



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, January 30, 2018**

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**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

Tuesday, January 30, 2018

The House met at 10 a.m.

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*Prayer*

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## ROUTINE PROCEEDINGS

• (1005)  
[*English*]

### COMMITTEES OF THE HOUSE

#### FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

**Hon. Robert Nault (Kenora, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 14th report of the Standing Committee on Foreign Affairs and International Development entitled “Moving the Relationship Forward: NAFTA Modernization and North American Trilateral Cooperation”. Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

As we have seen, NAFTA is a very important issue. We want to thank the minister and the government for their hard work.

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### PETITIONS

#### FALUN GONG

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, we recently had a comment from Canada's ambassador to China that Canada has more in common, in terms of certain values, with China than with the U.S. With that in mind, I want to table a petition recognizing the ongoing persecution of religious minorities in China, in particular members of the Falun Gong movement.

[*Translation*]

#### TOBACCO PRODUCTS

**Mr. Simon Marcil (Mirabel, BQ):** Mr. Speaker, I would like to present petition e-1237, signed by 10,251 people who want to halt Bill S-5 to ensure it will contain a separate category of tobacco products for the vaping industry.

[*English*]

#### RELIGIOUS FREEDOM

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, I have a petition that calls on the House to amend section 241 of

the Criminal Code, medical assistance in dying, and the Civil Marriage Act, to provide Christians and their faith-based institutions protection from its provisions that are contrary to their religious and conscience beliefs. It also calls on the House to enact a policy to provide a review of any legislation that may be brought forth in the future by the government to ensure it does not impinge on the religious rights of Christians.

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### 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.

\* \* \*

### PRIVILEGE

#### STATEMENTS BY MINISTER OF REVENUE REGARDING THE DISABILITY TAX CREDIT—SPEAKER'S RULING

**The Speaker:** On December 5, 2017, the hon. member for Calgary Rocky Ridge raised a question of privilege concerning allegedly misleading statements made by the Minister of National Revenue.

[*Translation*]

I would like to thank the member for Calgary Rocky Ridge for raising this matter, as well as the Minister of National Revenue, the Parliamentary Secretary to the Leader of the Government in the House of Commons, the member for New Westminster—Burnaby, and the member for Saanich—Gulf Islands for their comments, which assisted me in assessing the prima facie merits of this question of privilege.

[*English*]

The member for Calgary Rocky Ridge explained that some responses to oral questions made by the Minister of National Revenue regarding disability credit eligibility criteria contradicted information found in an internal departmental memo obtained through an access to information request. The member explained that the minister had repeatedly said that the disability credit eligibility criteria had not changed nor were there any changes to the way the law is interpreted. However, in the member's opinion, the departmental memo showed otherwise. This, he contended, was proof that the minister had deliberately misled the House.

*Government Orders*

He then raised this matter again on December 11, adding that comments by the minister's parliamentary secretary in a recent media interview were further proof of this allegation.

[Translation]

In turn, the Parliamentary Secretary to the Leader of the Government in the House of Commons noted that, as the minister's statements were neither inaccurate nor contradictory, the requisite conditions for determining that the House had been misled have not been met. Thus, he concluded that this is simply a matter of debate.

[English]

The Minister of National Revenue rose in the House on December 12, and maintained the validity of her previous statements to the House on this matter. However, she did concede that the internal departmental memo in question, even though she argued it did not outline a change to the eligibility criteria, may have had unintended consequences in contributing to confusion. For that, the minister apologized.

Before addressing the matter at hand, I would like to remind members of the conditions involved in raising a question of privilege.

• (1010)

*House of Commons Procedure and Practice*, second edition, at page 141, states:

First, the Speaker must be convinced that a prima facie case of breach of privilege has been made and, second, the matter must be raised at the earliest opportunity.

[Translation]

There is a tacit understanding that, if a matter goes to the heart of a member's or the House's privileges and immunities, or that contempt is involved, it is of the highest importance and should be addressed urgently. *House of Commons Procedure and Practice*, second edition, at page 143, reminds us that:

...the Member must satisfy the Speaker that he or she is bringing the matter to the attention of the House as soon as practicable after becoming aware of the situation. When a Member has not fulfilled this important requirement, the Speaker has ruled that the matter is not a prima facie question of privilege.

