demand an extension to the tax consultations on these changes, or does he believe that the family farm is not worth saving?

● (1440)

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I have and will continue to support the farmers. These are complex transactions, and we are consulting with farmers on the proposed changes.

We want their views on how to better accommodate family transfers. We want to help farmers to transfer their farms. I can assure members that this government has consulted and will continue to consult with the farmers to make sure it is easier for farmers to transfer their family farm to their families.

Mr. John Barlow (Foothills, CPC): Mr. Speaker, Angela is a farmer in my riding. She said that these Liberal tax changes are a man-made disaster that will devastate rural communities across Canada.

She and dozens of other Alberta farm families left their combines in the middle of harvest to come to a town hall in High River and voice their concerns. They are fighting for their livelihoods. They are fighting for their children's future. They are fighting for their family farm.

Oral Questions

Will the Minister of Agriculture stop kowtowing to the Minister of Finance and commit today to extend the consultation period on these tax changes?

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as I have said many times, I have and will continue to consult with farmers on every issue that affects the farmer.

On these tax changes, what will take place is that any dollars that are invested in the corporation are there for the corporation, for the farmers to invest in their farms, to invest in their property, to expand their property, to create more business. That is what it is all about.

[*Translation*]

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, I have had it with that speech in the House. Farmers and their families are honest people who deserve to be treated as such by their government and their Minister of Agriculture.

Why does the Minister of Agriculture remain silent when his colleague, the Minister of Finance, is showing contempt for farmers across Canada? What they are asking for is simple and costs nothing. They are asking the Minister of Finance to extend the consultation period.

Which side will the Minister of Agriculture choose, the one that hurls insults and spells the end of family farms or the rational one against the arrogant attitude of the Minister of Finance and the Prime Minister?

[*English*]

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, what I would like to say is that it is a pleasure to work with the Minister of Agriculture on considering how we can best listen.

We know that for very wealthy Canadians, there is a system that encourages them to arrange their affairs so they can pay a lower rate of tax than middle-class Canadians. What we also know is that farmers are very important to our economy. They are very important to Canadians.

Listening to them is important. Making sure that they will continue to thrive, continue to be able to invest in their farm, and continue to pass it to the next generation are important objectives for our government, and certainly important objectives for all Canadians. We are listening to make sure that is achieved.

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[*Translation*]

FOREIGN AFFAIRS

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, when called upon to comment on the referendum in Catalonia last week and again today, the Prime Minister refused to say anything about democratically elected Catalan leaders being arrested.

The Catalan situation and the Kurdish referendum once again bring the right to self-determination to the forefront on the world stage.

My question is simple: Does the Canadian government support the right of peoples to self-determination?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, with regard to Catalonia, Canada has a friendly relationship with Spain. This is an internal Spanish matter. It is our hope that this internal matter will come to an harmonious and respectful end in accordance with Spain's constitutional framework.

* * *

[*English*]

HOUSING

Ms. Rachel Blaney (North Island—Powell River, NDP): Mr. Speaker, this morning the Liberal government refused to support my private member's bill on the right to housing. Previously the Liberals said they were planning to include the right to housing in upcoming legislation, but today they said that a legal right was not necessary.

Instead of hope and hard work, the Liberal slogan should be hype and hypocrisy. Housing advocates agree that Canada needs a legal right to housing, so why is the Liberal government denying Canadians this important human right?

● (1445)

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, I am delighted to have this opportunity to express how strongly this government feels about the inclusive development and inclusive growth that benefits everyone and gives the rights to everyone to have a standard of living and the ability to fully participate in the life of our society. We are investing, for the first time in 50 years, significant resources in building our housing system, and over the next years decreasing by half the number of renters in Canada who are living in either inadequate or unaffordable housing conditions.

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FOREIGN AFFAIRS

Mr. Michael Levitt (York Centre, Lib.): Mr. Speaker, Canada has repeatedly spoken out against the undemocratic and authoritarian actions of the Maduro regime in Venezuela, including through public statements and at the Organization of American States. From the creation of the illegitimate National Constituent Assembly to the imprisonment of political opposition leaders such as Leopoldo Lopez, it is clear that Venezuela is suffering a deep descent into dictatorship. In response to this anti-democratic behaviour, can the minister inform the House what decisive actions Canada is taking against the Maduro regime?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I would like to thank the member for York Centre for his hard, committed work on this issue. Our government deplores the actions of the Maduro regime, as I believe that all members of the House do. That is why, on September 22, we were pleased to announce strong, targeted sanctions against 40 leading members of the Maduro regime.

Oral Questions

Last week in New York, I attended the Lima Group meeting of like-minded countries committed to the restoration of democracy in Venezuela, and I was pleased to announce that Canada will host the next meeting of the Lima Group. We will not stand by as the Government of Venezuela robs its people of their fundamental rights.

* * *

[Translation]

INTERNATIONAL TRADE

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, the Conservative Party is the party of free trade. Brian Mulroney and Stephen Harper negotiated the majority of Canada's current free trade agreements, including NAFTA.

Now the king of selfies probably thought that renegotiating NAFTA would simply be another opportunity to take a few nice pictures while wearing fancy new socks. This renegotiation will have long-lasting impacts on our economy. It is time for the Prime Minister to stop clowning around. Enough is enough.

Will the Prime Minister finally admit that he is in way over his head when it comes to defending Canadian businesses?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada and our government strongly and vigorously defend our national and economic interests.

Our main objectives for the negotiations are clear: protecting NAFTA as job creator and economic driver, reducing red tape to make things easier for small and medium-sized businesses, making NAFTA a more progressive agreement, and maintaining the elements of NAFTA that are key to our national interests. That is what we will do.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, I have some doubts about that, because the last few weeks have shown us that businesses may have reason to fear this government. On the one side, we have an American government that is negotiating hard for its citizens. On the other, we have a Prime Minister who shows us every day that he does not understand the needs of Canadian businesses and the possible issues involved in the renegotiation of NAFTA.

Can the Prime Minister tell us whether he intends to stand up for our farmers and for supply management, as well as for every sector of the Canadian economy?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I would like to reassure my colleague, all the members of this House, and all Canadians that we fully understand the national interest of Canada and Canadians. We are working extremely hard with our professional negotiators to vigorously defend Canada's national interest, including supply management and the interests of agricultural producers like my father.

[English]

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, the Liberal government is creating a crisis of confidence. Tax changes have small businesses up in arms, farmers are worried, and tech start-ups may see capital dry up. Now, with NAFTA negotiations, the government has not even placed the auto industry as a top priority, and 140,000 jobs are at risk. When will the Liberal government start fighting for jobs in Canada rather than driving them away?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, let me start by congratulating the member for Durham on his nomination as official opposition critic for foreign affairs.

● (1450)

Hon. Candice Bergen: It is "shadow minister".

Hon. Chrystia Freeland: He is the shadow minister, not critic. Okay, Mr. Speaker.

Let me assure the member that at the NAFTA negotiating table we are fighting very hard, we are fighting energetically, and we are fighting, having done our homework, for the interests of all Canadian workers, very much including workers in the auto sector. I had a very productive consultation with the auto sector on Friday.

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, I would like to thank the minister. I am proud to shadow her.

This is the third round of negotiations, and I am not at the table, so I have to see what the government is saying in public. I have yet to hear the Prime Minister stand up for our auto industry. I have yet to hear our Prime Minister stand up for our softwood lumber industry. I have yet to hear the Prime Minister stand up for jobs in our resource sector. It is time for the Prime Minister to pull up his fancy socks and start fighting for Canadian interests.

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, let me assure the member opposite that we are fighting very hard at the NAFTA negotiating table for the interests of all Canadian workers. That very much includes workers in the auto sector, and I was pleased to have a very productive consultation with members of the auto sector just on Friday. It very much includes workers in the natural resources sector, and we are fighting hard for an energy chapter. The interests of Canadian workers are absolutely at the heart of our negotiating strategy, and we are going to defend them.

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AUTOMOTIVE INDUSTRY

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Mr. Speaker, on defending Canadians, Windsor's city council is calling on the federal government to make the protection and growth of Canada's automotive sector a key priority in NAFTA renegotiations, and the resolution is important to both Windsor and Essex County and to all of Canada.

With no national auto strategy, the Liberals are silent on their plan to fortify our automotive industry. Can the minister reassure the people of Windsor how the Government of Canada is actively and aggressively promoting our best interests in the auto industry?

Oral Questions

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I am very pleased to have this opportunity to reassure the people of Windsor and in fact all Canadians that we absolutely understand the importance of manufacturing and the automotive sector to our economy. Those are good, well-paying, very often unionized jobs, and we will fight to keep them here in Canada. I do want to point out, particularly for Americans who might be listening to us today, that North American content levels in Canada-produced vehicles are on average considerably higher than in vehicles produced in the U.S. and Mexico, and that is a good thing.

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THE ENVIRONMENT

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, further on transparency, the government claims it is seeking inclusion of strong environment and climate provisions in a modernized NAFTA, yet there are no environment advisers on the minister's NAFTA council. At the eleventh hour, the Minister of Environment and Climate Change formed a NAFTA subgroup, promising openness and transparency, yet refusing to reveal the measures the Liberals are seeking in the new deal.

How can Canadians have faith that the Liberals are strengthening environment in trade deals without transparency? When will the minister come clean on what the Liberals are actually seeking for the environment at the negotiation table?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, there are many environmentalists on my advisory council. There are also an indigenous leader, business leaders, and academics. We believe that we are going to have the strongest environmental protections. We are going to fight for them. We know that is the right thing to do. We understand that the environment and the economy go together, and Canadians expect clean air, clean water, and action on climate change.

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INDIGENOUS AFFAIRS

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, the Liberal government continues working hard for Liberal insiders and those wanting to join the Liberal insiders.

Cynthia Wesley-Esquimaux ran unsuccessfully for the federal Liberals in 2011 in the riding of York—Simcoe last year. The Liberals gave her an unbelievable \$437,000 contract to consult on first nation child welfare issues and write a report.

How can the Prime Minister justify paying this Liberal insider \$55,000 a month when seniors, veterans, and indigenous communities struggle month to month just to survive?

Hon. Carolyn Bennett (Minister of Crown-Indigenous Relations and Northern Affairs, Lib.): Mr. Speaker, our government is committed to completely overhauling child and family services in full partnership with first nations communities.

The special representative met with 261 chiefs, experts, officials, advocates, and individuals with lived experience from coast to coast to inform our commitment to first nations child welfare reform.

We look forward to receiving a report and recommendations on how we transform the system to better support and reflect the needs of first nations children and to put their well-being first.

● (1455)

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Speaker, Cynthia Wesley-Esquimaux is unapologetic about her major taxpayer-funded payout. She believes that because she paid tax on the income, it is no big deal. She even went so far as to scold first nations advocates for not blindly praising her work. The Liberals know what they did is wrong, yet they continue to do it.

Can the minister explain how giving \$437,000 to a Liberal insider is somehow helping Canadian indigenous youth?

Hon. Carolyn Bennett (Minister of Crown-Indigenous Relations and Northern Affairs, Lib.): Mr. Speaker, we acknowledge the disproportionate number of indigenous children in the child welfare system. We believe that transformation requires investments in children, families, and communities, not in lawyers, agencies, and non-indigenous foster families.

The MSR was critical to understanding the needs of communities in order to overhaul the system and preventing children from entering the system at all.

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JUSTICE

Hon. Rob Nicholson (Niagara Falls, CPC): Mr. Speaker, the Ontario Superior Court of Justice is warning that it desperately needs more judges. Just last week, B.C. courts were forced to shut down because of the government's indecision. What is the problem with the government? Why did it not make these judicial appointments? It had all summer to do it, and now we have a situation of Ontario desperately needing 12 more judges. There are 57 vacancies.

I have a solution for the Liberals. If they cannot get the job done, turn it over to us and we will make the appointments. How about that?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, to reiterate, I take the appointment of Superior Court justices incredibly seriously. Our government has taken significant steps to make the process for the appointment of judges open and transparent, with a focus on embracing diversity.

To date, I have been pleased to appoint 109 Superior Court justices across the country, including 22 deputy judges in the territories. I will continue to ensure that we appoint very meritorious candidates to fill the remaining vacancies across the country.

*Oral Questions***SOCIAL DEVELOPMENT**

Ms. Gudie Hutchings (Long Range Mountains, Lib.): Mr. Speaker, I would like to ask the minister responsible for seniors about an issue that occurred in the past month. Some seniors living separately for no reason of their own seem to be being denied their GIS benefits.

Can the minister tell the House what action he has taken to ensure our seniors get all the benefits they deserve?

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, I would like to thank the member for Long Range Mountains for her remarkable work on behalf of seniors.

Our government recognizes Canadian seniors' contributions to building our country and is committed to improving the lives of our seniors.

I would like to thank members on all sides of the House who brought this matter to my attention. I have tasked my officials to correct the rules and to contact affected seniors to review their applications.

Our government is keen to improve the lives of seniors, and we will continue to do that.

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FOREIGN AFFAIRS

Mr. Garnett Genus (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, the Conservatives have been raising the plight of the Rohingya people for over a year, and we have not been getting answers from the government. The Prime Minister was asked directly about this in the spring but did not agree to take the needed action at that time. Unlike many world leaders, the Prime Minister declined to discuss this ongoing ethnic cleansing in a speech to the UN, despite the escalation.

What, if anything, has the government's much-trumpeted Office of Human Rights, Freedoms and Inclusion been doing to help Rohingya people?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, we are absolutely seized by the urgent question of the persecution of the Rohingya. Based on reports from the region, this is ethnic cleansing, and it is important for Canada to condemn it in the strongest possible terms and to act. It is important particularly to call on the military leadership to cease this horror.

The Prime Minister has spoken directly with Aung San Suu Kyi about this. I have spoken to Kofi Annan. At the UN last week we were working closely with allies such as Indonesia and Turkey on—

The Speaker: The hon. member for Trois-Rivières.

* * *

[Translation]

HOUSING

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, on Friday, we learned that it will take at least a year to find out the results of the appeal filed by pyrrhotite victims regarding their initial lawsuit. As you can imagine, things will take even longer for

upcoming trials, if that is even possible, given all of the victims who are caught in the grey area and are still without recourse.

Despite the seriousness of the situation, the government is dragging its feet or refusing to do anything to establish a scientific standard on the presence of pyrrhotite.

When will the government finally do something to help the families who are caught in the grey area?

• (1500)

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, I thank our colleague for once again raising the issue of pyrrhotite, which is very important in the Mauricie region.

As our colleague said, as soon as we took office, we implemented important measures to keep one of our promises and to ensure that the families affected by the situation are treated respectfully and their concerns are addressed in a timely manner.

We are pleased that things have improved since then, and we continue to listen, so that our government can continue to make Canadian families and their housing conditions a priority.

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GOVERNMENT APPOINTMENTS

Mr. Marc Serré (Nickel Belt, Lib.): Mr. Speaker, I am proud to rise today as a Franco-Ontarian.

The Minister of Justice introduced significant reforms to the judicial appointment process. Her reform promotes diversity, gender balance, and bilingualism. I am pleased to see that five of the eight judges who were appointed in eastern Ontario are perfectly bilingual.

Minister, could you inform the House of the steps our government has taken to strengthen the bilingual capacity of our courts?

The Speaker: I must remind the hon. member, and possibly the assistants who write his questions, to address his comments to the Chair.

[English]

The hon. Minister of Justice.

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am very pleased that the critical reforms to the judicial appointments process have led to increased bilingual capacity. As mentioned, five out of the eight judges in northeastern Ontario are fluently bilingual.

To build on these reforms, today our government is launching an action plan to enhance the bilingual capacity of Canada's superior courts. This multi-faceted approach will ensure that we move forward so individuals can have a hearing before a judge in both official languages.

*Routine Proceedings***JUSTICE**

Hon. Peter Kent (Thornhill, CPC): Mr. Speaker, the Liberals abandoned the court of law to offer a \$10.5 million settlement payoff to Omar Khadr, a confessed terrorist. The Liberals chose not to defend Omar Khadr's outrageous claim. They just wanted it all to go away. Then the Liberals tried to hide this extravagant, outrageous payoff from Canadians and Americans.

Did the cabinet follow this deceitful course while knowing of Mr. Khadr's victims' outstanding court order claims against him?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, sadly, this was a case of the rights of a Canadian in jail being violated by Canadian government officials. A settlement in this case was court supervised and based upon the hard facts, the law, the constitution, and two unequivocal rulings by the Supreme Court of Canada, and the decision was taken. Rights are not optional. Violating them is costly. There was no chance of winning the civil lawsuit. As much as \$40 million could have been lost, and a settlement in this case saved taxpayers millions of dollars.

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[Translation]

INTERNATIONAL TRADE

Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): Mr. Speaker, as a result of a barrage of tweets from Donald Trump, our supply management system is now being targeted by U.S. lobby groups.

In Quebec, we are proud of our farming model of family-owned farms. The Liberals already abandoned our dairy farmers during negotiations with Europe. They had better not do the same with NAFTA.

Will the minister make a solemn commitment to keep the supply management system precisely as it is, with no changes?

[English]

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I can assure my hon. colleague that this government is the government that will protect supply management and this is the party that fought to put it in place. This is also the government that put the innovation package together to make sure that supply management in the dairy sector in the country thrived.

I can assure my hon. colleague that this government has and will continue to support supply management.

* * *

• (1505)

[Translation]

FOREIGN AFFAIRS

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, the Prime Minister has been inconsistent and has had very little positive impact on human rights and democracy. A direct attack has been made on Catalonia, and he has said nothing.

How can he justify his silence? What is he waiting for? When will he call on the Spanish government to order under the International

Covenant on Civil and Political Rights that both Canada and Spain signed and ratified?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada enjoys friendly relations with Spain. The issue of Catalonia falls squarely under Spanish domestic affairs. We hope that the country's internal debates come to a harmonious and respectful end in accordance with its constitutional framework.

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[English]

TAXATION

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, my question is for the Minister of Finance.

I had eight town halls recently in my riding and, not surprisingly, heard from many constituents on their concerns about the proposed tax changes. One young doctor made a point that I have not heard from others.

If we look at the demographics of how many doctors are near retirement and how they have structured their income and practice around the tax laws as they have been for decades, his fear is that we might have an unintended consequence of tax changes in a doctor shortage, as many doctors near retirement might decide to retire early.

Could we phase in tax changes or grandfather certain professions?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we understand that getting to a fair tax system, a system that does not encourage people to incorporate so they pay a lower tax rate than middle-class Canadians, requires understanding the specifics of different cases. I appreciate the member bringing forward this idea. We are certainly listening to people to make sure we get this right.

We are making sure that, as move forward, we grandfather existing amounts, which is important. We are also making sure to consider how to best move forward in a way that is going to get to our objective, while considering the ongoing goal of investing in our economy.

ROUTINE PROCEEDINGS

[English]

PETITIONS**TAXATION**

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I am pleased to present a petition signed by campers who stayed at the Busy Beaver Campground in Hilton Township, Ontario, located on the historic St. Joseph Island in the riding of Algoma—Manitoulin—Kapusksing.

The petitioners call on the government to ensure that campgrounds with fewer than five full-time employees will continue to be recognized and taxed as small businesses. As John Ivison of the *National Post* so aptly pointed out, higher taxes are resulting in lower revenues.

Why are we increasing taxes on campgrounds by 33% anyway, just to put them out of business?

• (1510)

MOTOR VEHICLE SAFETY ACT

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I have four petitions to table.

The first is signed by 100 constituents in my riding regarding the Motor Vehicle Safety Act. I have to thank Tim Reed for getting these signatures on the petition.

What is basically being called for is equal treatment for American-plated vehicles owned by Canadians so they receive the same treatment as Canadian-plated vehicles in the United States.

RELIGIOUS FREEDOM

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, the next petition is on Bill C-51, regarding religious freedoms. There are 43 signatures on it.