This, of course, is in addition to the need for members to provide a written statement to the Speaker at least one hour before rising in the House.

[English]

When examining a charge that a member has deliberately misled the House, the Speaker is strictly limited with respect to what can and cannot be considered. As recently as November 20, 2017, at page 15303 of the *Debates*, I reiterated the following:

Members know well that in any case in which the veracity of what a member of the House has said is called into question, the Chair's role is very limited to the review of the statements made in a proceeding of Parliament. In other words, the Chair cannot comment on what transpires outside of the deliberations of the House or its committees.

[Translation]

Speaker Milliken also upheld this important principle on February 10, 2011, at page 8030 of the *Debates*, stating that:

...the Chair is bound by very narrow parameters in situations such as this one. It may sound overly technical but the reality is that when adjudicating cases of this

kind, the Chair is obliged to reference material fully and properly before the House.

[English]

As has been acknowledged, in examining this case, involving a series of statements by the minister, there are three necessary conditions to be met: the statements must be misleading; the member must know when making them that they are incorrect; and, finally, there must be proof that the member intended to mislead the House by making the statement.

In reviewing the statements made by the minister, which is all that the Chair is able to assess in this instance, I am unable to find evidence that they were deliberately misleading when measured against the threshold set by the House.

[Translation]

This is in addition to our long-standing practice of accepting members at their word, something I am bound to do. As my predecessor stated on April 29, 2015, at page 13198 of the *Debates*:

...as your Speaker, I must take all members at their word. To do otherwise, to take it upon myself to assess the truthfulness or accuracy of members' statements is not a role which has been conferred on me, nor that the House has indicated that it would somehow wish the Chair to assume, with all of its implications.

[English]

Consequently, for these reasons, I cannot find that a prima facie question of privilege exists.

That being said, this situation should serve as a pointed reminder of the need for clear and accurate exchanges of information in the House. Members' inalienable right to clarity and consistency in the information they receive underpins their ability to carry out properly their responsibilities as legislators and representatives. Any information that fails to support this right and obligation is in essence a disservice to all members.

I thank all hon. members for their attention.

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## GOVERNMENT ORDERS

• (1015)

[English]

### TOBACCO ACT

The House resumed from November 3, 2017, consideration of the motion that Bill S-5, an act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts, be read the second time and referred to a committee.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it is with pleasure that I rise to address what I would argue is a very important health issue for all Canadians.

It is estimated that every 14 minutes a Canadian dies from a tobacco-related illness, which is approximately 37,000 Canadians every year. Therefore, it is no surprise that this is an issue the government wants to move forward on. That is what this legislation is all about. It is about protecting the health and well-being of Canadians.

*Government Orders*

This is not a new issue. Many of us are from a generation that can recall the problems nicotine and smoking have caused over the years. I was a health critic for a number of years in the Province of Manitoba. One of the greatest expenditures in our health care system is related to tobacco or cigarette smoking, second-hand smoke, and so forth. Literally hundreds of millions of dollars are spent every year on smoking-related illnesses in our health care system. One could argue that this is part of the economic or social cost, which is that much greater.

Through time, we have seen a great deal of changes. I recall that, when I was going through school, smoking was perceived as a cool thing to be doing. It was very much encouraged. We can recall watching television programs where often the actors and actresses were smoking cigarettes. At the time, it was perceived as an okay thing to do.

As years went on, we found out that not only was it not overly cool to smoke, but the science became clear with respect to the cost of smoking, the health cost in particular. Unfortunately that science came out far too late. A high percentage of our young people and adults were already engaged in smoking at a substantial cost to society.

Fast-forward from the days I went school to the time when my daughter and son attended school. There were more educational programs in place. There were student bodies leading the educational fight to discourage individuals, particularly young people, from smoking.

Canada at one time was on the leading edge in terms of providing necessary legislation, promotional material, and education for student bodies that highlighted the negatives of tobacco. There was a push on issues such as cigarette packaging and how to ensure the proper communication was out there to say it was not healthy to smoke. The government and Canadians as a whole really started to recognize that.

When I was younger there was always smoke in the air at my house. I was breathing in secondhand smoke every day. Today, many individuals will exit their house and go outside if they smoke because they understand the value of having clean air in their homes.

Through municipal, provincial, and national governments, and so many other stakeholders, we have seen changes over time of great benefit to non-smokers and ultimately even smokers as they have become more educated. Not that long ago, people were critical of putting a tax on tobacco. They said the government was raising taxes again by increasing the tax on cigarettes. They did not realize that the cost with respect to the consequences of smoking was much more than there ever was in terms of the revenue generated from cigarettes. It is in the government's best interests to see less people engaged in smoking and that has been well established for decades.

When we look at the legislation we are debating today, much like yesterday, when there was a great deal of support on an issue that was important for Canadians, this too is a very important issue that all Canadians are concerned about. It is an issue that all parties inside the chamber are sympathetic toward, and that is the issue of addiction and the cost to society that nicotine has had over the years and continues to have today. In other words, there is so much room

for improvement and I believe that all members, no matter what side of the House they sit on, recognize that we can do more. This legislation is a positive piece of legislation.

Our government is committed to working with many different stakeholders to make a difference. When we talk about stakeholders, we are talking about the different levels of government, including Canada's indigenous people, as they work alongside the national government to look for ways to improve our situation overall.

• (1020)

In fact, there was a national consultation done just last year in which there was a report that was provided and targets were set. We talk about wanting to see an ongoing decrease in dependency on nicotine, or in the smoking of cigarettes. I believe the target was set at a 5% reduction over the next couple of decades. I think that is an applaudable approach and I would encourage others to get engaged in terms of establishing and supporting that particular target.

As it has been pointed out, the government has a very important role. In particular, I want to highlight the provinces. I made reference to when I was the health critic at the provincial level. The provinces, in many different ways, participate at a grassroots level in terms of the regulations and the legislation that they have put in place. I will be getting into the issue of vapour shortly. Many provinces have already introduced and brought forward legislation dealing with vapour. It is important for us to recognize the need for national standards, understanding, and better promoting those standards throughout the country, and also for developing a long-term policy that will make a positive and profound difference for all Canadians.

We look at it in terms of the government supporting different initiatives and working with, for example, our first nations and Inuit communities in the development and implementation of tobacco-controlled products that are socially and culturally appropriate. This is something that the government has already done.

However, today it is all about Bill S-5, which amends the Tobacco Act to regulate vaping products as a separate class of products. As such, the Tobacco Act would be renamed the "tobacco and vaping products act" and would include provisions to protect youth from nicotine addiction and tobacco use.

The new federal regime would regulate the manufacture, sale, labelling, and promotion of vaping products. It would include provisions to restrict sales to youth and to restrict the promotion of certain enticing flavours such as candy that may be used to get more young people to engage in vaping. The inclusion of provisions to restrict sales to youth and restrict promotion of certain flavours will have a positive impact. It will also enable the government to put in place regulatory measures to reduce the health and safety risks related to vaping products by requiring, for example, child-resistant packaging to help protect children from nicotine poisoning.

*Government Orders*

The issue of cigarette packaging is once again dealt with in this legislation. We know that there are some countries that have gotten ahead of Canada in terms of taking a proactive approach to dealing with this type of packaging. One of the countries that I think we need to look to is Australia. Even though we have seen other countries' approaches, such as the United Kingdom, Ireland, and France, Australia has somewhat led the way in terms of the generic packaging or standardized packaging that has been brought forward.

Within this legislation we see that we have a government that is committed to looking at the types of things Australia is doing in regard to that standardized packaging. Once again, it is ultimately meant to discourage individuals from being brought into smoking in the first place.

●(1025)

We know there is a high percentage of 18-year-olds and young adults who begin smoking at a much younger age and dealing with the packaging issue would assist us in preventing some young people from smoking cigarettes.

The Tobacco Act would allow for requirements to be set out in regulations in this regard. Following the passage of these legislative amendments, regulations specifying requirements such as the permitted colour, font, and even font size on tobacco packages and products, and restrictions on the use of logos, graphics, and promotional information would need to also be developed. That is a major part of Bill S-5. It would enable the government to develop the regulations, which would bring us closer to what other countries are doing. It is the will of the Minister of Health to protect the interests of young people.