The petitioners ask that the government not remove section 176 of the Criminal Code, which would eliminate protection for members of the clergy and faith assemblies.

The third petition I am tabling today is on behalf of 36 petitioners. The petitioners have grave concerns about Motion No. 103 that was passed in the last session.

FALUN GONG

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, finally, I am tabling my final petition, signed by 128 petitioners.

The petitioners call the attention of the government to the treatment of Falun Gong followers in China. Specifically, they ask for three things: to establish measures to stop the Chinese regime mass killing of innocent people for organ harvesting; for the Government of Canada to take every opportunity to call for an end to the persecution of Falun Gong practitioners; and to urge the Chinese authorities to bring former leader Jiang Zemin to justice.

NAVIGATION PROTECTION ACT

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I have two petitions to present today.

The first petition is from a number of people in the wider London community. The petitioners are concerned about the fact that the Conservative government stripped environmental regulations that covered the Navigable Waters Protection Act, leaving hundreds and thousands of rivers and lakes vulnerable. In my community, the Thames River is an ecological jewel, and we want it to be protected. Unfortunately, the Liberal government has failed to reinstate the Environmental Protection Act.

The petitioners therefore call upon the government to support my bill, Bill C-355, which would commit the government to prioritize

Routine Proceedings

the protection of the Thames River, and certainly other rivers and lakes, by amending the Navigation Protection Act.

DEMOCRATIC REFORM

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, the second petition is in regard to the electoral reform promised in the last election. Canadians deserve fair voting.

The petitioners call on the government to do as it promised and ensure that 2015 is indeed the last federal election conducted under first pass the post. They want systems that include proportional representation, mixed member representation.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is an honour to rise today with two petitions.

The first is from constituents throughout my riding of Saanich—Gulf Islands.

The petitioners call on the government to implement, at the federal level, as some provinces have already done, a moratorium on hydraulic fracturing, better known as fracking, for oil and gas; to conduct a complete and comprehensive environmental review; and to also assess the toxicity of the materials used in the fracking process.

HOUSING

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition, also from residents of Saanich—Gulf Islands, relates to the very critical issue of affordable housing and particularly to the need to establish housing as a right.

The petitioners specifically have called for the government to follow the recommendations of the Federation of Canadian Municipalities and restore the favourable tax treatment we used to have for purpose-built rental housing to alleviate the housing shortage.

OMAR KHADR

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I have a petition signed by a number of Canadian citizens from across Ontario who are upset with the settlement payment of \$10.5 million to Omar Khadr, as well as the apology issued to him. They list a number of reasons why they are upset.

The petitioners ask the Government of Canada to revoke its apology issued to Mr. Khadr on July 7, and seek to redirect any settlement payments attached to that apology to Sergeant Speer's widow and Mr. Morris for their pain and suffering caused at the hands of Mr. Khadr.

• (1515)

JORDAN'S PRINCIPLE

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, I stand today with petitioners from my riding of Nanaimo—Ladysmith who call on the government to respect the Canadian Human Rights Tribunal to honour Jordan's principle and fund equally health care and access to education for first nations and indigenous children in accordance with four different Canadian Human Rights Tribunal rulings.

Government Orders

Since we are coming up to September 30 and Orange Shirt Day to honour residential school victims, I urge all members of the House to honour and respect the petition tabled here today.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

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REQUEST FOR EMERGENCY DEBATE

SITUATION IN MYANMAR

The Speaker: The Chair has notice of a request for an emergency debate from the hon. member for Sherwood Park—Fort Saskatchewan.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, in a parliamentary democracy, it is critical that we respond to foreign policy crises that confront our country with debate in the House of Commons. This is how we adjudicate these matters, but it is also how we show the world how seriously we take responsible government.

Therefore, pursuant to Standing Order 52(2), I would like to propose an emergency debate on the situation unfolding in Burma and Canada's response. This issue has been raised regularly by our party in question period for over a year and a half, but the issue has not had a full airing in parliamentary debate.

Let me be clear on what the situation is right now on the ground. According to Amnesty International's crisis response director, the evidence is irrefutable that Myanmar security forces are setting the northern Rakhine State ablaze in a targeted campaign to push the Rohingya people out of Myanmar. Make no mistake, this is ethnic cleansing.

We have a campaign of ethnic cleansing presently going on in a country that is a major recipient of Canadian development assistance against which we have yet to impose new sanctions and in a country where the de facto leader is an honorary Canadian citizen and Nobel laureate. Notwithstanding the Canadian connection, the Prime Minister failed to mention this issue at all during his speech at the UN.

Earlier this year, Mr. Speaker, you granted an emergency debate on the proposed executive order by the Trump administration. This was an important issue and I spoke on it. Surely, if that merited an emergency debate in the House, the ongoing ethnic cleansing of Rohingya does as well. If the emergency debate is granted, I would suggest that it be scheduled for tomorrow to ensure that as many members as possible have time to arrange their schedules in order to be here to participate, but certainly whatever time you think is best. The world is watching.

SPEAKER'S RULING

The Speaker: I thank the hon. member for Sherwood Park—Fort Saskatchewan for his argument. I do find that it meets the exigencies of the Standing Order. The emergency debate will be scheduled for tomorrow evening, as he has suggested, and I thank him for that suggestion.

GOVERNMENT ORDERS

[English]

ACCESS TO INFORMATION ACT

The House resumed consideration of the motion that Bill C-58, An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Erin Weir (Regina—Lewvan, NDP): Mr. Speaker, today is the first day of Right to Know Week. Accordingly, it is a very appropriate time to reflect on the importance of access to information for good governance and advancing our democracy.

I will start by saying a few words about committees, because one of the arguments we have heard at considerable length and volume from the member for Winnipeg North was that the proposed legislation might not be perfect, which is why we have committees that can amend a bill. However, I think it is very important to note that the government has disregarded the recommendations of the access to information committee in drafting the bill. We have a lot of very good recommendations from that committee that have been left by the wayside by the government in putting forward the legislation before us, and so I think there is a problem there.

The second committee I would like to talk about is the government operations committee, because my perspective on the issue of access to information is very much informed by the work I have done with that committee, and specifically the study that we recently conducted on whistle-blower protection in the federal public service. In this case we have civil servants risking their careers, reputations, and livelihoods to bring forward information that is seen to be relevant to Canadian citizens and important to the proper governance of our country. I think it puts in perspective the whole notion of access to information. If we have our public servants going to these heroic lengths to bring forward information that will improve our democracy and safeguard good decision-making, then it is truly incumbent upon us as parliamentarians to come up with the best possible access to information regime so that this information can actually come out without people needing to take the risk of coming forward as whistle-blowers.

Government Orders

The government operations committee did put forward and table in this place a unanimous report, supported by all three major parties represented on that committee, calling for some very substantial improvements to our federal whistle-blower protection system. Those included a broadening of the definition of “wrongdoing” as well as the definition of “reprisals”, creating a reverse onus so that it would be an obligation of the government, as the employer, to demonstrate that disciplinary action taken against a bona fide whistle-blower was not a reprisal, rather than putting a whistle-blower in the almost impossible position of having to prove that it was a reprisal. We recommended better compensation for whistle-blowers to ensure that they are made whole, which would include covering their legal costs. Another aspect of that compensation is priority placement to other equivalent jobs in the federal public service, because once someone has blown the whistle, it could be very difficult and perhaps not very appealing for them to go back to work, quite possibly, for the person they blew the whistle against. Therefore, we think they need to be assured of some sort of alternative employment within the federal public service.

We are waiting with bated breath for cabinet's response to the committee's report on whistle-blower protection, which I would highlight as an important part of bringing forward the information we need. However, the focus of the legislation we are debating today is the access to information system, which is a means of bringing that information forward without requiring public servants to go through the arduous process of being whistle-blowers. All of this is to say that whistle-blower protection is critically important.

I would like to talk about three aspects of the proposed legislation. The first is the scope of the act. The second is exemptions from the act. The third is the difference between proactive disclosure and access to information.

● (1520)

In terms of the scope of the act, it is very important to recognize that in the last election campaign, the Liberal Party promised to extend access to information to the Prime Minister's Office and other ministers' offices. That was a really clear promise, in black and white.

The bill before us today does not do that. It is another broken promise. It is a very clear-cut case. Earlier today we heard a speech by the member for Dorval—Lachine—LaSalle. At least four different members of the opposition asked that government member why this bill does not extend the access to information provisions to the Prime Minister's Office and ministers' offices. There was no answer to that question. It is a pretty important question that we should be hearing some sort of a response to from the government side, if not from that particular member of Parliament.

This broken promise is becoming part of a pattern. We see the government's broken promise on electoral reform, the repeatedly stated notion that 2015 would be the last election conducted under first past the post. That is a very blatant broken promise.

We had the promise to close the loophole that allows half of the value of stock options to be exempt from personal income tax, which is another very clear promise the government has broken.

We had the promise to restore door-to-door mail delivery, again going back to the government operations and estimates committee. I was part of the committee that reported on the future of Canada Post and, indeed, recommended a restoration of home mail delivery. Many months later, the cabinet has still not responded to that report, which suggests to me that it is planning to break its promise on door-to-door mail delivery. At a minimum we can say that the government has not yet kept that promise. That is as charitable as I think I can be on that point.

We have a problem with the scope of proposed access to information measures for not including the Prime Minister's Office and other ministers' offices. This bill does nothing to correct that problem, much less keep the Liberals' promise to do so.

The second thing I want to talk about is exceptions to the act. Despite the idea of the right to know, the government can fail to provide information in a variety of ways. One of them, of course, is by delaying the release of information. In some cases, an extension of up to 200 days can make a pretty material difference in how useful the information is and to what purposes it can be put. I would just note that this bill does not do very much to correct those delays in releasing information.

Other exceptions to the act would include cabinet confidences and advice to ministers. Those sorts of things are fairly blanket justifications that the government can invoke to not provide certain information. Almost anything can be labelled “advice to the minister” or a “cabinet confidence”. The bill does nothing to correct those problems either.

Worse, the bill actually adds new grounds on which the government can refuse to provide information. Specifically, the bill would allow the government not to respond to frivolous requests or requests for information that are deemed to be in bad faith.

Earlier today my colleague, the member for Sherwood Park—Fort Saskatchewan, did an excellent job in making the point that it is not reasonable for some government official to be in a position of having to determine the motivation of the person requesting the information. It is a very odd thing to expect that someone in the public service could determine whether or not a request is in bad faith, and reject it on that basis. I would add that to the list of questions we have not really heard much of a response to from the government today.

● (1525)

We have heard, however, a couple of times an example from the government side of what might be deemed a bad-faith request. In presenting this bill at second reading, the President of the Treasury Board gave the following example: “if an ex-spouse ATIPs his or her former spouse's work hours on a daily basis or their emails.” We also heard the member for Vancouver Quadra repeat that example in the House today.

Government Orders

This example is actually about privacy, and if we just use the acronym ATIP that the President of the Treasury Board used, it stands for access to information and privacy. Certainly we need to protect the privacy of people who work for the federal government and, indeed, of all Canadians, on whom the federal government may possess personal information. However, I would say that privacy protection should not be contingent on whether the request for information is deemed to be in bad faith. Therefore, this is actually quite a poor example from the government side. It would be a good example in favour of adequate privacy protections, but it is a very weak example in defence of this good-faith requirement to access information, because people need to have privacy rights that are very much separate from whether a request for their information is deemed to be made in bad faith. Again, the example that we have heard repeatedly is really about privacy provisions; it is not about being able to reject access to information on the grounds of bad faith. If there is a member on the government side who would like to ask me about that, I would be happy to discuss it further and perhaps consider what the government is really trying to get at here.

A third point that I want to delve into is the difference between proactive disclosure and access to information. Over the last couple of days, it seems that proactive disclosure is emerging as a new Liberal buzzword. It has not yet quite attained the status of the phrase, “the middle class and those working hard to join it”, and it maybe has not quite attained the status of a “whole-of-government approach”, but we have heard a lot about proactive disclosure. I was a bit surprised and disappointed that no member of the government has yet stood to say that this bill would provide a whole-of-government approach to proactive disclosure to benefit the middle class and those working hard to join it, because it was a missed opportunity to tie together all of the best buzzwords from the government side. However, the Liberals do have some speaking slots remaining today, so perhaps there is a member on the government side who is up to that challenge.

However, in all seriousness, when we talk about proactive disclosure, a cynical interpretation would be that if the government is required to disclose all of its briefing books, that would put officials in the position of essentially having to draft special briefing books for public consumption. I think there are limits to the value of proactive disclosure, but we can all agree that proactive disclosure is on balance a good thing. I do not think anyone on the opposition side is objecting to the concept of proactive disclosure, but certainly what we are saying is that proactive disclosure is no substitute for access to information, because proactive disclosure allows the government to prepare certain documents for public consumption and then put them out publicly. That is fine, and it is better for the government to do that than for it not to put forward material for public consumption. However, access to information is quite a different concept. Access to information is about giving citizens access to documents the government does not want to publish. Access to information is about giving citizens access to documents that were not prepared for public consumption. Therefore, while it might be a good thing to expand the scope of proactive disclosure, it is in no way a solution to the problems we have with access to information.

• (1530)

It is important in this debate to make a really clear distinction between proactive disclosure, which the government has been

touting and talking a lot about, versus access to information, the right of citizens to access material the government is not putting out publicly. We need to keep those things separate. This piece of legislation amending the Access to Information Act really should be judged on the basis of whether and how much it improves access to information, not on whether the government might also be doing some decent things in the area of proactive disclosure.

I would like to reiterate. I started off by saying that for me, this whole debate is very much informed by the work I have done on the government operations committee, specifically our study of whistleblower protection in the federal public service. We heard heart-wrenching stories of Government of Canada employees and contractors who lost their careers and their livelihoods by bringing forward information that was relevant to our democracy and to the governance of our country. If we have whistle-blowers out there making those kinds of sacrifices for the good of Canada, then surely it is incumbent on us as parliamentarians, on both sides of the House, to do everything we can to get the best possible access to information system so that as far as possible, information that is relevant comes out through that system, rather than requiring our fearless public servants to make these sacrifices as whistle-blowers.

That is the overall context for this debate and why it is so important to get this legislation right rather than saying that it is maybe a slight improvement over the status quo and maybe we can improve it at committee or in five-year reviews. This is a critically important thing. It is being redone for the first time in three decades, so we need to do a lot better. We need to have the best possible access to information system in our country.

I talked about three different aspects of the bill.

First was the scope of it, which continues to exclude the Prime Minister's Office and ministers' offices. The Liberal promise during the election was to extend access to information to include the Prime Minister's Office and ministers' offices. When the member for Winnipeg North stands up and says that the bill is consistent with what the Liberals talked about during the election or what they heard on the doorsteps, I do not know what he means, because it clearly does not implement what was in the Liberal platform.

Second were exceptions from the act. To me, exceptions include delays and the ability to exclude information based on cabinet confidence or policy advice to ministers. Thanks to this bill, those exceptions would actually be increased to include what are deemed to be frivolous or vexatious requests for information. As I pointed out, the one example we have heard in support of this point is really an example of the need for privacy protections, which should be there whether or not the claim for information is in good faith. That example does not stand up, and I am hoping that the government can bring forward something a lot more credible in support of this notion that officials should be able to reject access to information requests on the basis of some evaluation of the motives of the person making the request.

Government Orders

The final thing I talked about was the difference between proactive disclosure and access to information. Both might be good things, but they are not the same thing. We cannot allow the government's claim to be doing more proactive disclosure to overshadow the fact that it is not doing much at all to improve access to information, which is what the bill is supposed to be about.

• (1535)

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, I listened with interest to the comments of the member for Regina—Lewvan, and I want to thank him for the measured, substantive approach he is taking to debate on this very important matter of improving our access to information process in Canada.

He made the point several times in his remarks that there is really no connection between the provisions to require proactive disclosure and access to information. I want to say that I could not disagree more. One of the key complaints about the access to information system, and one of the failures of the system, is the number of access to information requests that are not answered within the statutory time frames, as much as attempts are being made to do so. Why is that? One reason is that there are so many requests today. In fact, 10% of all the requests made in the 34 years this regime has been in place were made in just one recent year. There are an overwhelming number of requests.

What proactive disclosure will do is reduce the number of requests, so it goes directly to the heart of that key challenge for our access to information system's timeliness and effectiveness.

If proactive disclosure is required, not just policy, and it covers 240 institutions, plus members of Parliament, senators, the Prime Minister's Office, institutions of Parliament, and the courts, does the member not believe that this will actually directly assist in the improvement of access to information?

• (1540)

Mr. Erin Weir: Mr. Speaker, I did not say that there is no connection between proactive disclosure and access to information. I said that proactive disclosure was not a substitute for access to information. Of course there is a connection. If information comes out through proactive disclosure, there might not be the need for it to come out through access to information.

There are also connections to the whistle-blower protection system, as I mentioned. That is another way government information can come forward.

Of course, there are many channels through which government information can become public, and there is some interplay between all those channels, but even if I agree with everything the parliamentary secretary has just said, that more proactive disclosure could reduce the number of access to information requests, we still need better rules for how the government handles those access to information requests. Simply reducing the number of access to information requests is not the goal. The goal should be to improve the way in which those requests are processed so that the maximum amount of information is released in a timely manner. For example, the bill gives the government new excuses for not divulging information. That is a problem, and it is not solved by more proactive disclosure of other information.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, I have a lot of concerns about this legislation, because it has been our experience already that the government is not being open and transparent. We can remember, on the carbon tax, when we requested information, that the Liberals blacked out information parliamentarians should have had access to. Constituents in my riding have put in access to information requests and have had to put them in 20 different times to get the actual answers to the questions.

I fear that there is a huge loophole here for the government to not be transparent, and I wonder if the member could comment.

Mr. Erin Weir: Mr. Speaker, I certainly agree that there are big problems with our current access to information system. It is difficult for citizens to get government information, and often there are lengthy delays in obtaining that information, even when it is disclosed. My concern about the proposed bill is that it does not solve those problems. It does not solve the problem of delays. Maybe the parliamentary secretary is suggesting that by possibly reducing the number of requests, other requests could be processed faster, but there is no actual requirement to process requests faster.

The problem we often see is that government departments wait until the very last minute to provide the information. They wait until the deadline, and there is really nothing in this legislation to shorten that period in a significant way or to provide some onus to disclose the information more quickly when it is feasible to do so.

There is also the problem in the bill of giving the government yet more excuses to not release the information at all, including this very nebulous requirement that the request somehow be made in good faith, which I think would be a very difficult thing for the government to judge, even if it were acting completely in good faith.

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, it was a Liberal campaign promise to include the Prime Minister's Office and ministerial offices in the Access to Information Act. It was a directive in the mandate letter to the minister. It was the subject of at least five private member's bills, in the previous Parliament, brought forward by New Democrats.

I would like to hear from my New Democrat colleague what is lost, given the government's failure to include the PMO and ministerial offices in Bill C-58.

Mr. Erin Weir: Mr. Speaker, clearly the Prime Minister's Office and ministers' offices are places where key decisions are made. A lot of the information citizens would want to access pass through those offices.

The fact that they are not subject to access to information is a huge loophole in the current system. It is a problem that has been identified by many outside experts and by non-profit organizations focused on access to information. It is also a problem that was identified by the Liberals themselves. In the election, they promised to extend access to information to the Prime Minister's Office and to ministers' offices. This bill clearly does not do it. Furthermore, we have not heard any kind of explanation from the government as to why it is breaking this promise.

Government Orders

● (1545)

Mr. Lloyd Longfield (Guelph, Lib.): Mr. Speaker, I really appreciate the level of detail the member brings to this House from the committee work he has done.

If we are able to put information online and have less of a load on the departments, would that not help alleviate some of the member's concerns around whistle-blowers?