As for vaping, the key message that needs to be emphasized is that while scientific knowledge is still evolving on the issue, there is much more work to be done. There will be many more reports on the subject. It is clear that vaping products may bring public health benefits, if they reduce tobacco-related death and disease by helping smokers quit or switch completely to a less harmful source of nicotine, but it may also harm young people, in particular. That concerns me greatly.

I want, as much as possible, legislation that takes a proactive approach to the health of young people, the health of all Canadians but, in particular, on this issue, the well-being of young people. I believe there is a misconception today about vaping. People think vaping is a healthy thing to do and in certain circumstances, I suspect it is healthy, but there needs to be so much more research done on this. Until we see that additional research done so that we better understand both the good and bad of vaping, if we are going to err, I would rather err on the side of caution for better health.

A concern, for example, that I have is that many young people have led the fight in discouraging youth from cigarette smoking. To what degree is there an educational component for young people today about vaping? We know nicotine is being used in vaping and there is an addictive side to that. I would argue that we do not have enough information on the number of young people who may take up vaping, as an example, which would ultimately cause them to give up vaping and smoke cigarettes instead. There is a real risk of that and I have not seen information that clearly demonstrates that is not the case. That is why it is important for us to recognize the

vaping industry, which is a growing industry. It is relatively new. The last 10 to 15 years is when it became quite popular in society. Now, with the many flavours offered and the imagery projected on the issue, it is a lure for many individuals, smokers and non-smokers alike, who look at it almost as a lifestyle issue.

●(1030)

I am not convinced that it is positive. In fact, I have grave concerns. That is why it is good that what we are doing in the legislation is bringing vaping under the tobacco legislation. I would like hear the different perspectives on that issue from members opposite.

Vaping has grown in popularity with the introduction of e-cigarettes. It is important that we recognize that vaping is an act of inhaling and exhaling an aerosol, which is often referred to as vapour. This is produced by what is most commonly known as an e-cigarette, but there are many similar types of devices used for vaping. They do not produce tobacco smoke. Rather, it is an aerosol, often mistaken for water vapour, that actually consists of fine particles, and it is those fine particles we need to be concerned about. They can contain varying amounts of toxic chemicals that have been linked to many negative health effects.

Generally speaking, when we think of vaping, it is done with a device with a mouthpiece. There is a battery component, which often causes issues we should be concerned about. There is a cartridge containing the e-liquid, or the juice, and a heating component for the device, which is powered by the battery. That is the makeup of something used for vaping.

There has been a great deal of concern, and harm has been caused. There is a growing body of evidence indicating that the chemicals in these products may be dangerous. There are many health advocates who are recommending caution and are calling for additional research on the potential risks versus benefits. Most e-cigarettes contain nicotine, the same drug found in cigarettes.

There was an NBC report that highlighted issues related to the nicotine and the cigarette aerosol causing bodily harm. A recent study conducted by the UNC School of Medicine highlighted that particular problem. The flavouring can target the very young.

I appreciate the opportunity to share my thoughts and concerns.

●(1035)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I agree with many of the things my colleague opposite said about the vaping industry, the need for regulation, and the importance of including all the different technologies that have come out, such as nicotine sticks that are not being smoked but are burned.

I wonder if he was aware that France and Japan, two countries that have implemented plain packaging, have come out with commentary. The health minister in France said that they know that plain packaging does not lead smokers to stop smoking and concluded that unfortunately, this program did not reduce the sale of cigarettes. Japan has called the program a failure and is calling to end the policy. I do not know if the member was aware or could comment.

*Government Orders*

**Mr. Kevin Lamoureux:** Madam Speaker, what I am aware of is that Australia is virtually leading the way in regard to the idea of standardized and plain packaging. There is a consensus among many stakeholders here in Canada, both health and other professionals, who are looking at the impact of plain and standard packaging. Many a study has been done, and we have seen that it has had a positive impact compared to previous packaging. This is the next step. I would suggest that there is much room for improvement. To move toward standard packaging is something that would, in fact, be effective and would deter young people from getting engaged in cigarette smoking. Therefore, I support that aspect. As Australia has demonstrated, it is the right thing to be doing at this time.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, the New Democrats believe that this is incredibly important legislation. We know that tobacco in this country kills. Cigarettes and products are carcinogens and are highly addictive. Therefore, we need this legislation to pass as soon as possible. I am disappointed to see that the government side is putting up exactly one speaker to represent the 180-plus Liberal MPs. I do not think that speaks to the importance of this issue.