Mr. Erin Weir: Mr. Speaker, once again, proactive disclosure can be a good thing. However, I would suggest that it is extremely unlikely that the government will proactively disclose the kind of information that is being brought forward by whistle-blowers. It is very unlikely that the documents the government prepares for proactive disclosure will actually encompass the kind of information that people come forward and blow the whistle to release. That is why it is so important to strengthen the access to information system far more than this bill does. If we strengthened it and citizens could actually get the information, there might be less need for public servants to have to go through the whistle-blower process.

I think that improving access to information certainly could help to alleviate some of the pressures on the whistle-blower protection system. I am skeptical that more proactive disclosure will do so, even though I would agree with the member across the way that proactive disclosure can be a positive thing.

[*Translation*]

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, today, September 25, is Franco-Ontarian Day. I want to extend my best wishes to all Franco-Ontarians and to honour this important day by beginning my speech in French.

Bill C-58 authorizes heads of government institutions to decline access to information requests if they are vexatious or made in bad faith. Those subjective criteria will be used to decide who gets access to information. This bill gives the Information Commissioner more power, which makes it much harder for those seeking access to information to obtain an investigation. In essence, this bill will make it harder for Canadian citizens, media, and opposition party members to access information. Do we live in an open and democratic country?

I would also like to point out that the Prime Minister promised the Access to Information Act would also apply to cabinet and the Prime Minister's Office. Bill C-58 is just another example of what Canadians already know: the Prime Minister is not a man of his word. He simply does not keep his election promises.

[*English*]

Suffice it to say, here we are. It is Monday, we are in Ottawa, it is hot, I am speaking, and we are discussing another broken Liberal promise. Therefore, despite the summer, not much has changed.

Before I go too far into the substance of this bill, being back from the summer and having not had the chance to do so yet, I want to quickly pay tribute to my friend Arnold Chan. It was an honour to serve in this House with him. One of the things that has not been mentioned in his many tributes is his great service as the chair of the Canada-Armenia Parliamentary Friendship Group. It was through the group that I was able to get to know him. His commitment to that cause showed his character, his willingness to invest in Canada's

relationship with a relatively small country, yet a country that is hard pressed because of the challenges it faces with its neighbours. His commitment to engaging with that cause showed his principled approach to politics. I wanted to make sure that was mentioned as well. I certainly would associate myself with all of the tributes that have been made recognizing his contribution to this place, his commitment to raising the standard of debate, and the other very important things that were said.

To the issue at hand, we are debating a government bill that would make various changes with respect to the access to information regime. I was not here for much of last week because I was in New York. I had the pleasure of going to some UN meetings with the President of the Treasury Board, as part of the Open Government Partnership. It was an interesting week, leading up to where we are today debating this bill, to have and to hear some discussions with our international partners specifically about the question of open government, of the access of citizens to government.

I was particularly struck by a presentation that was made by the President of Estonia. She was talking about the link between open government and trust. She made the point, and it is obviously true if one digs into it, that the mechanisms of open government, the structures and institutions of open government, can really only have meaning and be effective if they are associated with a culture in which people trust and have reason to trust the government. People are not going to share information with a government that they do not trust. They are not going to trust the quality of the information that they receive if there is not an underlying sense of being able to rely on the information, that they can rely on its word and on its commitment to a credible process. In other words, open government is a process, but it is also about a mentality, not just about a set of institutional changes. That was the case that she made, and I found it resonated with me and many of the other people in the room.

● (1550)

I say that because it is particularly paradoxical today. We are debating a bill that purports to be about the opening up of government, where the government is breaking faith, breaking trust, with the people who elected it by going back substantively on a promise. Of course, as colleagues of mine have said, we have seen many cases of the government breaking its election promises. However, it is particularly notable in this case when we are discussing an area that is supposed to be all about trust, about open government. The government is saying it is trying to open it up, and at the same doing it in a way that undermines a clear election commitment that it made.

Government Orders

Unfortunately, the government's unwillingness to take the promises it made seriously has undermined many people's trust in government and faith in the political process. Therefore, for those in the House who are interested in substantively advancing the values of open government, it is not just about institutional changes and structures, it is about following through on one's commitments. It is about respecting the trust that people have given, which is the basis for open government, as well as some of these institutional changes. I want to put that out as a kind of contextual framework for the conversation. Again, I think people would be disappointed anytime that they see the government breaking promises. There have been many instances of that, but when it is a process around open government, it is particularly ironic, and goes that much further in undermining people's trust in government.

Having said that, in terms of an introductory set-up, I will talk about the substance of the legislation.

Bill C-58 deals with access to information, which is the right that citizens have to file requests to the government to get information about what is happening inside of government. This is information that may not be proactively disclosed but that may be available. It is an important tool for opposition parties that are holding the government to account. Accessing information from the government is something that we do on a regular basis. It is also something that civil society organizations, academics, and ordinary citizens do. People have a range of motivations for accessing the information. As I said earlier in questions and comments, and I will come back to it later, it is not for the state, for us as parliamentarians, or for government ministers to judge whether someone's desire for accessing information is reasonable or justified.

The law ought to prescribe people having a right to certain information, to know how government operates and what the government is doing, and then it is up to them to decide how, when, and for what to use that information. I think that is an important principle. Obviously, certain information cannot be made available through access to information requests. However, we should not try to create a situation where the government is evaluating people's motivation and subjectively being able to determine whether it will give that information, based even on who the person is making the request.

Bill C-58 proposes various changes to the framework for access to information. I will mention a few of the particular aspects of it, and then I want to develop them.

There was a promise from the Liberals during the last election campaign. They said that they were going to extend access to information to activities within ministers' offices and within the Prime Minister's Office. This proposed legislation would not do that. The Liberals are breaking their commitment to having access to information include ministers' offices and the Prime Minister's Office. Unfortunately, they are going back on a very clear commitment yet again.

Under the proposed act, we would have a situation in which the government could refuse any access to information request that it regards as being vexatious, made in bad faith, or as a misuse of the right to request information. However, when we think about a vexatious request or a request made in bad faith, it is according to

whom? In a free society, an opposition party, a member of the media, or a third-party organization might make an access to information request for no other reason than because they wish to politically embarrass the government. Certainly I would never make an access to information request along those lines, but I have heard of this maybe happening.

• (1555)

It is part of free democratic debate that people can access that information and use it as they see fit. With regard to exposing what is happening in government, even if the motivation of the person is purely to embarrass the government, that embarrassment may well be in the public interest, for the public to know what the government is doing behind closed doors and to hold the government accountable for that.

However, it begs the question of vexatious and in bad faith according to whom, because generally we accept that open information is in the public interest. It is consistent with the comment that the information be out there regardless of why it was requested in the first place or who is accessing it. The paradoxical situation envisioned by this is one in which perhaps I, as a member of the opposition requesting certain information, could be denied that information on the outlandish assumption that I am requesting it in bad faith, but that with someone else who requests exactly the same information, it is going to be presumed that they are not.

It invites the government to make determinations on the basis of motivation. However, more than that, it gives it the subjective power to make that determination. It may well be that it would claim that a request for information is vexatious or in bad faith, when in reality it is simply that the government department or minister in question does not want to see that information go out.

This is a problem. This is a troubling standard or mechanism for making determinations on what information goes out. We have the breaking of a promise and we have the introduction of a subjective standard that asks the government to psychoanalyze the motivations of the person seeking that information. These are two very clear and strong reasons for why not only our party but the NDP as well are opposing this. We both feel that these things are concerning.

Folks may have a range of different opinions about who and what should be subject to access to information, but the reality is that the Liberals, when they were in the third-party position, had the ability to engage in those debates internally, to think about what was and was not appropriate in the context of access to information, and to put their conclusions into their platform. That was what they offered to the Canadian people as their commitment of what they were going to do and how they were going to move forward. It was clearly there, and yet they went in the other direction. They totally reneged on it.

I want to note that this is not the first time we have seen the government break its election promises. There may be a record being set right now by the government in terms of the complete disregard for its election promises. Probably the most well-known and discussed example is the Liberals' commitment with respect to changes to the electoral system. They said that 2015 was going to be the last election under first past the post. Unless someone is planning for us to stop having elections, that promise will not be kept.

Government Orders

The Prime Minister, in the context of pulling back and declaring his intention to break that promise, said something to the effect that they were going to do what they felt was in the best interests of Canadians, not simply try to check a box on a platform. It begs the question then of what in the world the point of the platform was in the first place. The Liberals are supposed to make that public interest evaluation before they make the promise. They are not supposed to make whatever promises they think will get them elected and then make a public interest evaluation after that. That is the whole point of elections. The public evaluates what we put in front of them and makes that determination.

We were saying at the time that if we were going to change the electoral system, we would need to have a referendum. The government was somewhat unclear, but it was trying to get a particular result in terms of an electoral system, a runoff ballot. It became clear in the consultation process that nobody really wanted it. There were people talking about proportional representation, about the status quo, but it was only the Prime Minister and those around him who were talking about this runoff ballot.

● (1600)

When the government realized that it was not going to get that, rather than having a referendum, rather than taking seriously the recommendations of the committee, it decided it was just going to tear up the whole process. This was a broken promise that broke trust in the government. It left a lot of people disappointed and cynical about whether or not the platform commitments were meaningful.

On a lot of people's minds right now is the government's plan to change the system around small businesses and significantly increase the taxes they face. I should remind the government that this is also at odds with an election promise. It is hard to believe now that they promised to reduce taxes on small businesses. They have not talked about that one very much.

All three of the major parties in the House promised to move us to a small business tax rate of 9%. Then the government effectively raised taxes on small business initially by saying it would leave the tax rate at 10.5%. That was one broken promise to small business.

The Liberals also eliminated the hiring credit, which was specifically an incentive to encourage hiring. It is not something that I heard about from the Liberal candidate in Sherwood Park—Fort Saskatchewan during the last election. Did they say they were going to eliminate the hiring credit for small businesses and make it harder for them to hire people? What about that idea? It did not come up in the forums. It did not come up in what they were saying while knocking on doors.

Not only did the government take those steps, but now it is contemplating the largest change to the tax code that we have seen in a long time. It is a change that virtually everybody is against. Not a single person has contacted my office in favour of the proposed changes. Probably now that I have said that, somebody somewhere will, but I have received an overwhelming amount of correspondence in opposition to these changes. This completely goes against the commitments that the Liberals made. During the election they talked about lowering taxes for small business.

The Liberals made other major economic promises.

They made a clear commitment to run \$10-billion deficits in each of the first three years they were in government and then balance the budget in the final year. We did not think that was particularly prudent even as explained, but it was what they described as modest deficits. They have completely blown those numbers out of the water, by orders of magnitude. We are looking at not three years of projected deficits but at decades of projected deficits under the current plans of the government. As usually happens, it will take a Conservative government to clean up that mess.

It is hard for me to imagine how government members justify this flagrant dishonesty, whether we are talking about the commitments made with respect to ATIP that are now being ignored, the commitments made with respect to electoral reform now being ignored, balanced budgets now being ignored, or the protection of small business now being ignored. There are many other less publicized but still important examples of the government not respecting its commitments.

The Liberals stand up before voters and tell them what they are going to do, but as soon as they get into power, they come up with all kinds of excuses. On the economy, they usually say the situation has changed, that they did not quite anticipate how bad things were, but we could look at all of the independent analyses that say the budget was balanced before the Liberals came to power. The information that shows there was a surplus when the Liberals took power was there, and it is still clearly there.

With respect to ATIP, there is just no explanation, because there is no plausible claim that circumstances on the ground have changed. We are not talking about something that changes without the government changing it. The Liberals are making a decision to renege on their promise.

In the time I have left, I would like to highlight one more time that the government can refuse any ATIP request. Its only justification has to be that it suspects the good faith of the person making that request. I suspect that after this legislation passes, we will have many opposition ATIPs, many civil society ATIPs, many media ATIPs for which the motivation of those putting them forward will be suspect.

● (1605)

In a free society, government does not deny people information because it does not think their motives are pure enough. That is not how open government is supposed to work. That is not how government builds trust.

On that basis, we are opposing this bill.

Government Orders

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, the remarks from the member for Sherwood Park—Fort Saskatchewan give me yet another opportunity to celebrate the fact that our government is keeping its promise made in the election by putting forward amendments to the Access to Information Act—for the first time in 34 years, I would remind the member opposite—and doing essentially what we had promised, which is giving order-making powers to the commissioner, making investments to improve timeliness, and putting the Prime Minister's Office, ministers' offices, and many other offices under the act through the proactive disclosure measures that will address the kinds of information that are most frequently requested in access to information, thereby reducing the gumming-up of the system.

It is also important to contrast what our government is doing with what the previous government did. The member may not have been there. I would like to draw his attention to the Information Commissioner's report of 2014 and her findings and recommendations, in which she investigated interference by political staff in the access to information process. Her first main conclusion is that there was improper involvement of ministerial staff members in the processing of five out of the eight access requests that she was sampling and reviewing in depth.

This is a case in which ministerial staff who had no authorization were rescinding the provision of information that the ATIP staff people had already agreed to disclose.

Second, what was also happening was a failure to comply with statutory duty to assist. For the member's information, just to make sure he has a balanced view of what is going on here, the ministerial staff who were not authorized in any way to be involved with this were holding up access to information packages that had been prepared by the department and were ready to go. They were holding them up from five days to a month for political reasons.

I could go on, but I would like to ask the member a question on this very constructive approach to reviewing and revising this act. Will he be part of a positive approach in terms of fine-tuning and bringing forward the ideas he has to the committee, where he could present them to a government that actually listens in committee and considers amendments?

• (1610)

Mr. Garnett Genuis: Mr. Speaker, that was an unusual intervention from the parliamentary secretary, to say the least.

She told the House that the government is doing “essentially” what it had promised. I am not sure what “essentially” means in that context, but that appears to be quite a modifier, because clearly the government is not doing what it promised. If it is doing essentially what it promised, perhaps that is supposed to remind us that it is doing the opposite of what it promised.

Let us be very clear: applying proactive disclosure to ministers' offices and the Prime Minister's Office in certain particular narrow cases is not at all the same or even close to allowing the public to use access to information in ministers' offices and the Prime Minister's Office in the same way that it would for other parts of government.

In contrast to the clear statements in the Liberal platform, this legislation treats ministers' offices and the Prime Minister's Office in a completely different way. It does not in any way apply the Access to Information Act to them. It is misleading. What the parliamentary secretary has said is essentially untrue.

I am not going to say that the handling of ATIPs was always perfect under the previous government, although I think the parliamentary secretary exaggerates the point. However, let us be clear about what the legislation is proposing to do. It is proposing to now give the government the power to deny any claim. In other words, it gives them the ability to interfere, to block access to information requests on the basis of specious claims or vexatious claims or bad faith or bad motivations.

The government is changing the nature of the system to make it worse. That is completely different from anything that was even alleged to have happened in the past.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I listened closely to my colleague's speech, and I share many of his concerns. However, I was taken aback when he said that only a Conservative government can set things right.

We are talking about a bill that has not been amended in 35 years, so I wonder why it is that nothing happened under the Liberals or the Conservatives and why it was not until NDP members introduced bills to update the Access to Information Act in 2006, 2008, 2011, and 2014 that things stabilized.

[*English*]

Mr. Garnett Genuis: Mr. Speaker, the important point to underline with respect to access to information is that the government made clear commitments with respect to changes that it said were in the public interest, and many people voted for the Liberals on the basis of those changes. Those were not commitments that the Conservative Party ever made. We made a range of other commitments in our previous election platforms, and almost without exception, we kept the commitments we made to Canadians.

My point with respect to those particular changes is that one can debate the pros and cons about allowing access to information requests in political offices, but at the end of the day, this was something that the party opposite very clearly promised to do and that we now know it has no intention of doing.

• (1615)

Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.): Mr. Speaker, I know the member for Sherwood Park—Fort Saskatchewan to be very earnest—at least, I believe he is—and I enjoy listening to his speeches, but I have to say in that light that I am surprised he takes issue with the definition of “vexatious” and the commissioner's authority with respect to that.

Government Orders

I say that for a couple of reasons. First, we know that vexatious requests plug the system up. We know there are requests that are vexatious and that as a result other legitimate requests become plugged up, and it then takes time for those requests to be responded to. As someone who has been on the other side of an FOI request, a freedom of information request, I know what is involved in terms of someone making a request. It is time-consuming and it takes up a lot of energy, which is misused when looking at vexatious requests.

I am asking the member what alternative he would suggest for dealing with situations of vexatious requests that will not be helpful at all. I do not agree that we have to necessarily go to the assumptions of the people making the requests. What alternative can he provide that would stop the system from being gummed up by these sorts of requests, resulting in delays that are not fair to other people who are waiting with legitimate requests?

Mr. Garnett Genuis: Mr. Speaker, there are a few points on that.

It was interesting that even in exhorting us to be aware of the problem of vexatious complaints, she did not provide any kind of definition for “vexatious”. That is the problem, is it not? It is a difficult thing to define, and it will be defined subjectively by the government.

She mentioned that a lot of resources are used. A lot of resources are used in terms of any access to information request, not just ones that are “vexatious”. That is the price of living in a free and open democracy. Parliament consumes a lot of resources as well, and I think most of the time they are well spent.

In terms of alternatives, my friend, the member for Durham, made some excellent points about how the cost structure could be made to better reflect the costs of developing responses and to act as something of a disincentive. In other words, if someone is asking for a great volume of information, then perhaps there is a way of building that into the cost structure that does not deny the person the right to access that information but is reflective of the reality of that cost.

In any event, I think that for the government to be able to choose to deny, period, those requests on the basis of potentially specious claims of vexatiousness is uncalled for in a free and open society.

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Brandon—Souris, Taxation; the hon. member for Sherwood Park—Fort Saskatchewan, Human Rights; and the hon. member for Bow River, Taxation.

Resuming debate, the hon. member for Edmonton West.

Mr. Kelly McCauley (Edmonton West, CPC): Mr. Speaker, I will be sharing my time with my hon. colleague from Calgary Heritage.

I am pleased to speak on Bill C-58, which would amend the Access to Information Act and the Privacy Act, also known as another broken Liberal promise hidden behind talking points peppered with key words like “open by default”, “transparency”, and “historic”. That is just the working title.

This bill demonstrates once again that the lofty rhetoric of the 2015 campaign on openness, transparency, and accountability was just that: rhetoric. Rhetoric is defined as language designed to have a persuasive or impressive effect on its audience, but often regarded as lacking in sincerity or meaningful content. That is pretty much what we have here with this bill.

That said, there are components of the bill I agree with. First, giving the information and privacy commissioners more resources to do their jobs properly and more power to do them effectively are both good. In her recent annual report, the Information Commissioner described the current condition of access to information succinctly as, “there is a shadow of disinterest on behalf of the government” in transparency and accountability. Her conclusion was no more complimentary in stating “that the Act is being used as a shield against transparency and is failing to meet its policy objective to foster accountability and trust in our government.” Hopefully she can use the minor positive changes in this bill to transform the act into something more meaningful, because that is essentially where the good parts stop.

Moving on to the bad, let us first talk about some of the problems with the current system. Timely access to information is a key characteristic of a well-functioning democracy. The word I want to underline in this statement is “timely”. If an access to information request takes months or even years to fulfill, the government has failed in its responsibility to be accessible. This legislation does not prevent requests from taking months or years to be completed, but, amazingly enough, enables the process to take even longer. That is unacceptable.

I am an avid user of the Access to Information Act. In the year and a half since I was elected, we have submitted over 60 ATIPs. I freely admit that we like to take advantage of the opportunity to get information from the government. Take my words seriously when I say that the Liberal government is unbearably slow in responding to ATIP requests.

As I mentioned, since we were elected we have filed over 60 requests, and only half of them have been completed. Some were filed in March of 2016 and remain outstanding over 18 months later. Here are some of the other outstanding requests: as mentioned, March 17, 2016, 18 months; August 19, 2016, 13 months; September 2, 2016, happy birthday to it, as it has been over a year now; two filed on January 31, 2017, nine months; and April 6, 2017, five months. We have over a dozen ATIPs that we filed in the last four months that are still outstanding.

The government promised to be better, to set a gold standard and exceed it by a mile. Exceed it? It still has not left the starting blocks.

Government Orders

What has been the government's response to this? It wants to give heads of government institutions the ability to decline requests on the basis that they are vexatious or made in bad faith. Who is going to define vexatious? Who is going to ensure that the government heads are not declining requests that are vexatious to the government or departments because they would embarrass them and are in fact requests for information that the public needs to know, such as our ATIPs on the Phoenix issue that showed very clearly that the government was told two months before it pulled the trigger on Phoenix to clear the backlog, which it ignored? Under these rules about vexatious requests, the department would have been able to cover that off.

Another ATIP we had on Phoenix had the CFOs from literally every single government operation—Transport, Public Services, Agriculture, Finance, and Revenue—all stating very clearly not to go ahead with it, that the training and testing were not done. The government went ahead. Again, without ATIPs we would not have found this. Giving the department heads or the government the opportunity to block that would cover this all up.

At a legislative briefing back in June, my staff asked the Parliamentary Secretary to the President of the Treasury Board if ministers would be able to decline requests using the same clause. The parliamentary secretary refused to confirm that ministers would not have that power. This is ridiculous. Theoretically, every request filed by someone not in the government is vexatious or made in bad faith in a way. The government has so far worked incredibly hard to hide anything it can, everything from errant ministerial limo expenses to deep-pocketed donors to the Prime Minister and the proper analysis completed by the department on which the policy was based, and the true cost of the Prime Minister's vacation to a billionaire's island.

• (1620)

I have no doubt that it will use these new, poorly defined and inadequately described powers to declare as much as it can to be in bad faith. Never fear, the Liberals say, if a person disagrees with the Liberal denial, he or she can appeal to the commissioner or go to the courts. The latter is truly laughable. As we have heard repeatedly, the court system is so bogged down with cases and understaffed by qualified judges, almost exclusively because the government is unable or unwilling to appoint judges for some reason, that accused murderers are being set free. I spoke to a lawyer the other day who was complaining that it was taking him four years to get a single court appearance for a civil case and that the government was saying that if he has an issue with that he can go to the courts to get timely access. I do not think so.

My point is that the system of denial, appeal, denial, appeal could take a process that already takes upward of 18 months or more and counting to two years, three years, or four years. The beauty of this legislation for the government is that there is no upper limit on timeliness. However, it is not the same for the public or the opposition. The government claims that it is ensuring it is open by default. That is patently false. Open by default would include setting an upper limit, after which the government releases the requested information. This legislation ensures that the Liberals can continue moving the upper limit as long as is politically convenient.

The next ridiculous provision is proactive disclosure. This one is great to discuss, as the minister touted proactive disclosure in his press conference introduction and was lambasted by the media for his excessive optimism. The legislation tends to create a new part providing for the proactive publication of information of materials related to the Senate, the House, parliamentary entities, ministers' offices, etc.

I will quote John Ivison for the *National Post* because he summarized these provisions better than I can. He stated:

The information that will emerge from briefing notes or Question Period binders is sure to be as sanitized, and therefore useless, as the average sterile government press release.

Having read numerous iterations of the question period binders for the Minister of Public Services and Procurement, I cannot imagine what an even more sanitized book would look like. I wish I shared the optimism of the President of the Treasury Board in his belief that the legislation will produce any outcome other than what was predicted by John Ivison. The Liberals believe that proactive disclosure will help ensure that governments remain more accountable, and the legislation includes publishing ministerial mandate letters to confirm the government's priorities. Theoretically, this will make it more difficult for the Liberals, or any government, to cavalierly disregard its promises.

How did that work out, practically speaking? Does publishing mandate letters force the government to keep its promises? Remember the debt and deficit promise? That was in the finance minister's mandate letter, which was blown off. The electoral reform promise was in the democratic institutions minister's mandate letter, which was blown off. What about the promise to fix Canada Post, which was in the public services and procurement minister's mandate letter, and to complete an open competition for the fighter jets within the mandate period before the mandate finished in 2019? Maybe it should have said to commit to a sole source purchase of an almost out of production plane with absolutely no parts made in Canada, and at the same time start a trade spat with Boeing, and to make sure to use taxpayer money for bonuses for the billionaire owners of Bombardier. I think that is a promise the minister can keep from the mandate letter. What about the promise to modify the Access to Information Act and Privacy Act? That was in the Treasury Board Minister's mandate letter and is also a failure.

The Liberals have clearly demonstrated that they do not care about mandate letters. They will disregard whatever promises happen to be inconvenient at the time. So much for proactive disclosure.

John Ivison summed up his thoughts decisively when he stated:

It's a farce, and...[the minister] has been around long enough to know the changes he's just unveiled will not make the slightest difference to helping citizens understand the government for which they pay so richly.

That is it. Apart from a few other minor amendments, that is all the legislation intends to do. Have the Liberals lived up to their promise to bring the legislation into the 21st century? I will let the House know when I get my ATIPs back, perhaps sometime in the 22nd century.

Government Orders

•(1625)

Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.): Mr. Speaker, I note with interest that the member opposite complained about the length of time it takes to receive the information requests that have been put in. With all due respect, I would like to remind the member that it was his party that was in power over the last 10 years and did nothing about it. However, parts of this legislation go to the very concern the member has about the time it takes to access the information. We know that proactive disclosure will apply to the Prime Minister's Office, the ministers' offices, and the officers of Parliament. As well, the commissioner will have the ability to render certain requests vexatious or having been made in bad faith. These measures will help with the timing and processing of the requests made, which is the member's concern. Therefore, if he does not agree with these measures, what solution can he offer to speed up these files? I hope his response will differ from the suggestion by the member for Sherwood Park—Fort Saskatchewan that the rich can pay while the poor are just out of luck.

•(1630)

Mr. Kelly McCauley: Mr. Speaker, my suggestion is that perhaps once in a while the government could keep its promises on this issue. The whole government, including the member, appears to have a bad case of “whataboutism”. Every time an issue is brought up about its failed and poorly thought out legislation, it responds with, “But what about you guys 30 years ago? What about when Mulroney was in power; why didn't you fix it then?” I hate to mention to the member that it is incumbent upon the Liberal government to be responsible and do things properly to fix it. It cannot just throw out horrible legislation and say, “Yeah, it's lousy, we admit it, but what about the fact you guys didn't fix it 10 years ago?” It is shameful that it is suffering from “whataboutism”. Perhaps it should look at addressing the issue and this bad legislation.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, I want to comfort my colleague by letting him know that I have put in a few ATIPs and did get answers back. However, they were all talking points, blah, blah, blahs and not worth receiving.

The question I have for him has to do with what people can do. In his speech he talked about the commissioner and the courts. The concern was that the courts are letting murders and sex offenders go because it appears that the Minister of Justice cannot appoint enough judges. I have that concern too, because we have discovered from studying the marijuana legislation that all charges for cannabis possession will be dropped after a year. Based on the time of year, that is like saying that nobody will be charged for anything.

However, I am wondering if we still have a commissioner. I think we were missing a few commissioners. Could the member comment on that?

Mr. Kelly McCauley: Mr. Speaker, although this is embarrassing, I will be honest and say that I do not know if we have a commissioner.

We have been fighting for a lot of these ATIPs for so long. We have sent letters to the commissioner on five separate occasions complaining about the government's dragging its feet on releasing these ATIPs. It scares me to the bone to think that this legislation will

give the government the opportunity to push away any ATIP it wishes by declaring it to be in bad faith or vexatious.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I would like to know if my colleague who just spoke to Bill C-58 thinks that this Liberal bill lacks substance, much like the image the government has been promoting for the past two years.

It feels like the next Liberal speaker will use the phrase “a step in the right direction”. The thing is, a step does not get us very far. At best it transfers our weight from one leg to the other, but it does not move us forward.

Does my colleague truly believe that in committee the Liberal government will be open enough to accept the substantive amendments that will allow us to take several steps forward, considering that we are 35 years behind?

[*English*]

Mr. Kelly McCauley: Mr. Speaker, I would hope that when the bill gets to committee it will be treated with the respect and urgency it deserves. However, I am concerned that, apart from being massively afflicted with “whataboutism”, when the Liberals read through the 48 pages or 50 pages of legislation and it gets ripped apart, they will just say, yes, we know this and that is wrong, as is their habit. However, can they not at least give us this bit and say that it is right? That is what I have heard. I listened to the debate on Friday and all day today. All we have heard from the Liberals is that they know it is bad, that it is horrible, and that they recognize that. Unfortunately, that does not give me a lot of confidence that they understand or are listening to the well-thought-out concerns that the opposition, the Canadian public, and experts have about this poorly thought out bill.

Mr. Bob Benzen (Calgary Heritage, CPC): Mr. Speaker, I am pleased to rise to speak to Bill C-58, which seeks to address the important issue of transparency in government and Canadians' access to information.

Improving transparency for Canadians in their dealings with their government in and of itself seems a worthwhile pursuit. In fact, making government more accountable to the people it serves is a foundational pillar of our Conservative Party. In addition, it is something in which I personally and strongly believe.

It is important to all Canadians that there be better sharing of and access to information that makes the basis for the policies that impact them. It allows citizens to knowledgeably engage their government either in support of or opposition to a particular issue in question. Government and its bureaucracies have an unfortunate tendency toward secrecy and concealment. This institutional instinct toward a jealous defence of what they wrongly perceive as their turf rather than information that is for the good governance of Canadians is contrary to the spirit of the modern era.

Government Orders

The spirit of this age is one that values improved openness and access to information. That trend toward transparency is the natural reflection of what rapid advances in technology have made our new reality. The reality and expectation of today is that communications and knowledge is available instantly and in real time. In light of this, we know government has not kept pace with the changing needs of the citizens it serves, especially in regard to access to information.

The Information Commission of Canada said as much when, in March 2015, she presented a special report to Parliament on the very subject. In that report, the commissioner indicated that:

Over the Act's three decades of existence, technology, the administration of government and Canadian society have been transformed in many regards. And yet, despite these changes, the Act remains largely in its original form.

She followed with recommendations, 85 of them in fact, to modernize the Access to Information Act. Consultations were held afterwards in the summer of 2016 regarding reform of the access to information regime, and a report in June of the same year by the Standing Committee on Access to Information resulted in 32 recommendations.

Therefore, on the surface at least, we can see some requirement to amend the Access to Information Act, which Bill C-58 purports to do, as well as amending the Privacy Act. We see some interesting aspects in a bill for Canadians seeking to bring documents under the control of federal institutions out into the light.

Not to oversimplify the contents of the 100 pages of the bill, but among the more relevant observations to be made are: first, the information and privacy commissioners would have some of their powers clarified around the examination of documents containing information that is sensitive; second, a system of proactive publication of some information would be made; and third, the Information Commissioner would have the ability to make orders that would force the communications and documents of federal institutions into the open. All of this sounds at first listen like a step forward. Certainly, the government promotes the amendments in such a manner, given some of the wording. For example, the proposed section 2 amendment outlining the purpose of the Information Act reads:

to enhance the accountability and transparency of federal institutions in order to promote an open and democratic society and to enable public debate on the conduct of those institutions.

This is pretty forward language. It certainly sets a positive tone, and from the outset portrays the intent of the bill as very progressive. The word in play is "progressive". Is it not the word the government likes to claim for all of its actions? Is it not the same word the Liberals employed in trying to justify upsetting our long-established tax code in order to make a harmful and costly intrusion into the wallets and affairs of small business owners and job creators in Canada? However, I digress.

Returning specifically to the content of Bill C-58, it is difficult to imagine how an advocate of institutional transparency would stumble over the objective presented here. There is the rub.

• (1635)

There is a problem with the Liberals' progressive street cred in relation to the bill, and it is a glaring problem.

The reform to the Access to Information Act does not include the Liberals' campaign promise to extend the act to ministers' offices and to the Prime Minister's Office. Even stakeholders who have welcomed some of the provisions of the act that mandate proactive publication of certain information and the power of the commissioner to order publication also seldom fail to note how the Liberals have sidestepped their election vow to make changes to the access to information of the ministers' offices and the PMO.

In addition, the proposed amendments in the bill permit the government to refuse access to information if the request is deemed a misuse of the right to request the information. That is a highly subjective standard. It allows government officials, who may have a vested interest in keeping certain information under wraps, to refuse access requests if they consider them vexatious or made in bad faith. What bureaucrat anywhere on Earth would not consider a request aimed at uncovering his or her mistakes or misdeeds as personally vexatious?

The executive director of the Evidence For Democracy group argued that the subjective power to reject requests on undefined basis "jeopardizes the transparency and openness of government". I tend to agree with that. The loopholes in the bill quickly become evident.

The co-founder of the Democracy Watch group expressed it in this way: that public servants should not have this authority because they will likely use it as a new loophole to deny the public the information it is allowed to know.

The Democracy Watch group is also apparently well aware of the institutional secrecy of governments and bureaucracy I referred to earlier. Defenders of transparency seek a government that is open by default, not by special request and certainly not one with the ability to choose which request to honour based on biased criteria.

The Liberals' flaunted claims of being progressive in offering new openness and transparency through the provisions of the bill simply do not survive the light of day. In one fell swoop, in a document that purports to reform access to information, the Liberals have instead chosen not to honour another election promise, chosen to be unaccountable in selecting what information to publish, and are giving themselves power to refuse requests.

The Liberals' amendments to the Access to Information Act require some amending. The bill should reflect the spirit of the principle of the act, which is, as its name suggests but which the Liberals obviously fail to grasp, access to information, not restrictions to information. It seems a simple concept, and I am surprised the Liberals have failed to grasp it. Although, as I watch the debacle of the small business tax hikes unfold and observe what the Liberals consider to be the wealthiest Canadians, perhaps their lack of comprehension should not surprise me that much.

Government Orders

•(1640)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I disagree with the member's final assessment. The legislation ultimately would ensure there would be more transparency and accountability. The commitments that were given by the Prime Minister are being maintained with respect to the legislation. We talked about proactive disclosure prior to the election. This would enhance proactive disclosure. More power and authority would be given to the commissioner to order the release of information. If the Conservatives were fair in their comments, they would realize that this is good legislation. We look forward to it going to committee.

Does the member see any good within the legislation? I see a lot of good, but I do not hear too much from members across the way. It does not mean they have to just give compliments to the government, but let us recognize that there are many aspects to this, given it has been over 30 years since we have seen improvements to the legislation. We are finally getting it today.

Mr. Bob Benzen: Mr. Speaker, the member is right, that this is a tiny step forward, and that is good. We need a lot of steps forward. We need to move into the 21st century. This is 34 years old. At that time, everything was on paper. Now we live in a world that is full of technology and the government should be using the technology of the 21st century so we can access information very quickly. There should not be long delays.

In this age of digital technology and when we have big databases, artificial intelligence, and the ability to do all kinds of searches, we should be able to have all the government's information in a digital database so we can ask a question, which should be answered in literally one day, and that information can be given out to the public. Long delays should not happen. Costs should be brought down because with that kind of technology, we can eliminate all the hours involved by people who do this. These can be brought down sooner.

Although this is a good step forward, there is much more to be done. A lot of information is still in the shadows. That information will be in the Prime Minister's Office and in the ministers' offices. If we are to keep that in the dark, then the bill does not go far enough and it breaks one of the Liberals' promises, which was to make that information available.

I will give credit for a baby step forward, but we can take a lot bigger steps. The steps the Liberals take today will not only be for the current government, but it will be for every government that follows, and that is important. The Liberals should grab this now when they have the opportunity and make big changes because they will be important for all Canadians to have trust in us. All of this information will be open to them. We should not have anything to hold back.

•(1645)

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, first, I want to pay my respect to my colleague from Calgary Heritage for his first speech in the House. He has asked many questions before, but it is his first speech.

In office, it is very difficult to draw the line between what is important for the public to know and the discretion that the cabinet

should have to make good decisions, frank discussions, and to have openness to the people. We have talked about that. As far as my colleague is concerned, is the bill going too far in the disclosure of information to people in regard to the confidentiality of the cabinet discussion?

Mr. Bob Benzen: Mr. Speaker, there are times where there is obviously very sensitive discussions that all governments have to face, whether dealing with foreign countries, or budget decisions, and so on. There is a line to be drawn and a certain period of time that things can not be out in the open. We have to be careful about that.

At the same time, what can be allowed has to be very carefully defined. We cannot have ministers saying that they do not want something released because it is a frivolous request. How do we define this so it is very clear what can be released. We need a better definition of what vexatious is, for example, so people cannot easily deny information. There should be fine line and some documents should remain undisclosed for the time being, but probably many more documents should be released for the public to see.

•(1650)

[*Translation*]

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, thank you for giving me the opportunity to speak here today, so that I may contribute to the debate on Bill C-58.

Throughout the day today, I have heard my colleagues say over and over again that this is just one more broken promise from this government. Well, unfortunately, I have to say that I agree with them, because this bill does indeed represent yet another broken Liberal promise.

One could also say that this bill reflects Canadians' interests in decisions made by their elected representatives and government decision-makers, and that is only natural. Access to information arrived quite late in Canada, in the 1980s. If my memory serves correctly, the first country that granted access to information was Norway, at the end of the 19th century. We did so nearly a century later.

Access to information is very important in terms of the obligation of a country's elected officials and decision-makers to be accountable. It allows Canadians to keep an eye on what is happening with respect to decision-making between elections so they can gain a better understanding of what is going on in their country. Furthermore, as several people have suggested here today, this is a very sensitive issue, because we need to find the right balance in such a bill, which seeks to amend the Access to Information Act.

I was in the army for a few years, and so I know how crucial information is. Having the necessary information is essential to reaching military objectives. In every sector, information is one of the keys to success. For 35 years, the Access to Information Act has obviously been very important, as it has increased accountability and allowed Canadians to better understand what is happening in their country. They can also know what businesses, elected officials, public servants and employees of democratic institutions are doing, because political staffers are also subject to that act.

Government Orders

It is also important to the media, who have to scrutinize and analyze every political decision and news story. That political scrutiny by the media and journalists helps Canadians understand how, why and in what context decisions are made. Access to information is vital for the journalists who keep Canadians informed.

The Liberals are claiming that Bill C-58 seeks to better inform Canadians regarding the decision-making process in order to maintain their confidence in their policy-makers and democratic institutions. That is my understanding, at least.

I really liked what the member for Trois-Rivières said about this bill. It truly is yet another patent example showing how image is everything to this government. This is something that has been obvious to me for the past two years. It used to surprise me every time, but not anymore. I am very disappointed that this government's bills, actions, speeches, photos, in short, everything it does is always aimed at managing its image.

The Conservatives were often accused of having communication and image problems, but at least we were brave, we made decisions, we put everything on the table and explained ourselves. The Liberals are so obsessed with maintaining a positive image that to avoid admitting to Canadians that they are breaking one of their own promises, they would rather table a watered-down bill that is nothing more than window dressing. It is designed to make you think the Liberals are making good on their promises, but if you read between the lines, you will realize they are doing the exact opposite.

I mentioned the example of the Canada Elections Act. The Prime Minister's practice of "cash-for-access" fundraising was uncovered thanks to the work of our official opposition. A few months later, instead of doing the honourable thing and pledging to put an end to this undemocratic practice, the Liberals legalized cash for access by introducing a bill that, again, is very watered down. It seems to increase accountability and transparency around fundraising, but what it actually does is legalize the cash-for-access scheme.

● (1655)

This bill was introduced in June, and it would amend access to information, which was first brought in back in 1983. Now, 35 years later, the Liberals want to improve and enhance it, and they want to make some changes related to new technology. These days, access to information depends heavily on the digital tools we use every day. Here on Parliament Hill, in MPs' offices, ministers' offices, and the PMO, all politicians and all of our staff have telephones that they use to exchange information on important issues and make decisions. We can see how those decisions evolve via text and email messages between the PMO and ministerial offices.