We know that 115,000 Canadians start smoking every year, and 82% of them start before they are 18. We know that one-third of those people will die of a smoking-related illness. Even though the current government's mandate to bring in this kind of legislation was in 2015, we are now in 2018. During the time the government has stalled, probably close to 300,000 Canadians have started smoking, most of them young people, and many of those kids are going to die because the government took over two and a half years to get this legislation before this House.

Given that Australia brought in this legislation in 2012, given that France, the U.K., and Hungary brought in this legislation in 2016, what took the current government over two years to bring in this legislation that would regulate a product that we know is going to kill Canadians from coast to coast?

**Mr. Kevin Lamoureux:** Madam Speaker, we have a government that has worked with the different stakeholders. The New Democrats often think that on day one we introduce all the legislation we can and then in the following two days it passes. That is not the way things work. This government had a consultation period to work with the different stakeholders. I believe eight provinces already have some form of legislation. It takes time to develop the legislation itself. To try to give the impression that this is not a priority for the government is just wrong. It is a priority issue for this government. That is why for well over a year, we have been working with the many different stakeholders, the ones who have the expertise, and bringing forward legislation.

The member said we should be passing the legislation, and he would like to see all the members of the Liberal caucus and possibly in the opposition speak to the legislation, which would in essence keep it being debated for the next two years.

At the end of the day, we believe it is good, solid legislation that would have a very positive impact on the young people of our country and all of society. We hope the NDP will support the legislation, because it is ultimately in the best interest of all.

● (1040)

**Mr. John Oliver (Oakville, Lib.):** Madam Speaker, 115,000 people a year become daily smokers. About 82% of them start smoking at or before the age of 18, so about 100,000 Canadians each year begin to become addicted to nicotine. That is a big challenge for us. Whether they ingest the nicotine by smoking or by vaping, and smoking is clearly the worse of those two by a margin, nicotine itself, particularly when people are addicted to it and having increasing quantities, is an unhealthy substance to be ingesting.

I thought it would be helpful if my hon. colleague would again remind the House what the steps are in Bill S-5 that would regulate vaping and reduce the attraction of this particular way of ingesting nicotine for our young Canadians.

**Mr. Kevin Lamoureux:** Madam Speaker, my colleague is right about the severity. I started my speech by saying that every 14 minutes a Canadian dies from a nicotine-related issue. The purpose of Bill S-5 is to regulate vaping products as a separate class of products. As such, the Tobacco Act would be renamed the tobacco and vaping products act. It would take the issue of vaping and put it into the Tobacco Act.

Even though vaping has been around in a significant way for the last 10 to 15 years, we have a government that is working with the different stakeholders and bringing forward legislation, among other things, to try to make a difference. This legislation would ultimately make a positive difference, and that is something we all want to see happen: fewer young people engaging in cigarette smoking and the population as a whole being better educated as to what the health risks are with respect to vaping.

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Madam Speaker, plain packaging itself could create an opportunity for contraband tobaccoists to go onto Health Canada's website, download the plain packaging, and use the same template other companies use. The only thing we have heard that would stop a Canadian from purchasing that product, and not knowing that it was a contraband product, would be the CRA excise stamp that is put on legal products. The problem we run into is that the industry has actually found cases where the CRA stamp has been found on contraband baggies of tobacco.

If the member opposite believes that plain packaging is a good step forward, how does he address the issue of the illegal use of the excise seal, which is supposed to protect Canadians from contraband tobacco products?

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I am not convinced that having a standard package versus what we currently have is going to increase contraband cigarette sales.

I do not believe the argument the member has put forward. I believe that by having standard packaging we will see fewer young people actually engaging in smoking. That is what I believe. That is why I would encourage my colleague and friend across the way to think about how we can reduce the number of young people smoking. As has been illustrated, it is our young people who are engaging in tobacco or cigarette smoking.