In 2015, the Liberals made some key promises, and one of those promises was to make the PMO and ministerial offices more open by default. As it turns out, those offices will be exempt from the proposed amendments in Bill C-58, which is unbelievable, because their promise is right there on page 24 of the Liberal platform. The Liberals said it was important to facilitate access to information, and that applied to the PMO and ministers' offices too.

That being said, it was important for the Liberals to put these ideas forward during the election campaign in order to please certain

groups who believe that it is important to have access to all information.

The Conservatives formed a responsible government and today we remain a responsible political party. Today, we heard a number of official opposition members say that we need to be careful about who has access to information from the Prime Minister's Office and the ministers' offices simply because a delicate balance must be maintained when giving the public access to information about the executive branch's decision-making.

In Canada, we want above all to maintain an environment and conditions that are conducive to productive, vigorous, and heated debate, after which a decision can ultimately be made.

Debates in the House of Commons are open, transparent, and fully accessible to the public, because we do not make the final decision here. What is more, we are opposing parties, so the public expects us to squabble and debate. However, within the ministers' offices, there is a solidarity between ministers, even if they have differing points of view because they come from different regions and represent citizens with diverse interests. There may be acrimony regarding very important debates. The ministers will have very spirited debates among themselves, but when they come out of that ministers' meeting, they must all be prepared to uphold the group decision. Such decisions may pertain to Canada's internal or external affairs, but regardless of the reason for or the type of decision taken on an issue, it may require confidentiality.

We believe that at that level it is important to maintain some confidentiality in order to conduct government business properly. That is probably exactly what Canadian officials shared with the Liberal government. That is likely why this government waited so long to introduce the bill. I imagine that after the election, they wanted to move forward with opening access to information by default, but they were advised to the contrary.

Again, I think it is regrettable that the Liberals would have us believe that this is the case, that access is open by default, and they would have us believe that they are making information more accessible to the public when that is not necessarily entirely accurate.

● (1700)

By acting this way, as they do on a number of files, and breaking promises, they only fuel public cynicism, unfortunately. That is something we should all want to avoid, especially when we form the government.

That is why I go door to door when I am in my riding. Throughout the last election campaign, when I would go to seniors' homes, people kept telling me, and I respect this point of view, that I was only there because of the election campaign.

Government Orders

I told them I was honoured to be there, to meet them, and to listen to them, and that I would keep doing that once elected to prove that I meant what I said.

There are some positive things in this bill. The government promised to do more. For example, we all received the mandate letters shortly after the ministers were appointed. I recently read the Minister of Heritage's mandate letter because of my new role as the official opposition heritage critic. I think we can all agree that these mandate letters are quite broad. In fact, the first two pages are the same for every minister.

We can have briefings with the ministers, where we get information that is accessible under access to information. That remains in place, which is good.

However, access to information on more sensitive files will always be granted at the pleasure of the Liberals. Anything that has to do with enhancing access to information is based on a single word: proactive. Ministers, senior government officials, and the Prime Minister's Office will have to decide whether they will respond to a given request for information as they come in.

A number of journalists and a group that works to enhance transparency in democracy have spoken out about the Liberals' broken promise to extend access to information to the Prime Minister's Office and ministers' offices.

I would like to share some of their comments with the House, because it is interesting and very telling to hear what these journalists and stakeholders think.

Katie Gibbs from Evidence for Democracy has said that by ruling out the possibility to obtain information from ministers' offices and the Prime Minister's Office, the government is breaking its campaign promise to establish a government open by default. This is coming from an external source; these are not our words. She added that the possibility to refuse access to information requests on an undefined basis jeopardizes the transparency and the openness of the government.

I had the opportunity to meet Duff Conacher, co-founder of Democracy Watch, on many occasions during the Standing Committee on Government Operations and Estimates' study on protecting whistle-blowers in the public service. He is extremely knowledgeable on the subject.

Mr. Conacher said that this bill brings some positive changes to the act by making disclosure more proactive and by giving the Information Commissioner the power to order the release of information. However, according to him, the bill does nothing to address the enormous gaps in the Access to Information Act, as the Liberals promised. He believes that more changes will be needed to have a government that is open and transparent by default. The bill even takes a step backwards by allowing government officials to deny access to information requests if they think the request is frivolous or made in bad faith; this leaves the government considerable discretion. He believes that public officials should not be given this power, and I agree with him, as they will likely use it as a new loophole to deny the public information it has a right to know.

Mr. Conacher is very well known in Canada and around the world. He participated in numerous analyses and reviews of whistleblower protection acts around the world.

● (1705)

No whistle-blower protection in the world can be properly enforced unless it is supported by a strong access to information act.

What he wants us to understand is that despite the argument they are putting forward, the members of this government have not improved this pillar of the Public Servants Disclosure Protection Act and the Access to Information Act.

Stéphane Giroux, president of the Quebec federation of professional journalists, said that journalists were most excited about the prospect of getting access to ministerial records, but it was a false alarm. It was just too good to be true.

The groups that want to change the voting system in Canada would say the same about electoral reform. Small and medium-sized businesses would say the same as well, since they believed this government when it said it would reduce their basic tax rate to 9%. That is another broken promise, because the government is actually raising the tax on passive investment income to 73% for SMEs.

I would also like to share a few comments made by journalists. Mr. Maher of *iPolitics* titled his article "Liberals shockingly timid on access-to-information reform".

[English]

This journalist is quite specific. On the second page, one of the first paragraphs, he mentioned the election platform of the Liberal Party, in which it stated in black and white that it was intending to open by default, access to information to the Prime Minister's Office and cabinet ministers' offices. He stated, "if you look closely at the changes proposed to access legislation, you can't conclude that it matches his rhetoric." He is talking about the rhetoric from the Liberal benches.

The next paragraph states:

The proactive disclosure of some ministerial documents may be a step backward, because the decisions about what to release and what to redact will not be reviewable by the information commissioner.

"For the ministries, there's no one to review what they choose not to disclose, and I think that goes against the principle of the statute,"...

He was quoting from Robert Marleau, who was Information Commissioner from 2007 to 2009. This is quite powerful. These are big people supporting the opinion of the official opposition.

Another journalist, Carl Meyer, wrote an article entitled "Trudeau Liberals place restrictions on plan to end government secrecy".

I will end with this. It is quite obvious, from advocacy groups, journalists, and our own evaluation of the bill, that the government is again breaking its promise and not doing what it said it would do. This bill does not at all reflect advancing or increasing access to information in Canada.

Government Orders

[Translation]

The Deputy Speaker: I would like to quickly remind the hon. member for Beauport—Limoilou that the rules do not allow a member to use the last name of another member of the House, even if the name appears in a quote. This is a reminder for next time.

Questions and comments, the hon. parliamentary secretary to the President of the Treasury Board.

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, I thank the member for Beauport—Limoilou for his speech. He went into a lot of detail about this complex measure and shared the viewpoints of several organizations and members of the public.

We Liberals have talked about how important it is to modernize the Access to Information Act, and that is exactly what we have done. The member complained about the fact that it took us longer, but I would like to remind him that, in 10 years, the Conservative Party made no changes to the act. We initiated a study in the Standing Committee on Access to Information, Privacy and Ethics. We immediately implemented an interim directive that covered three key aspects of openness and transparency. We introduced Bill C-58 to amend the Access to Information Act, and that is what we are debating now. The standing committee will be voting on these changes to the act so it can come into force in a year.

I think we did a number of things in an effort to have a more effective and relevant system that is tailored to the needs of Canadians.

I would like the hon. member to explain why the Conservative Party did nothing to advance this reform. It even promised to do so in 2006, but did nothing about it. On what moral basis does that party think it can criticize us for adopting the measures we have taken less than two years after being elected as the Liberal government?

• (1710)

[English]

Mr. Alupa Clarke: Mr. Speaker, in 2007, we created the parliamentary budget office, which has the duty to inform Canadians and all members in this House on what is going on with the budgetary estimates and the supplementary estimates, and all the expenses and increases in the expenses. This was the first amazing step in accountability in Canada, and I am very proud of it.

As well, on December 4, 2014, Madame Legault, Information Commissioner of said, “Over the years, I have also made recommendations to the President of the Treasury Board on various ways to advance accountability and transparency. I am very pleased that most of these recommendations over the years have been implemented by the government.”

I must inform this House that in 2014, the government was Conservative.

To conclude my answer for the hon. member, this bill originated in a bill presented here a few years ago by the member for Papineau. The member for Papineau promised during the election—he was an important figure at that time and is still today—that he would

increase the accountability of the Prime Minister's Office and the ministerial staff and offices in the Access to Information Act

The blunt truth today is that those promises were broken. That is what we are seeing today, and that is what Canadians must see and acknowledge. It is broken promise after broken promise, and that is the record of the current government.

[Translation]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I thank my colleague for his speech and for reading the bill.

I tend to agree with him that this is just another broken promise. Unfortunately, I do not have enough time to list all the promises the Liberal government has broken in just two short years. I would be called to order and I would have no time to ask my question. My question is as follows.

Did my colleague manage to see any correlation between the dozens of recommendations by the Conflict of Interest and Ethics Commissioner and the Information Commissioner, and the rag that is being passed off as a bill?

• (1715)

Mr. Alupa Clarke: Mr. Speaker, to be quite honest, I did not have time to do such a proactive analysis to determine whether there are any similarities between the comprehensive recommendations made by the Information Commissioner and what actually appears in the bill. I relied on serious journalistic sources and certain analyses of the bill.

What matters, however, is making sure Canadians understand that this government is obsessed with its image. Two years from now, I hope we will be in power. I think some progress has been made, as an article yesterday mentioned that, according to the latest polls, the Conservatives are ahead. I think Canadians are becoming increasingly aware of just how obsessed this government is with image and how little political courage it has. It likes to go on and on about virtue and universal love.

This government keeps saying that it is in favour of transparency and better access to information, but it is incapable of telling us the truth, namely, that it now realizes that it does not make sense to release internal cabinet deliberations to the public, because it would cause problems and could even hurt our democracy. We do need to have certain places where we can deliberate in confidence. The Liberals cannot even admit that they now realize that. They simply want to reassure their voters by telling them that they brought this legislation forward in order to fulfill a 2015 election promise. Once again, the main promises in their 2015 election platform having to do with the Access to Information Act do not appear anywhere in the bill. It is unfortunate.

I am getting pretty sick and tired of seeing the same thing every day from this government. Every time we debate a bill, it is nothing but smoke and mirrors.

Government Orders

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, it is always a pleasure to listen to my colleague from Beauport—Limoilou, appropriately nicknamed “Mr. Door-to-Door” in Quebec City. We stopped counting the number of doors he has knocked on after 80,000. That is his goal, anyway. He actually was on the front page of *Le Soleil* on a Sunday under the headline “The 20,000-Door Man”. That is something he should be proud of.

Since the member for Beauport—Limoilou is an expert in direct interaction with constituents, could he tell us how they react when told that campaign promises made by politicians are not kept?

Mr. Alupa Clarke: Mr. Speaker, while I was out canvassing this summer, what I heard most often from people was how disheartened they were that the government was going ahead with the legalization of marijuana. Some are opposed to it on moral or political grounds, while others think that there should be more important matters for the House of Commons to discuss than legalizing a drug. There are other things for the government to work on—foreign affairs, for example, like the conflict in North Korea, the situation in Ukraine, or humanitarian crises in Africa.

People also told me that they were growing more and more embarrassed by the Prime Minister prancing around in Canada and abroad in perpetual election mode, taking selfies and trying to please everybody while showing so little political courage, as I mentioned earlier.

I think the next few years will be favourable to us, because Canadians see clearly what is unfolding in front of them. When I go knocking on doors, I can absolutely feel it.

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I would like to begin by saying that I will be sharing my time with the hon. member for Edmonton Strathcona. Many of us want to talk about Bill C-58.

I must admit that I am happy to be back in the House because, now, there can be another side to what the government tells the public. Thanks to the magic of democracy, people always have the ability to help governments strike a balance and sometimes improve bills. However, in the case of the bill before us today, there is so much to do that I am not sure we will be able to do much at all.

I would like to begin with a quote. In 2015, the Prime Minister said, “transparent government is good government.”

It is a short sentence. The idea and the sentence are clear. A good government is a transparent government. However, after two years in office, it is obvious that the Liberal government is still struggling with the notion of transparency. Bill C-58, which we are opposing at second reading, does absolutely nothing to improve the situation, and there are many others like it.

For example, I could mention the whole process that led up to this monumental fiasco with electoral reform, which was nowhere near transparency. It would not take much to turn the Prime Minister's slogan around and say that a government that is not transparent is a bad government. We will see.

However, before I make that assertion, I will try to describe the major shortcomings of this bill and thus demonstrate how the

Liberals' proposal mangles the principles of transparency and accountability.

Historically, we got off to a good start. Back in 1983, when Canada passed the Access to Information Act, we were a pioneer of transparency. Things have changed, however, and that is sadly no longer the case. According to the Centre for Law and Democracy, Canada is now 49th in the world on access to information. We went from leader of the pack to practically bringing up the rear.

Over the years, the Conservatives and Liberals have promised to be more transparent, but they have not kept that promise. Now we have before us Bill C-58 on transparency and access to information. At first, it is hard to see how such a bill could make things more confusing than they already are. Who is opposed to transparency? I know very few people who would oppose improved transparency in communication between the government and the public.

However, we once again underestimated the Liberals, who are all about appearances. I spoke about this several times both today and in the context of other bills. The Liberals are all about appearances; they are masters of empty rhetoric. If there are indeed some major changes to the Access to Information Act in the bill, most of them only make things worse.

Once again, the law does not apply equally to everyone. The Liberal government is developing quite a reputation for treating party cronies and rich folk one way and everyone else another. In 2015, the Liberals promised that access to information would apply to the Prime Minister's Office and ministers' offices. That is pretty straightforward. I am pretty sure everyone got exactly the same message from what was said during the last campaign: the Access to Information Act was going to apply to the Prime Minister's and ministers' offices. That is clear.

No doubt the House can guess what comes next. Ministers and the Prime Minister make decisions about measures that directly affect our constituents. It is therefore our duty to make sure that these decision-makers are accountable to all.

Here is an example. My office submitted an access to information request to the Department of Finance concerning the elimination of the public transit tax credit. Our goal was simple: we wanted to know how this measure would affect Canadian families. In the answer we got, much of the information that was crucial to understanding which groups would be hurt by the government's decision to eliminate the credit was redacted.

● (1720)

It was covered in thick black lines and could not even be read under the light. The answers to the question of whether eliminating the tax credit would create more barriers for certain segments of society were blacked out. The government refuses to even reveal what advice the Minister of Finance based that decision on.

Government Orders

I could also reference the time I used the Access to Information Act to obtain a copy of the Credit Suisse study on the privatization of airports. Once again, the government refuses to release a study that was paid for and commissioned by the Department of Finance. Privatizing Canada's airports could threaten jobs, create new user fees, and ultimately increase the price of airline tickets for passengers. Given the many potential repercussions for workers and passengers, I find it unacceptable that the government is hiding the findings of a study paid for by the taxpayers. The Liberals also refuse to disclose how much they paid Credit Suisse for its advice on the privatization of our airports.

All this happened under the current legislation, while Bill C-58 will allow the government to make the situation even worse, if that is possible. That is one of the reasons that the Information Commissioner recommended that documents from the Prime Minister's Office and ministers' offices be subject to disclosure.

Many other civil society stakeholders have been highly critical of the current legislation. Mr. Holman, vice-president of the Canadian Association of Journalists, told the Standing Committee on Access to Information, Privacy and Ethics that Canada is known for coming in last place when it comes to access to information. Although we were considered forerunners 35 years ago, now we are trailing behind. Quite frankly, the current legislation reinforces a culture of secrecy. That is why the Canadian Association of Journalists recommends closing and eliminating 75 loopholes in the current legislation. What does Bill C-58 do to achieve that? It does precious little.

Federal institutions use these loopholes to redact documents before releasing them. Here is part of Mr. Holman's testimony:

Section 21 of the Access to Information Act permits the government to refuse access to any advice or recommendations developed for public officials, as well as accounts of their consultations or deliberations for a 20-year period. In addition, section 69 prohibits access to any records related to cabinet, government's principal decision-making body.

These two sections are bad for our democracy. With tongue in cheek, Democracy Watch coordinator Mr. Conacher called the existing act a "guide to keeping secrets".

I was talking about the existing act, but I should make it clear that Bill C-58 will further complicate the access to information request process. No matter how well-intentioned the government, if access is not guaranteed, the act is pointless. Proposed section 6.1 reads as follows:

6.1 (1) The head of a government institution may, before giving a person access to a record or refusing to do so, decline to act on the person's request if, in the opinion of the head of the institution,

(c) the request is for such a large number of records or necessitates a search through such a large number of records that acting on the request would unreasonably interfere with the operations of the government institution...

How is that for transparency?

The government sets out vague conditions and broad concepts by using a kind of language we see so often in its legislation, whether it is around the concept of decent jobs or unreasonable numbers of documents.

There are other examples, but I see that time is running out, melting away like snow in sunshine, though snow in sunshine is hard to come by these days.

• (1725)

In closing, I would remind the House that in 2006, 2008, 2011, and 2014, the NDP introduced private members' bills specifically to improve the Access to Information Act, bills that took into account the various recommendations made over the years by the Information Commissioner, the Privacy Commissioner, and the Conflict of Interest and Ethics Commissioner.

I hope that, if it ever gets to committee, we will have a bill one day that reflects those recommendations. Time is running out. I will take the time to answer questions instead of continuing this speech.

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, I thank my colleague from Trois-Rivières for his speech. I have a question for him, but I want to begin by pointing out that these changes do indeed respond to the election promises and commitments made in the mandate letters of the President of the Treasury Board, the Minister of Justice, and the Minister of Democratic Institutions. We are committed to being open and transparent. These legislative measures that we are discussing today are one step among many, but it is a significant step in that direction.

For a party that talks a lot about wanting more transparency and openness, why is the NDP refusing to support this legislative measure that offers the transparency it is looking for? Why is the NDP not going to support the expanded powers for the Information Commissioner and the Privacy Commissioner that are included in this bill? Why is the NDP not supporting the mandatory five-year review, which is a fundamental aspect of this bill that will come into force soon, in 2018-19? Why—

• (1730)

The Deputy Speaker: Order. We have time for only one answer and perhaps one more question. The hon. member for Trois-Rivières.

Mr. Robert Aubin: Mr. Speaker, I thank the parliamentary secretary for her question.

I want to clarify something. My colleague is accusing the NDP of talking a lot. We certainly take every opportunity afforded to us to talk, without exception, but that is not all we do. We take action. I was saying earlier that in 2006, 2008, 2011, and 2014, we introduced meaningful bills to improve things. I admit that the two measures that she mentioned from the bill are worthwhile, but saying that, every five years, we will have an opportunity to review a bill that is not doing the job means that there is much left to be done, in my opinion. We are doing more than just talking.

I wish the Liberal government had drawn from the NDP bills that were introduced, and that it had introduced a Bill C-58 that went a lot further than the one we currently have before us. It is high time that the government did more, that it stopped focusing on its image and really put words into action.

Government Orders

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Mr. Speaker, we have heard from many government members. They want a lot of work to be done in committee and for MPs to have the opportunity to speak and offer suggestions. However, we know that a committee has already studied the Access to Information Act and that most of the recommendations it made were not incorporated into the government's bill.

Can we trust this government? Will it take into account what the committee asks it to do when the bill is sent there?

Mr. Robert Aubin: Mr. Speaker, I thank my colleague for the question.

If the old adage is true that past behaviour is the best predictor of future behaviour, then I find it hard to see how we can trust the Liberal government when it comes to this bill.

However, the New Democratic Party has never been a democratic party. If, in committee, the Liberal Party shows an openness the likes of which we have never seen, then we will propose all the amendments we believe to be essential to bring about real change in this bill, so that we may go over it again at third reading. We are not closed to the idea.

However, under the current circumstances, we are light years away from agreeing on a bill that is all about image.

● (1735)

[English]

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, I am pleased to rise to speak to this bill and share many of the concerns and disappointments that have been raised in the House today.

In my 40 years as an environmental lawyer working as a public advocate, working with governments, and advising other nations, I have been constant in pursuing citizens' rights to have a voice in decision-making and to ensure that those voices are informed and constructive through ready and timely access to information, and, as my colleague from Regina—Lewvan mentioned today, fighting for whistle-blower protection measures.

Time after time, when we were dealing with issues that might impact health or the environment, officials in the health department and environment department have given up their careers by stepping forward and revealing information that the government did not want to reveal.

It is disappointing that those measures have not yet come forward. I have, three times over, tabled in this place a Canadian environmental bill of rights that would have expressly guaranteed those rights, including access to environmental information. It is sad to share that the first time I tabled this bill and it actually went to committee, the majority on that committee—since only I was there, and the others were Liberals and Conservatives—struck down the simple provision in my bill calling for the government to provide access to environmental information.

Why are my bill and a strengthened Access to Information Act necessary? Among the greatest barriers Canadians face in seeking to provide a voice in decisions impacting their health and environment is a lack of access to information. They want information on the

planned routes of pipelines and the locations of chemical plants before they are approved. They want information on potential or known impacts of toxins on their health and environment before they are approved for use, information on the safety of consumer products before they are made available for sale, and information on how the government intends to strengthen our environmental protections in a revised NAFTA.

Here I add that the government has circulated a call for public input on environmental impact, yet it has provided absolutely no information on what it is proposing to put in NAFTA. Talk about a vacuous call for consultation.

In successive reports by the parliamentary committee on environment and sustainable development, recommendations have been made to ensure greater public access to such information. We await actions on these recommendations by a government that claims priority for the environment and for these long-overdue reforms, and we wait for for the government to enact an environmental bill of rights.

As the Centre for Law and Democracy has stated in its comments on Bill C-58:

...the heart of a right to information system...is the right of individuals to request whatever information they want from government.

In other words, at the heart of the right of access of information is the right of Canadians to ask for the information they want, not to sit back and wait for the government to decide what information it might choose to disclose. Yes, we need both, but we need access to information and more willingness to disclose, and as my colleague has pointed out, the Liberal emphasis on proactive publication leaves government the discretion of what to disclose.

In reviewing Bill C-58, we need only consider this simple question: does it deliver on the Liberals' promise to improve access to information? Sadly, the clear answer is no, it does not.

Sadly, Bill C-58 represents yet another broken election promise, as has been said many times over in this place. The government, in presenting this bill, has blatantly disregarded the 85 recommendations for reform by the Information Commissioner and the recommendations by the Standing Committee on Access to Information, Privacy and Ethics. It has ignored the advice of legal experts and access to information experts.

The bill is completely at odds with the reforms proposed by the Prime Minister in the bill he himself tabled while in opposition. It fails to deliver reforms recommended in many bills tabled by the New Democratic Party. It contradicts the directives issued by the Prime Minister to all of his ministers in the mandate letters, and we have heard this mentioned many times in this place. As the Prime Minister said in every mandate letter:

We have also committed to set a higher bar for openness and transparency in government. It is time to shine more light on government to ensure it remains focused on the people it serves. Government and its information should be open by default.

Government Orders

• (1740)

Contrary to what the President of the Treasury Board has asserted, a statement in a mandate letter does not, in fact, extend a right to information. The government expects accolades for releasing these mandate letters, then abjectly fails to deliver on them.

The President of the Treasury Board gave accolades to the government because it was elected to this open government committee, yet one remains puzzled. An analysis by a recognized group, the Centre for Law and Democracy, pointed out that there are actually international criteria for assessing how well a government is delivering on access to information. There are seven criteria, and they have done an analysis. It is important to note that right now, Canada sits at a miserable 49th position globally. By implementing the measures in the bill, it is only going to rise to the 46th position. It shoots a cannon hole in the argument of the President of the Treasury Board that the bill deserves great accolades.

Canadians remember the broken election promise to end first past the post elections, which was an action mandated to the first minister of democratic reform and broken.

On balance, Bill C-58 is a very small step forward in improving public access to information, but it delivers us many steps backwards.

What are the key reforms the commissioner, the committee, members of Parliament, and access to information experts have long called for? First is expanding the scope of the act to require access to a broader array of information. Second is reducing the wait times and fees. The government is doing that. In fact, it has done it before. It would simply put it in law. Third is substantially narrowing the exceptions and exclusions, including access to prime ministerial and ministerial information, yet the bill would cut that back with the exceptions it includes. Fourth is empowering the Information Commissioner to issue binding orders. While that power would be extended, it would be cut back by additional powers that would be given to the government to short-circuit those powers. We would have hoped for protection for whistle-blowers.

What would the bill provide? Bill C-58 would provide a five-year review. We have waited three decades for a strengthened act, and now all we get is that in five years, we can review it again. It defies credibility. I find it astounding. Of course there should be a five-year review, but we should not wait for the amendments we have waited 30 years for.

The bill would formalize free waivers. It would grant powers to the Information Commissioner, which I mentioned, but they would be restricted.

Where have the Liberals failed? Well, there is no duty to document the decision-making processes. The bill would allow the labelling of information as cabinet briefings to deny access. It introduces yet more exceptions. It fails to require a harms test, which is a specific recommendation made by the parliamentary committee. It fails to prescribe in law an explicit public interest override, a recommendation of the parliamentary committee. Indeed, it empowers the commission to order information released but undermines it with other provisions it adds.

Absent government acceptance of significant amendments to the bill, and the record has been that the Liberals have not been open to amendments from this place, and given the abject failings of Bill C-58, perhaps the next measure we can anticipate by the government to cover off another broken election promise, and sad to say we will wait and see, is yet another amendment to the ministerial mandate letters to remove the commitment to set a higher bar for openness and transparency in government.

The President of the Treasury Board has committed to be open to amendments. We are hopeful. We will have a good discourse in the committee. There have been a lot of concerns raised. We have had a lot of reviews—from the Information Commissioner, from previous reports by Parliament, and from experts. Let us hope that if the Open Government Partnership Steering Committee examines the bill in closer detail, it will speak to the Government of Canada and call for these kinds of changes to come forward to genuinely provide access to information to Canadians. If the Liberals will not listen us, perhaps they will listen to nations around the world.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, I have worked with the member for Edmonton Strathcona on a number of measures, including her environmental rights bill, when I was a member of the environment and sustainable development committee. I have a great deal of respect for her.

I was surprised at the exaggerations and out-and-out inaccuracies in her statement, and I will point out two of them. If we cannot rely on what my colleague is saying in those two inaccuracies, then what else is being exaggerated for political purposes in this debate? It is unfortunate, because this is a substantive bill with substantive issues, and we welcome real discussion, but exaggerated misinformation brings down the tone of the debate.

One of the member's inaccuracies was in saying that we will only be able to review the bill in five years, and that is patently not true. The legislation states clearly that the first review in the five-year rolling reviews would be one year after this legislation comes into force. We expect that to be in 2018-2019. This is all part of a pattern of reforms that we are making that we started right from the beginning by having the committee study the bill and having ministerial directives.

The second inaccuracy was that the member claimed that the bill does not meet the ministerial mandate text, but it does. The bill appropriately covers ministerial offices with the access to information regime. That is exactly what is happening.

Maintaining cabinet confidence has been recognized by the Supreme Court of Canada as an important democratic principle, and we are balancing that principle with access through a very broad proactive disclosure of the information that is most often requested through access to information.

I hope the member can tell me that she is going to work constructively toward an outcome that she can support. I would also like her to correct the record on those issues.

Government Orders

• (1745)

Ms. Linda Duncan: Mr. Speaker, I too have a great deal of respect for that member. I appreciated working with her on environment committee when I was first elected. She worked very hard on that committee.

However, I am stunned. What is this, alternative facts? We have heard speaker after speaker reiterate not even what is our opinion in this place but what legal and access to information experts are revealing. We simply need to look at what the parliamentary committee recommended, which the government has not delivered on. We simply need to look at what the Information Commissioner has recommended, which the government has not delivered on. We could shoot cannonballs through the supposedly greater access to information. I am stunned.

All the government is giving us is more opportunities to review a law that we have been waiting three decades to have revised and strengthened for the benefit of Canadians.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is an honour to rise to speak to Bill C-58 in questions and comments to my hon. colleague from Edmonton Strathcona. I have been listening to the debate all day, but popping up has not yielded me the floor until this moment.

We used to say in this country that we did not exactly have freedom of information but rather freedom from information. I am afraid that Bill C-58 does let us down badly in a couple of key areas.

I wonder if my colleague has any comments on something I find particularly distressing, which is the expanding of the ability of the government institution that holds the information to make its own decision that a request is vexatious. From what I can see in the bill, it would not be subject to independent review. I wonder if she has any comments on that.

Ms. Linda Duncan: Mr. Speaker, I would like to thank my friend, who has worked along with me for many years in fighting for access to information on behalf of Canadians, particularly in the environmental area.

I too share the hon. member's concern that the government has done completely the opposite of what the committee recommended. The committee did recommend that there should be some level of screening of requests for access to information, but that would be done by the neutral commissioner, not by the very institution from which people are seeking the information. It is absolutely stunning. People will have access to information, but the government can decide if it thinks the request is frivolous and vexatious and a waste of time.

It is frankly stunning. The bill does not deliver on what our colleagues on committee recommended.

• (1750)

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, I am pleased to address you today to speak to Bill C-58, an act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other acts. It is sponsored by the hon. President of the Treasury Board, whom we all know and enjoy listening to. It is also a very special bill by the way in which it is

introduced. It seeks to amend the Access to Information Act, 1983. It is a rather old piece of legislation that deserves to be cleaned up and made more current.

The amendments were meant to affect any organization that shares information with federal government institutions, and allow anyone seeking to obtain that information to access it, according to the Liberal government's election promise. The first important observation is that this change to the Access to Information Act does not include the Liberals' electoral promise to extend the application of the legislation to the Prime Minister's and ministers' offices. I think that is the most glaring omission in this bill.

Under the new provisions of the act, the government can decline any access to information request it feels is vexatious, made in bad faith, or is an abuse of the right to make a request for access to records. If these reasons could be properly assessed, we might find that provision acceptable. However, the problem is that these reasons are subjective. It is possible that the Liberal Party, particularly when we look at how it governs, would use these reasons to prevent Canadians, the opposition parties, and groups that monitor the government to ensure it is doing its work properly from having access to all of the information.

Since it was founded, our party has been relentless in its efforts to make the government more accountable to Canadians. When our party was in office, it was not a scandal-ridden government like the previous Liberal governments and particularly the government that has been in office for the past two years. The bill provides for an increase of \$5.1 billion in the budget of the Office of the Information Commissioner of Canada. Is that simply to determine whether requests are vexatious or illegitimate? We are wondering why the Liberal government cannot do that work itself with all of the staff it has at its disposal, particularly since it always seems to be able to find a way to dip into people's pockets.

I would like to quote a few stakeholders, since people might say we are bound to criticize everything the government does simply because we are the official opposition. I will quote some people who are neutral and need access to information, people who are guardians of our democracy.

The first is Katie Gibbs, executive director of Evidence For Democracy. She says that the Liberal government is not keeping its election promise. She believes that by ruling out the possibility of obtaining information from ministers' offices and the Prime Minister's Office, the government is breaking its campaign promise to establish a government open by default. She added that the possibility to refuse access to information requests on an undefined basis jeopardizes the transparency and the openness of the government.

Government Orders

In addition, Duff Conacher, co-founder of Democracy Watch, has said that the bill does nothing to address the enormous gaps in the legislation, as the Liberals promised. He believes that more changes are needed to have a government that is transparent and open by default. He said that the bill takes a step backwards in allowing government officials to deny requests for information if they think the request is frivolous, which is entirely subjective, or made in bad faith. He believes that public officials should not be given this power, as they will likely use it as a new loophole to deny the public information it has a right to know. Yes, he called this a step backwards. This does not improve things. Theoretically, when a bill is introduced, it is usually meant to improve things and move society forward.

Stéphane Giroux, president of the Fédération professionnelle des journalistes du Québec, said, “What interested us most was having access to cabinet documents. It was a false alarm; too good to be true.”

The next quote is from Robert Marleau, Canada's Information Commissioner from 2007 to 2009. This is not just anyone. We are not quoting opposition members, but rather experts in the field. He said, and I quote:

• (1755)

For the ministries, there's no one to review what they choose not to disclose, and I think that goes against the principle of the statute. They've taken the commissioner out of the loop. If you ask for these briefing notes, and you've got them and they were redacted, you had someone to appeal to. So there's no appeal. You can't even go to a court. It's one step forward, two steps back.

The British Columbia Freedom of Information and Privacy Association said that the bill leaves black holes in the act that will prevent certain kinds of information from being released. That is why we must strongly condemn the fact that the Prime Minister is breaking yet another election promise.

Yes, another promise has been broken. Let me review some of the other broken election promises. For those who may not have been keeping up with the news, the government promised electoral reform, but did not deliver. They changed their minds on that one. They talked about a small deficit, just \$10 billion per year. That was another broken promise. These past two years, the deficit has been in excess of \$25 billion.

The Liberals promised to welcome 25,000 Syrian refugees to Canada by the end of 2015. They failed to do so. They talked about re-evaluating the expansion of Kinder Morgan's Trans Mountain pipeline project, but they did not do so. They promised to provide cost analyses for all bills, and they have not done it. They talked about lowering taxes for the middle class. We are examining the tax reform right now because the tax rate was supposed to drop from 11% to 9%. That was an election promise. Instead, the government wants to raise taxes for the middle class, businesses, and entrepreneurs across Canada. The Liberals were supposed to reduce the federal debt-to-GDP ratio by 31% in 2015-16, but they failed to do so. They wanted to immediately begin reinvesting \$3 billion over the next four years to support home care, and that has not been done. That is eight broken promises, and I have not even come close to mentioning all of them. They also promised to set a cap on how much can be claimed through the stock option deduction, and they failed to do that too.

The Liberals promised not to buy F-35 fighter jets and to immediately launch an open and transparent bidding process. Once again we see the words “open” and “transparent” getting bandied about a lot, but they do not really mean anything.

The Liberals promised veterans that they would cover the cost of four years of post-secondary education for every veteran who wanted to go back to school, but they did not do so. They talked about investing \$100 million to give veterans' families better support, investing \$80 million a year to create a new education benefit for veterans, and restoring lifelong pensions for soldiers wounded in action, but they did not do any of these things. I see that I am running out of time, but I still have many more examples. The Liberals have broken so many promises that I will not have time to mention them all.

The Liberals promised to invest \$300 million more in the youth employment strategy in order to create 40,000 jobs, including 5,000 green jobs during each of the next three years. We know how much young people need work experience, but the Liberals did not follow through. They talked about investing \$40 million annually to help employers create new internship opportunities, but that did not happen. They said they would change the Standing Orders of the House of Commons to put an end to the use of omnibus bills that prevent proper debate in the House, but that did not happen.

They promised to invest \$50 million more a year in the post-secondary student support program, but that did not happen. They said they wanted to immediately eliminate the 2% funding cap for first nations programs, and Lord knows that they are constantly saying that they are working hard for first nations, but that did not happen. They promised to guarantee indigenous communities the right to veto the development of natural resources on their territory, but that did not happen. It goes on and on.

The government told us that it would introduce a bill to guarantee more transparency. We are currently seeing the opposite. It is nothing new. As the experts I cited said, we are taking one step forward and two steps back.

Despite their virtuous election promises, the Liberals have failed to make the government more open and transparent. A government that chooses what information to publish and when not to be accountable to Canadians is dishonest. In fact, the Liberals are giving themselves the power to refuse to respond to requests for access to information that they find embarrassing. As a result of the Liberals' proposed changes, Canadians will have access to less information. The Liberals are doing nothing to correct the delays that have become irresponsible.

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, I also thank my Conservative colleague for his speech.

It is important that our access to information system work well for Canadians. At present, there are no limits to the number of requests an individual can file or regarding the scope of the request.

A number of members have taken aim at that aspect of Bill C-58, including my colleague, and I have a question for him.

Government Orders

Our system is currently being delayed by frivolous and sometimes vexatious requests. With this bill, we want to change that, because it is unfair to Canadians who file legitimate access to information requests.

Is the member aware that several provinces and territories have a different version of the legislation we are proposing to protect the effectiveness of their respective access to information systems, and that this is also the case for Australia, New Zealand, and the United Kingdom?

I heard several concerns regarding our decision, but I have to ask the following question: do we not have a duty to make the system more effective for Canadians who submit requests in good faith, and to reject those that are not in good faith and are frivolous and vexatious?

• (1800)

Mr. Alain Rayes: Mr. Speaker, I thank my colleague for her very relevant question. My answer is that, regardless of what the other provinces or other countries are doing, I think that we should always be comparing ourselves to the best.

The best way to prevent subjectivity in the decision of whether to accept or reject a request is for the government to realize that it is a bad idea to say that it can no longer make the information available based on the excuse that some people will abuse the system.

People are getting cynical. They have the impression that they do not have access to the information they need to make an informed decision about what their governments are doing. Scientists and researchers who want to do a decent job of auditing and monitoring parliamentarians are unable to do so. They do not have access to the information they need because the system is too cumbersome.

The government should make all the records available and make a list of them so that people who want access to some type of information or another can get it.

Today, in 2017, the technology is there. New start-ups run by bright people are popping up all across the country. They could easily set up a system with a list of all of the available records. Canadians, researchers, and oversight bodies would be free to choose what they want and would have access to the actual information from the get-go.

[*English*]

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, given the Harper government's record, the member's new commitment to transparency and access to information is refreshing. I am interested in the member's thoughts on the major loophole that remains in Bill C-58. I would like his comments on the failure of the Liberals to keep their campaign promise to include the Prime Minister's Office and ministers' offices in being subject to access to information requests.

[*Translation*]

The Assistant Deputy Speaker (Mr. Anthony Rota): The hon. member for Richmond—Arthabaska has 45 seconds or less.

Mr. Alain Rayes: Mr. Speaker, I can answer that in five seconds.

My colleague is absolutely right: that is a major loophole. That is the biggest flaw in this bill, and as I see it, if we do not have access

to information from ministers' offices, which is to say from the government itself, then all of this work, the Liberal government's attempt to introduce a supposedly more transparent bill, is a total write-off.

That is why we have to oppose the bill, and I hope people will have transparent access to that information so they can see what the government's real intention was.

• (1805)

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Speaker, I am honoured to rise in the House to oppose Bill C-58. That is about as clear and transparent as it gets.

This is about yet another broken Liberal promise. My colleague just listed off at least 20 broken Liberal promises. The Liberals made promises during the campaign. In fact, when he was just an MP, the Prime Minister himself introduced a bill promising openness and transparency, but we see none of that in this bill. It seems to me that our friends in power have developed a nasty habit of breaking their promises, and Canadians are clearly getting sick of it. This is not the first time, and it will probably not be the last.

[*English*]

I get the feeling that the sunny ways are about to be gone.

[*Translation*]

One of those election promises was electoral reform. That was no minor Liberal promise; it was extremely important. However, when the committee finished its work and tabled its report, the Liberals realized that Canadians clearly saw through their charade. In other words, the Liberals' real objective was to bring in a preferential ballot system, which would put them at an advantage. In the end, given that the committee report did not support the Liberals' position, they decided to abandon that promise. When you abandon a promise as important as electoral reform, how Canadians vote for their elected officials, basically you are telling them that they cannot be trusted. That is what we heard from Canadians.