*Government Orders*

If we could prevent a greater number of young people from starting to smoke, society would be a lot better off, not only in terms of health and social aspects but in terms of the economic point of view. We would all win. Standard packaging is a positive step forward. I do not believe for a moment that it will have a negative impact in terms of contraband sales.

• (1045)

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Madam Speaker, let me begin by extending my sincere thanks to the member for Sarnia—Lambton, our shadow minister of health, for her excellent work in this area, particularly with respect to Bill S-5, and also regarding many other issues I deal with in the agriculture portfolio, including Canada's Food Guide.

We are here today to discuss Bill S-5, which regulates the vaping industry, a fast-growing industry. We are seeing more and more of these shops popping up in our municipalities and people coming out of them in a huge cloud of vapour. Vaping, which is very different from cigarette smoking, can be seen from quite a distance. We can even spot people vaping while driving their car and see the huge cloud of vapour that comes out. This is a fast-growing industry, and I think it will continue to grow over the next few years. Unfortunately, this industry is still not regulated.

The bill also provides for plain packaging in the tobacco industry. I will come back to this point a little later in my speech.

Bill S-5 deals with a very serious issue, one that is a very hot topic, given that the decisions we make here in the House will have an impact not only on us today, but also on all future generations.

Let us look back into the past. Had they been aware of all the health risks posed by tobacco, would the legislators in those days have made the same decisions? Would they have wanted to use tobacco as a source of revenue for the government? Would they have condoned the widespread use of tobacco in our society?

It is important to understand that the scientific knowledge back then was not what it is today. Legislators made decisions based on the information they had available to them. The tobacco industry today is in a downward slide, but it grew exponentially for years. Tobacco was a cash cow for many private corporations and for all levels of government that taxed tobacco.

Today, we have the responsibility of regulating electronic cigarettes. Do we have all the information we need to make the right decision, not just for the short term but also for the long term?

Let us come back to the situation and tobacco use, nicotine, and the costs of tobacco use in Canada.

Health Canada's Tobacco Control Directorate recently released a report, reviewed and commented by the Conference Board of Canada in 2017, summarizing the costs of tobacco use in Canada. The figures are from 2012. We know that tobacco is one of the leading causes of preventable morbidity and mortality worldwide. According to the WHO, the World Health Organization, tobacco kills more than five million people annually.

The report entitled "The Costs of Tobacco Use in Canada, 2012" provided an overview on mortality and costs in Canada, the

provinces, and the territories based on 2012 data. An estimated 45,464 deaths were attributable to cigarette smoking in Canada, with about half of those deaths occurring among those 75 and older, and more than three-quarters among those 65 and older. This included 26,610 deaths among men and 18,000 deaths among women, or nearly 60% of deaths attributable to smoking among men.

This cause of mortality accounts for 18.4% of all deaths in Canada every year, or nearly one in five deaths in 2012. In other words, 125 people die every day in Canada from smoking. This surpasses the total number of deaths from motor vehicle collisions, other external causes of accidental injury, intentional self-harm, and assault.

• (1050)

In 2012, nearly 600,000 potential years of life were lost as a result of cigarette smoking, from causes such as tumours, cardiovascular diseases, and respiratory diseases. In other words, even if smokers do not die, there is still an impact. There are costs for society, because we must treat the individuals suffering from tobacco-related diseases.

These diseases cost our society \$16.2 billion every year. Indirect costs represent more than half of that amount, while direct costs account for the rest. Health care costs obviously account for the largest part of the direct cost of cigarette smoking.

I could go on for quite a while about the costs. I think everyone agrees that when Canada authorized tobacco use, we had no idea that it would cost our society so much. There are significant human costs, financial costs that affect our society as a whole, and costs for smokers and non-smokers. Essentially, it costs every single one of us.

Everyone has their own history with tobacco. We all have a personal history with smoking. We might be smokers or former smokers. We may have never smoked. We may hate smokers. Someone in our family may have smoked so we were exposed to second-hand smoke. Maybe no one in our family smoked and we cannot tolerate cigarette smoke at all. Everyone has their own personal history.