The government struck an independent committee, but it had to be changed because initially, it had a Liberal majority. Pressure from the four opposition parties, including the Green Party, made a difference. From that moment on, the Liberals dropped the whole thing and the promise changed. In the case of Bill C-58, once again, the Liberals are renegeing on an election promise and doing the opposite now that they are in power.

Earlier, my colleague from Mégantic—L'Érable and I counted the broken Liberal promises. We got to 20 broken promises, but there are more yet. By breaking all these promises, the government is sending a message to Canadians that fuels cynicism. During the election campaign, the Liberals promised they would inform people better and increase transparency in ministers' offices and the Prime Minister's Office. However, two years later, that is just another broken promise. This is unacceptable. That is why I am voting against this bill.

Government Orders

Over the past few weeks, a number of people have spoken out against this bill. Some organizations that were rather tough on the Conservative Party when it was in power are now being just as tough on the government in power. They are making statements worth noting. For example, when the government promises clarity and transparency, then it has to live up to that, but the Liberal Party that is in power is really not up to the task.

● (1810)

The Liberals said they would make all of the information exchanged within ministers' offices and the Prime Minister's Office accessible. What kind of information are we talking about? At what point did that information become irrelevant to the people? The moment the Liberals introduced this bill.

Let me make sure we all understand what is going on. When the government came to power, it decided to take a close look at an act that has been around since 1983 and modernize it. That is all well and good, but earlier, I heard parliamentary secretaries say that they had covered a substantial portion of it. A substantial portion of it? Why not modernize the whole thing? It looks like they have a problem with disclosing information or making any information public that could come back and bite them. That is my conclusion based on what I heard today.

I have been listening to the debate since early afternoon, and every time an MP or a parliamentary secretary talks about the bill, we get the feeling that they deliberately left out the obligation to make the information clear and transparent so they would not get trapped by the information that is circulating, especially within the Prime Minister's Office.

If the journalists who defend the democracy that these MPs serve each and every day here in the House cannot have access to the information that is relevant to Canadians, how can they do their jobs properly? It is essential that the bills we put forward not be half measures. That way, we can ensure they meet their stated objectives. The Liberals are saying very little yet again, and the answers they give are all the same.

Sadly, after promising Canadians the world in 2015, the government is keeping neither of these promises. There are organizations that act as watchdogs of Canadian democracy. Most of them are non-profit organizations and are totally independent from any government, like Democracy Watch, for example. These organizations are very critical of the work we do, and rightfully so. They spend an enormous amount of time analyzing everything we parliamentarians do on a daily basis in order to strengthen our democracy, to increase transparency and to improve communications with Canadians. They were very outspoken, to put it mildly, about the current government. They said that the bill represents not one step forward, but two steps back.

A sentence like that says a lot about the relevance of the bill and how it was designed and drafted. I can imagine being the Prime Minister, who in 2015 promised to be open and transparent and to allow all Canadians to see everything that happens in the ministers' offices and in his own office. Once in his office, however, he realized that not everything that happens in ministers' offices, and especially the Prime Minister's Office, can be disclosed to the public.

What information does he not want to make public? That is a very relevant question, and one that we should put to the Prime Minister. We will be sure to do so. A government does not introduce legislation for no reason. A government introduces legislation because it really wants to keep a promise. I say again, 20 promises have been broken so far; my colleague listed them earlier. Bill C-58 is definitely not the first broken promise, and it will not be the last.

● (1815)

Hon. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, I would like to begin by commending the member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup on his spirited remarks, as well as the member for Richmond—Arthabaska, who spoke before him.

First, I would like to say that our government is all about transparency and consultation. Just look at all of the consultations that this government has held compared to the Harper government. My colleagues were not part of that team, but one need look no further than the consultations that are being done now.

For example, when it comes to filling job openings in the government, there is a consultation process conducted by independent groups, and people have to apply. That is not how things were done before.

It is also important to look at what has happened in the Senate. All of the rules have changed. People have to apply for a seat in the Senate, and the files are analyzed. That is a major change, as far as transparency and consultations are concerned.

I think we are certainly on the right track, and I would like to hear my colleague's comments about this right track to transparency that we are currently on .

Mr. Bernard Généreux: Mr. Speaker, I have a great deal of respect for my colleague from Brome—Missisquoi, but he just left himself wide open.

We are talking about openness and transparency. My colleague is the chair of the Standing Committee on Official Languages. Last spring, we witnessed the worst possible debacle around the appointment of a commissioner of official languages. There was no openness or transparency. Everything was done in secret. We found out from journalists who had conducted investigations that the candidate, Ms. Meilleur, had donated \$5,000 to the Liberal Party. That is a prime example of what this government did not do and what it should do with regard to openness and transparency.

I thank the member for Brome—Missisquoi for making my job so enjoyable.

[*English*]

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, the terrible record of the Conservative government on transparency and access to information notwithstanding, I imagine that the member would share the New Democrats' deep concern that although the Liberal government is wrapping itself in a cloak of transparency and openness, in fact, the Prime Minister's Office and ministerial offices will not subject to access to information in Bill C-58.

Government Orders

I would like the member's comments on that and whether he shares my concern.

[*Translation*]

Mr. Bernard Généreux: Mr. Speaker, I thank my colleague for the question.

Today's debate is not about the appropriateness of the measures we have taken in the past, but rather about the appropriateness of the ones the government has included in the bill before us. When a government makes a promise, it must keep it. It is not rocket science. It must keep its promises. The government promised that ministers' offices and the PMO would be open and transparent, that this would be in the bill. Well, it is not in the bill. Promises made should be kept. It is not rocket science.

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, the member spoke of cynicism; I was struck by his choice of word.

The Conservatives knowingly restricted access to information when they were in power. The Information Commissioner conducted an investigation and concluded that political aides blocked or delayed requests without authorization.

Will the hon. member admit that the former Conservative government was not interested in transparency regarding access to information?

Mr. Bernard Généreux: Mr. Speaker, speaking of transparency and openness, the Prime Minister, when he was only the member for Papineau, promised that ministers' offices and the PMO would be open and transparent and that the bill would provide for access to information. That is not the case. It is really quite simple: the Liberals did not keep their promise.

• (1820)

[*English*]

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Mr. Speaker, I am quite pleased to have the opportunity to put some remarks on the record.

When I first came to Parliament, I was made a member of the Standing Committee on Access to Information, Privacy and Ethics, and had the privilege of participating in the study and the preparation of what ended up being a unanimous report by the committee on what was required in order to bring Canada's access to information laws up to speed. That legislation originally was introduced and passed in 1983, the year before I was born. In my entire lifetime that law has not been changed. It seemed to me to be a pretty good idea.

A lot of things have happened in the 30-plus years since I have been on the planet, particularly electronically, things such as the Internet. We have not had a change in the access to information laws in Canada. People are chuckling and they should be. It is ridiculous to think that Canada's access to information laws, through successive Liberal and Conservative governments, were not changed to reflect the advent of the Internet. The Internet has obviously had a dramatic effect on government practices and the way government goes about its business, the way citizens go about their business, and therefore the kinds of requests they make of government and the ways in which they expect that information to be delivered.

When we were undertaking that study, the President of the Treasury Board came to committee a number of times. In all of his appearances, he was quick to get to the issue of access to information, how important it was to reform those laws because they were so dated, and how committed he and his government were to changing those laws, bringing Canada up to speed. Having a state-of-the-art access to information regime was of course a platform commitment of the Liberals. Their mantra of transparency and openness is something we have heard, ad nauseam, in this place. It was the cornerstone of the Prime Minister's private member's bill in the last Parliament, where he made a number of proposals for an access to information regime that would work properly.

Expectations, rightly, were high. This has been a long time coming. The government made it a focus within its election platform document. The Prime Minister chose to highlight that issue with his own private member's bill in the last Parliament. The President of the Treasury Board came to the committee a number of times to say that the government would do this and that it would be great.

When the Liberals finally got around to tabling a document, in light of those expectation, in light of everything the parliamentary committee has heard in the course of its study, and in light of the excellent and comprehensive report the Information Commissioner delivered to Parliament in the last Parliament, it is a major disappointment. There is just no way to get around. I do not even think that is a partisan observation, although there will be members on the other side of the House who disagree.

We looked at what the experts asked for. We looked at what the Information Commissioner asked for. The committee studied it and unanimously came in with recommendations. For those who need a reminder, six Liberals were on that committee. This is not coming from some kind of partisan outlying realm or something where people cannot think sympathetically with respect to the government. This is a disappointment.

A lot of Canadians work with this kind of legislation every day, not just opposition politicians. They are journalists and advocates on all sorts of issues. We have heard about the environment, health, defence policy, name it. If they are working in a public policy area, the bread and butter of that, in order to do good work, is to get some insight on what the government is doing. I know from being in this place that oftentimes what cabinet ministers have to say in question period and in the House is not the place to get insight as to what government is doing. It might not even be the place to get insight generally, but I do not want to say anything unparliamentary so I will leave it with my first formulation. I have some encouragement from these benches, but I do not think I have it from the other side. Therefore, here we are, left with legislation that is a disappointment.

Adjournment Proceedings

●(1825)

On top of that, in order to mask the fact that it is a real disappointment on the substantive issues, we have heard a lot about proactive disclosure. That has been the cornerstone of the very few Liberal speeches that were offered today, none of which were made by the members of the committee who issued the unanimous report on how to fix the access to information regime in Canada. No one is arguing against proactive disclosure on the part of the government. The more that the government can offer up information to citizens, particularly that which is asked for on a routine basis, and come up with ways to make information available in a timely and proactive way, that is great. The government did not need legislation to do that. As much as the minister would have liked to bring it up when he was at committee, during the committee study and committee work, and in all that we heard from the witnesses, proactive disclosure was not the focus because we were examining the legislation. The question we were asking was how the law needs to change. The law did not need to change at all in order to have more proactive disclosure from government. There was no law prohibiting proactive disclosure of any information that the government wanted to release. I have to say at the outset that this is a complete red herring.

What we also hear often from government members and cabinet ministers is how much they look forward to the bill clearing the House. It can go to committee, and all the great ideas of the MPs can be shared. However, they fail to mention that those great ideas of the MPs were shared at committee. We had a report with over 30 recommendations on how to do access to information law properly. The stunning thing was that the government picked up on only a few of those recommendations.

The idea that this would then be referred back to committee, as if that were the place where the government would hear what other MPs had to say, is laughable. It is a waste of the time for these MPs, and it feels disingenuous; I will put it that way. That work was already done. The idea of doing that work over and over again means that the work will never stop. The work that needs to be done is the work by the government to change the law and bring in an appropriate access to information regime. We are not much closer to that, even if this law gets passed. That is part of the disappointment.

I want to get into the substance of the bill, and 10 minutes is not very long when we studied the issue for months at committee. One of the committee recommendations that the government did accept has to do with conferring order-making powers to the Information Commissioner. The idea behind that was to bring in an independent oversight regime so that Canadians would have confidence that when the government ruled it was not appropriate to disclose information, someone would be looking over its shoulder to say whether it made sense or not: "That was politically motivated, maybe it was an oversight, but that is information that should be released."

As long as the government keeps exclusions for cabinet confidences, as it has chosen to do with this proposed bill, which do not allow the Information Commissioner to check up on whether something was properly excluded, which is the case with exemptions, not to get too technical, but one could have mandatory exemptions as opposed to exclusions. That would at least allow the Information Commissioner to review these instances.

However, it did not do that. Even where the government did pursue one of the recommendations of the committee, it did not bring in the other infrastructure we require to realize the goal of that recommendation. That is, to have an instituted independent oversight over government decisions about what to release and what not to release. I would say that it has failed significantly in that regard.

I am pleased to have had the opportunity to address some of the main arguments that we have heard the Liberals making in the chamber today with respect to this bill, and to show why they are deficient in my view, as well as to speak to at least one of the substantive items within the legislation. If we had more time, I would have been happy to provide further thoughts about the inadequacies of the legislation.

ADJOURNMENT PROCEEDINGS

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

●(1830)

[English]

TAXATION

Mr. Larry Maguire (Brandon—Souris, CPC): Mr. Speaker, in the middle of the summer, the Liberal government announced the proposed tax hikes on Canadians small businesses and farmers. If it thought it could quietly pass on these tax hikes without anyone noticing, it is and it was wrong. Since its announcement, it has been bombarded by small business owners and farmers who are fed up with its insulting tone and language. They are fed up with a government that consistently raises their taxes and wastes money. They are really fed up with a finance minister that essentially calls them tax cheats, which is insulting at best.

Small business owners and farmers deserve some respect from their government. After all, they are the backbone of our economy. They are good, hard-working, honest people who are being demonized by the Liberals just to pay for their out-of-control spending. The local business owners and farmers in my riding are middle-class Canadians who put their time, effort, and sweat into paying the bills and their employees before they pay themselves in many cases. They are not big multinational corporations, they are our neighbours, and the Liberals are targeting them with massive tax hikes, and threatening the jobs in our communities that are sustained by local business. What is most infuriating about the Liberals' plan is the hypocrisy found in their talking points, which state that their tax hikes are fair.

Adjournment Proceedings

Westman farm families are furious and want me to do everything in my power to stop these reckless tax hikes. There is nothing fair about their taxes being hiked while the Liberals shield large multinational corporations. There is nothing fair about how the Liberal government wants to make it more difficult for farmers to sell land to their own children. There is nothing fair about farm families needing to record every time that someone feeds the cows or runs to the field with a meal. There is nothing fair about them working around the clock during harvest and the Liberals ending the consultation period on October 2.

There are some significant tax changes being proposed, and no one, not even the Liberal backbench MPs, fully understand the long-term consequences. For example, the Liberals want to restrict farmers from sharing income with family members and limit certain forms of savings in the business. Through their changes, they will make farm operations more vulnerable in bad economic times and less able to innovate and grow. Through the proposed changes to the capital gains rules, it would be far more difficult to transfer the farm to the next generation. Westman farm families deserve better than this, and I will fight the Liberal tax hikes every step of the way.

My question for the government is straightforward. Will it push back its October 2 deadline so that Canadian farm families have a broad opportunity to ensure that their voices are heard?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, helping businesses grow is central to the Government of Canada's bold plan to create an economy in which all Canadians can have confidence in their future. However, when some people pay less than their fair share of taxes, it undermines that confidence. That is what we want to address, because an unfair tax system is a burden on all Canadians.

[*Translation*]

As part of our consultations on the proposals to address the tax planning strategies involving the use of private corporations, the government is taking steps to ensure that no one is paying any more or less than their fair share.

Canada has one of the lowest corporate tax rates in the world, with a combined average small business income tax rate of 14.4% across the federal, provincial, and territorial levels, or the lowest in the G7.

Our low corporate income tax rates leave businesses with a higher after-tax income, which supports business growth and job creation.

• (1835)

[*English*]

Since the release of the consultation paper, the government has received comments from business communities, tax advisers, commentators, farmers, and other Canadians. We are addressing the chief concerns that have been raised since the launch of the consultations and dispelling some of the myths regarding this important policy issue.

Let me be clear on a few points. The changes proposed will in no way restrict businesses from paying salaries to family members or others who are productively contributing to their businesses, nor will they restrict who is allowed to incorporate as a business. They are not targeted at certain groups or professions. Doctors and other

professionals who are allowed to incorporate will continue to be able to do so, and to enjoy the many benefits that incorporation can offer. Changes relating to passive portfolio investing will have no impact on private corporation owners who reinvest their retained earnings into the business each year.

The problem we are addressing is that the current system is encouraging wealthy individuals to incorporate to pay less tax. These strategies are all completely legal, but that does not make them fair. We know that small businesses are the backbone of our economy. Our proposed changes will protect and maintain the ability of small businesses to succeed and create jobs while ensuring that the wealthiest pay their fair share.

Mr. Larry Maguire: Mr. Speaker, that is the height of hypocrisy. I used that term in my presentation to the member across the way.

Some of the first words out of his mouth were that the government wants a system that will help businesses grow. As I pointed out, this does not help any business grow. A 73% tax rate, by the time they draw the funds out of the corporation to pay their personal tax and corporate tax, is not fair to anybody, and this measure is hitting the very middle class that the government says it is out there trying to help.

It is hypocrisy at its worst. Does the member think it is fair that we will lose doctors in our rural areas, or even from Canada, and that we will have a brain drain? I have listened to young doctors who have just graduated, who are saying that if the government forces these tax changes through, they would not bother incorporating in Canada but will just move across the border and go into the States, despite the fact that they do not want to.

This is a terrible situation. Farm families are having to sell their operations—

The Assistant Deputy Speaker (Mr. Anthony Rota): The hon. parliamentary secretary.

[*Translation*]

Mr. Joël Lightbound: Mr. Speaker, in fact, our current tax system has some inherent inequities that we want to address. There are loopholes that we are trying to close. Some of these inequities push certain individuals in Canada to incorporate themselves and use corporate entities to access tax benefits that the vast majority of Canadians listening to us do not have access to.

We think that we can do better and that we can make our tax system fairer. That is our objective, while keeping the small business tax rate low, the lowest in the G7, and keeping the tax rate for the middle class low, and asking everyone to do their fair share.

*Adjournment Proceedings**[English]*

HUMAN RIGHTS

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, I am here again to raise the issue of the ethnic cleansing facing the Rohingya community in Burma. This is an issue that I understand we will now be discussing at greater length tomorrow in the context of an emergency debate. I am grateful for that opportunity. However, this is something that I will raise every opportunity I have, regardless, because I think it is that urgent.

In all of our minds, very clearly, we can see that it is ethnic cleansing. This was a process by which citizenship of Rohingya people in Burma was denied, and progressively more and more pressure was put on them in every possible way. This is nothing new, even though it may be a situation that is new to many Canadians, since it is only now really getting the media coverage and attention that it deserves. This is something that has been going on for a very long time, something that we have been raising in question period and in other ways for a very long time.

We have asked the government to do more in response. We are at a critical phase right now, in that the Burmese military has launched this terrible new assault, which seems to be their effort to complete a process of ethnic cleansing that has been going on for a long time. This terrible policy is something that requires our urgent response.

I want to quote, as I did earlier, Amnesty International's crisis response director, who said:

The evidence is irrefutable—the Myanmar security forces are setting northern Rakhine State ablaze in a targeted campaign to push the Rohingya people out of Myanmar. Make no mistake: this is ethnic cleansing.

During the summer, I went to Berlin and I visited a concentration camp for the first time. My grandmother was a Holocaust survivor, so any time I see instances of ethnic cleansing around the world, it hits close to home for me personally. I think what strikes a lot of people when we see those sites of historic atrocities is that they are often inside urban centres or close to urban centres, and people could have seen and did see many of these atrocities happening. They could see from tall buildings, perhaps, at least into the edge of concentration camps. They could see people being marched to trains for deportation.

We look at those scenes and we wonder why people who could see these things did not do more to respond to them. Today modern technology, news media, and the Internet play the same role that tall buildings in close urban centres played historically, in that again we have terrible atrocities and ethnic cleansing happening, and we can see that it is happening. Too often, I think, governments in the west fail to respond adequately.

I want to ask some specific questions to the government on this issue.

First of all, I asked this earlier in question period and did not get an answer. I want to ask the question again. What is the Office of Human Rights, Freedoms and Inclusion doing? It is tasked with addressing these issues in some form. Has that office been at all engaged with this situation?

Second, has the government engaged directly with the military leadership? We know that after having repeated calls from the opposition, finally the government called Aung San Suu Kyi, but we also need the government to engage with the military leadership in Burma, especially commander-in-chief Min Aung Hlaing, and raise these issues specifically and with a strong emphasis.

I also want to ask why we could not have responded faster and earlier. As well, is the government committed to a sustained response? Since this issue may not remain in the media for long, is the government committed to a sustained response?

• (1840)

Mr. Omar Alghabra (Parliamentary Secretary to the Minister of Foreign Affairs (Consular Affairs), Lib.): Mr. Speaker, I once again want to applaud my colleague for raising this issue. He and I have had various conversations and exchanges on this important topic in the chamber, and I applaud him for his passion on this issue. We can tell from his speech that this comes from a deeply rooted belief in speaking up against human rights violations, particularly when it comes to what we are witnessing today.

I will not disagree with him. The reports we are getting describe a horrific situation. Acts of ethnic cleansing are taking place. The world needs to stand united in condemning it and in helping find a way to end it and address the legitimate grievances that have led us to where we are.

Our government has been engaged on this issue for a while, prior to the latest escalation. The previous minister of foreign affairs visited Myanmar last year, or perhaps it was earlier this year. In his visit, he had a chance to raise this issue and express our government's concern about the underlying issues of the Rohingyas and the fact they did not have rights, and they still do not have rights today. They do not have access to citizenship rights nor access to civic institutions.

When Aung San Suu Kyi visited us in late spring, the Prime Minister personally had the opportunity to speak with her directly on the issue. I had a chance to meet with her as well, alongside the Minister of Foreign Affairs. We raised this issue with her. We told her that Canadians had deep concerns about the ongoing situation and we encouraged her to find a way to resolve them.

With the recent horrific escalations that gave evidence to the fact we were witnessing ethnic cleansing, our government took a global leadership role. There is not a government around the world that has taken the leadership role that our Prime Minister and our government have taken. Our Prime Minister spoke directly to Aung San Suu Kyi and reminded her of her moral, legal, and political responsibility to speak up against such atrocities and to do everything in her power to end it. He called on her to work with her military to stop the atrocities. Then he wrote her an open letter, which was shared with the public. The letter speaks clearly for his firm words and his clarity on his intention and desire to see her government immediately stop these horrific acts.

Adjournment Proceedings

We did not stop there. The Minister of Foreign Affairs has been meeting and talking to like-minded countries to find a way for the global community to stand up and work on finding a way to end this horrific situation. Also, we have been adding to humanitarian aid to help alleviate the suffering of the Rohingyas, especially the ones who have been displaced to Bangladesh. I personally spoke with the high commissioner of Bangladesh and reiterated our commitment to work with his government to alleviate the suffering of the Rohingyas.

• (1845)

Mr. Garnett Genuis: Mr. Speaker, I thank my friend for his sentiments. In light of the urgency of the situation, it is important that we as the opposition challenge the government around specific issues of response where we think more can be done.

Respectfully, the parliamentary secretary said that no other leader had done what Canada had done. Actually, many leaders have contacted and engaged with Aung San Suu Kyi, and many did not wait as long as our Prime Minister did.

The other disappointment was the fact that there was no mention in the Prime Minister's UN speech about the Rohingyas. Many other world leaders did mention the situation of ongoing ethnic cleansing. Our Prime Minister did not. Perhaps the format does not allow for answers to these, but I hope we will hear answers at some point from the government on what the office responsible for this is actually doing, the Office of Human Rights, Freedoms and Inclusion, and the extent to which it is willing to engage directly, not just Aung San Suu Kyi but the military leadership that is directly involved in this issue.

Mr. Omar Alghabra: Mr. Speaker, once again I want to thank my colleague for his intervention and his passion on this issue. We welcome suggestions and ideas on how we can do a better job in confronting this horrific situation.

There is no justification for what the Rohingya are facing. There is more to be done, and our government will continue to be engaged on this file. We will continue to find ways to alleviate the suffering of the Rohingya. We will continue to pressure the Myanmar government and the military to stop the suffering and to find a way to address the underlying causes.

I want to close my response by asking my hon. colleague to do the same of his leader. I have yet to hear from the leader of the official opposition what he thinks of what is happening. I hope my hon. colleague puts the same pressure on his leader.

TAXATION

Mr. Martin Shields (Bow River, CPC): Mr. Speaker, I appreciate the opportunity to be here this evening to address my question to my learned colleague, the parliamentary secretary. It is an opportunity I relish. In my humble opinion, there are many people here who know a lot more than I do, but I appreciate this time to share my thoughts.

I previously asked why the government cut grain tickets in budget 2017. It was a minor line that cut the grain tickets. The tax deferral program was an important tool farmers used to deal with cyclical changes in their income. It is a really important piece.

The government has taken another step toward making life harder for farmers and ranchers. Its proposed tax changes are going to make

it impossible economically to sell the farm to a family member. It would cost more to sell the farm to a family member than to a third party. It is going to really kill those family generational farms because of the economics of the selling.

With regard to income sprinkling, farming is often a family business. It is important that farmers pay their adult family members income they have earned. Farmers are going to be subjected to a paperwork nightmare. They will have to prove to Ottawa bureaucrats that their adult family members are performing a reasonable function. That means that they will have to track every minute their family members work and what they did during that time to prove that it was reasonable. That could be running to town for a part when it is needed when something breaks down. It could be the person buying the groceries and the time accounted for when they are making the lunches for the people out doing the harvest. It is going to be a paperwork nightmare.

On passive investment, the government's plan to tax income saved within a private corporation at a higher rate is also going to hurt Canadian farmers. Farm income can vary enormously from year to year. Fluctuations in international prices for beef and grain occur constantly.

Then there is the weather. In the northern Prairies, there can be an early winter, lots of rain, or lots of snow. This year the southern Prairies are very dry. From year to year, it is very hard to predict the crops farmers will get and the return.

Grain farmers operate their business on at least a two-year basis of cost and income. A grain farmer makes a contract with a shipping company to ship the product in one year and often gets paid the next year. Holding passive investments in their corporations is how the family farmers save for leaner years. In the years they do not get paid, they need those savings.

On top of eliminating grain tickets, the government is ripping the safety net out from under the feet of Canadian farmers. These changes will mean that eventually there will be no family business left to farm.

Will the government now commit to reinstating the grain tickets and cancelling the proposed tax reforms so that family business farms in Canada still have a fighting chance?

• (1850)

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I want to reassure the hon. member that our government is working hard to create the right conditions in rural communities for farmers and agricultural businesses to compete in Canada, and indeed, around the world.

For generations, agriculture has made significant contributions to Canada's economy, food supply, environment, and culture.

*Adjournment Proceedings**[Translation]*

Today, agriculture and agrifood represent a \$100-billion industry. Canadian food and beverages are found on store shelves around the world. Canada is the world's fifth-largest exporter and breaks new records every year. The agriculture and agrifood industry employs 2.2 million Canadians, which represents one in eight jobs. We are the first to recognize how important that industry is.

In order to maintain Canada's strong position, budget 2017 included several measures to support an innovative, competitive, and sustainable agriculture and agrifood industry. As part of the government's overall strategy to attract and retain high-quality business investments in high-growth sectors such as agrifood, budget 2017 allocates \$200 million over four years to support research, development, demonstration and adoption of clean technologies in Canada's natural resource sectors.

Agribusinesses will be eligible for funding under the new five-year strategic innovation fund, which has a funding envelope of \$1.26 billion.

We will also continue to work with provincial and territorial governments to ensure that the agriculture and agrifood sector is strong and innovative.

[English]

This is in addition to the government's current work with provincial and territorial governments to develop the next agricultural policy framework to be launched in 2018.

The government is also undertaking a number of important initiatives to support Canada's farmers and food processors, including launching a full review of rail services across western Canada; creating a \$10.1 billion trade and transportation corridors initiative that will invest in gateways and ports to help get agrifood products to market; successfully completing the Comprehensive Economic and Trade Agreement with the European Union and making ongoing efforts to expand market access for Canadian agrifood producers throughout Asia; eliminating tariffs on a broad range of agrifood processing ingredients, covering approximately \$700 million in annual imports, to strengthen the competitiveness of Canadian agrifood manufacturers at home and abroad; and investing \$500 million to support the expansion of broadband networks in rural Canada and \$2 billion to support rural infrastructure, including roads and bridges, making it easier for Canada's agrifood producers to connect to markets in Canada and internationally.

We recognize the important contribution that rural communities make to our economy and are committed to helping the Canadian agricultural and agrifood sector achieve its goals. A strong rural Canada makes for a stronger economy overall.

Mr. Martin Shields: Mr. Speaker, I appreciate a lot of the positive things my colleague said.

With two days' notice last week, using social media, I booked a room for 100 people to talk about this, and 250 showed up. There were 250 people with two days' notice. They were upset and very disappointed, and the grain tickets came up. The grain tickets, if changed, are going to have a reactionary effect in the transportation and shipping industries. Why did the budget include that one little piece to cut grain tickets, given that we recognize the multi-year operation of farms as far as income and costs are concerned? They brought up that one little piece. Why can the government not drop that one little piece?

Grain tickets have nothing to do with taxes, nothing to do with anything the government does, but are important to farmers from year to year to do their business. These do not draw a penny or cost a thing, but will create problems for the producers, the transportation system—

● (1855)

The Assistant Deputy Speaker (Mr. Anthony Rota): The hon. Parliamentary Secretary to the Minister of Finance.

[Translation]

Mr. Joël Lightbound: Mr. Speaker, I want to thank my colleague for his work with farmers.

As I said, we will keep working with provincial and territorial governments to ensure that the agriculture and agrifood sector remains strong and innovative. That includes investing \$30 million over the next six years to support cutting-edge research in agricultural genomics in priority areas such as climate change and the identification and prevention of biological threats to agriculture.

[English]

As well, as part of the federal infrastructure investment, we will provide \$41.5 million to support the rehabilitation and modernization of Agriculture and Agri-Food Canada and Canadian Food Inspection Agency research stations and laboratories.

We are and will continue to support the agricultural and agrifood sector in Canada and the millions of Canadians it employs.

The Assistant Deputy Speaker (Mr. Anthony Rota): The motion to adjourn the House is now deemed to have been adopted.

[Translation]

Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:57 p.m.)

CONTENTS

Monday, September 25, 2017

| | | | |
|--|-------|----------------------------|-------|
| Public Sector Integrity Commissioner | | | |
| The Speaker | 13429 | | |
| PRIVATE MEMBERS' BUSINESS | | | |
| Canadian Bill of Rights | | | |
| Ms. Blaney (North Island—Powell River) | 13429 | | |
| Bill C-325. Second reading | 13429 | | |
| Mr. Vaughan | 13431 | | |
| Ms. Gladu | 13431 | | |
| Ms. Boutin-Sweet | 13431 | | |
| Mr. Vaughan | 13432 | | |
| Mrs. Vecchio | 13433 | | |
| Ms. Boutin-Sweet | 13435 | | |
| Mr. May (Cambridge) | 13436 | | |
| Mr. Rankin | 13437 | | |
| GOVERNMENT ORDERS | | | |
| Access to Information Act | | | |
| Bill C-58. Second reading | 13438 | | |
| Mr. Deltell | 13438 | | |
| Ms. Tassi | 13441 | | |
| Ms. Duncan (Edmonton Strathcona) | 13441 | | |
| Mrs. Wagantall | 13442 | | |
| Ms. Murray | 13442 | | |
| Ms. Dhillon | 13443 | | |
| Mr. Genuis | 13444 | | |
| Mr. Weir | 13444 | | |
| Mrs. Nassif | 13445 | | |
| Mrs. Wagantall | 13445 | | |
| Ms. Malcolmson | 13445 | | |
| Mr. O'Toole | 13446 | | |
| Ms. Murray | 13448 | | |
| Ms. Malcolmson | 13449 | | |
| Mr. Genuis | 13449 | | |
| Mr. Lamoureux | 13450 | | |
| Mr. Deltell | 13452 | | |
| Mr. Blaikie | 13453 | | |
| Ms. Murray | 13453 | | |
| STATEMENTS BY MEMBERS | | | |
| North American Free Trade Agreement | | | |
| Mr. Fortin | 13454 | | |
| World Pharmacists Day | | | |
| Mr. Saini | 13454 | | |
| Marcel Lambert | | | |
| Mr. McCauley | 13454 | | |
| National Forest Week | | | |
| Mr. Lemieux | 13454 | | |
| Health | | | |
| Ms. Duncan (Edmonton Strathcona) | 13454 | | |
| | | Joseph Howlett | |
| | | Ms. Ludwig | 13455 |
| | | Human Rights | |
| | | Mr. Kmiec | 13455 |
| | | Thelma Chalifoux | |
| | | Mr. Ouellette | 13455 |
| | | Arnold Chan | |
| | | Mr. McKay | 13455 |
| | | Quebec Cheesemaker | |
| | | Mr. Rayes | 13456 |
| | | Franco-Ontarian Day | |
| | | Mr. Drouin | 13456 |
| | | Sport | |
| | | Ms. Sahota | 13456 |
| | | Anti-Semitism | |
| | | Mr. Sweet | 13456 |
| | | Rick Mercer Report | |
| | | Mr. Whalen | 13456 |
| | | Anti-Semitism | |
| | | Mr. Rankin | 13457 |
| | | International Trade | |
| | | Mr. Allison | 13457 |
| | | Gaétan Gervais | |
| | | Mr. Lefebvre | 13457 |
| ORAL QUESTIONS | | | |
| | | Taxation | |
| | | Mr. Scheer | 13457 |
| | | Mr. Morneau | 13457 |
| | | Mr. Scheer | 13457 |
| | | Mr. Morneau | 13457 |
| | | Mr. Scheer | 13458 |
| | | Mr. Morneau | 13458 |
| | | Mr. Rayes | 13458 |
| | | Mr. Morneau | 13458 |
| | | Mr. Rayes | 13458 |
| | | Mr. Morneau | 13458 |
| | | International Trade | |
| | | Ms. Ramsey | 13458 |
| | | Ms. Freeland | 13458 |
| | | Ms. Brosseau | 13458 |
| | | Ms. Freeland | 13459 |
| | | Ms. Brosseau | 13459 |
| | | Ms. Freeland | 13459 |
| | | Ms. Ramsey | 13459 |
| | | Ms. Freeland | 13459 |
| | | Taxation | |
| | | Ms. Bergen | 13459 |

| | | | |
|--|-------|--|--|
| Mr. Morneau | 13459 | | |
| Ms. Bergen | 13459 | | |
| Mr. Morneau | 13459 | | |
| Mr. Deltell | 13460 | | |
| Mr. Morneau | 13460 | | |
| Mr. Deltell | 13460 | | |
| Ms. Goldsmith-Jones | 13460 | | |
| Mr. Clement | 13460 | | |
| Mr. Morneau | 13460 | | |
| Mr. Albas | 13460 | | |
| Mr. Morneau | 13460 | | |
| Parks Canada | | | |
| Mr. Stetski | 13461 | | |
| Ms. McKenna | 13461 | | |
| Mr. Dubé | 13461 | | |
| Ms. McKenna | 13461 | | |
| Taxation | | | |
| Mr. Berthold | 13461 | | |
| Mr. MacAulay | 13461 | | |
| Mr. Barlow | 13461 | | |
| Mr. MacAulay | 13461 | | |
| Mr. Barlow | 13461 | | |
| Mr. MacAulay | 13462 | | |
| Mr. Berthold | 13462 | | |
| Mr. Morneau | 13462 | | |
| Foreign Affairs | | | |
| Ms. Laverdière | 13462 | | |
| Ms. Freeland | 13462 | | |
| Housing | | | |
| Ms. Blaney (North Island—Powell River) | 13462 | | |
| Mr. Duclos | 13462 | | |
| Foreign Affairs | | | |
| Mr. Levitt | 13462 | | |
| Ms. Freeland | 13462 | | |
| International Trade | | | |
| Mr. Paul-Hus | 13463 | | |
| Ms. Freeland | 13463 | | |
| Mr. Paul-Hus | 13463 | | |
| Ms. Freeland | 13463 | | |
| Mr. O'Toole | 13463 | | |
| Ms. Freeland | 13463 | | |
| Mr. O'Toole | 13463 | | |
| Ms. Freeland | 13463 | | |
| Automotive Industry | | | |
| Ms. Hardcastle | 13463 | | |
| Ms. Freeland | 13464 | | |
| The Environment | | | |
| Ms. Duncan (Edmonton Strathcona) | 13464 | | |
| Ms. McKenna | 13464 | | |
| Indigenous Affairs | | | |
| Mr. Brassard | 13464 | | |
| Ms. Bennett | 13464 | | |
| Mr. Nuttall | 13464 | | |
| Ms. Bennett | 13464 | | |
| Justice | | | |
| Mr. Nicholson | 13464 | | |
| Ms. Wilson-Raybould | 13464 | | |
| Social Development | | | |
| Ms. Hutchings | 13465 | | |
| Mr. Duclos | 13465 | | |
| Foreign Affairs | | | |
| Mr. Genuis | 13465 | | |
| Ms. Freeland | 13465 | | |
| Housing | | | |
| Mr. Aubin | 13465 | | |
| Mr. Duclos | 13465 | | |
| Government Appointments | | | |
| Mr. Serré | 13465 | | |
| Ms. Wilson-Raybould | 13465 | | |
| Justice | | | |
| Mr. Kent | 13466 | | |
| Mr. Goodale | 13466 | | |
| International Trade | | | |
| Mr. Barsalou-Duval | 13466 | | |
| Mr. MacAulay | 13466 | | |
| Foreign Affairs | | | |
| Mr. Thériault | 13466 | | |
| Ms. Freeland | 13466 | | |
| Taxation | | | |
| Ms. May (Saanich—Gulf Islands) | 13466 | | |
| Mr. Morneau | 13466 | | |
| ROUTINE PROCEEDINGS | | | |
| Petitions | | | |
| Taxation | | | |
| Mrs. Gallant | 13466 | | |
| Motor Vehicle Safety Act | | | |
| Mr. Kmiec | 13467 | | |
| Religious Freedom | | | |
| Mr. Kmiec | 13467 | | |
| Falun Gong | | | |
| Mr. Kmiec | 13467 | | |
| Navigation Protection Act | | | |
| Ms. Mathyssen | 13467 | | |
| Democratic Reform | | | |
| Ms. Mathyssen | 13467 | | |
| The Environment | | | |
| Ms. May (Saanich—Gulf Islands) | 13467 | | |
| Housing | | | |
| Ms. May (Saanich—Gulf Islands) | 13467 | | |
| Omar Khadr | | | |
| Mr. Tilson | 13467 | | |
| Jordan's Principle | | | |
| Ms. Malcolmson | 13467 | | |
| Questions on the Order Paper | | | |
| Mr. Lamoureux | 13468 | | |

Request for Emergency Debate**Situation in Myanmar**

Mr. Genuis 13468

Speaker's Ruling

The Speaker 13468

GOVERNMENT ORDERS**Access to Information Act**

Bill C-58. Second reading 13468

Mr. Weir 13468

Ms. Murray 13471

Ms. Gladu 13471

Ms. Malcolmson 13471

Mr. Longfield 13472

Mr. Genuis 13472

Ms. Murray 13475

Mr. Aubin 13475

Ms. Tassi 13475

Mr. McCauley 13476

Ms. Tassi 13478

Ms. Gladu 13478

Mr. Aubin 13478

Mr. Benzen 13478

Mr. Lamoureux 13480

Mr. Deltell 13480

Mr. Clarke 13480

Ms. Murray 13483

Mr. Aubin 13483

Mr. Deltell 13484

Mr. Aubin 13484

Ms. Murray 13485

Mr. Blaikie 13486

Ms. Duncan (Edmonton Strathcona) 13486

Ms. Murray 13487

Ms. May (Saanich—Gulf Islands) 13488

Mr. Rayes 13488

Ms. Murray 13489

Ms. Malcolmson 13490

Mr. Généreux 13490

Mr. Paradis 13491

Ms. Malcolmson 13491

Ms. Murray 13492

Mr. Blaikie 13492

ADJOURNMENT PROCEEDINGS**Taxation**

Mr. Maguire 13493

Mr. Lightbound 13494

Human Rights

Mr. Genuis 13495

Mr. Alghabra 13495

Taxation

Mr. Shields 13496

Mr. Lightbound 13496

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