I would like to talk about mine. I began smoking at age 15. Why? I was not really interested in smoking, but I wanted to be cool. Some of my friends smoked. There were also some nice young women I knew who smoked. I had to start smoking to be part of that group, so I did. I smoked half a pack of cigarettes in one evening. Of course, I was sick, but impressing those young women who were smoking was more important to me, so I continued to smoke. I smoked for several years. In the end, I was smoking two packs of cigarettes a day before I even turned 23. It is unbelievable. That is my personal experience, but how many young Canadians share that history? It is our history.

Tobacco causes addiction. Depending on the circumstances, some people are more likely than others to get addicted. I have to admit that I probably fall into that category myself. When it gets to the point where you have to smoke in the shower because you got up late, you know you have a problem. That is what it was like for me. None of this ever made me stop smoking.



What was the turning point for me? One day, my father, who was in his forties, went to the hospital with a sore throat. Sadly, it turned out to be throat cancer. For the next eight months, I stayed at my father's side as he dealt with the consequences of smoking. It ended badly. At the end of those eight months, my father passed away.

When did I decide to stop smoking? The day my father went in for his first throat cancer operation. That day, I made a pact with myself that I would never smoke another cigarette. I never wanted to be like my father and struggle with smoking-related illness. Cancer is the disease that affects most smokers. I have not smoked a single cigarette since that day, not even when my father passed away. To honour his memory, I decided to continue to abstain from smoking.

That is my story. I am sure many Canadians have similar cancer-related stories to tell, stories involving loved ones who have suffered as a result of smoking.

Last year, I lost a second family member. On December 24, my father-in-law died of lung cancer. Once again, he was a heavy smoker, just like my father. It is sad, but at the same time, it is also ironic. Even at the very end, smokers often ask to go outside to smoke one last cigarette, even though that is what is killing them. They know this, but at the end of the road, they still ask if they can please go out for a smoke.

That is what smoking does to us. That is what nicotine does to us. Is there anything positive about it? Not really.

• (1055)

Some will say that smoking relaxes them and makes them feel more social, but if that crutch were not there, if it did not exist, it would likely be something else. Who knows whether it would be any better or any worse. All I know is that smoking killed my father and my father-in-law, just as it kills 125 Canadians a day. We have to remember that. We have to think about that when the time comes to make a decision on vaping.

Today, as parliamentarians, we have an opportunity to express our views on regulations for the vaping industry. The regulations set out in Bill S-5 are not about prohibiting vaping. The bill is about regulating the industry. Are we going far enough? Do we have sufficient information? That is what I would like to discuss over the next few minutes.

In light of what I just said, it is obvious that I am a staunch anti-smoking activist. I am a peaceful activist. I will not attack my friends or colleagues who smoke a cigarette or vape from time to time. On the contrary, I have nothing against them. Society gave them access to tobacco. It is the tobacco that has them hooked on smoking. It is the nicotine in the cigarettes that ensures today that my colleagues and friends who smoke cannot stop. I have nothing against smokers, but I do have a problem with all those who profit from tobacco, especially tobacco companies, as well as, I have to admit, the different levels of government that collect taxes on tobacco year after year. These taxes do help our society function, but at what cost? What is the human cost today? That is what we must ask ourselves.

That brings me to vaping. I like how the Montreal Children's Hospital at the McGill University Health Centre describes vaping. It is important that we talk about it. I have a teenager at home so I have heard about vaping, but when I talk to people around me many of

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them seem intrigued by these e-cigarette machines. The question on the Montreal Children's Hospital website is: "How does 'vaping' e-cigarettes differ from smoking traditional cigarettes?" This is how the hospital responds:

A: You don't have to look very far to see that the use of e-cigarettes—a practice known as vaping—is on the rise. Many people see e-cigarettes as a safe alternative to smoking regular cigarettes. So how do the two practices differ? And how are they the same?

Unlike regular cigarettes, e-cigarettes do not have tobacco. E-cigarettes are battery powered devices that have a heating element and a cartridge that contains liquid. [By the way, that liquid leaks and is very sticky. That is my take on it as the critic]. Puffing on the device heats the liquid, which produces vapour. Compare this to regular cigarettes where puffing burns the tobacco and produces smoke—the big danger for the cigarette smoker and everyone around them—not to mention the tar and carbon monoxide that the smoker inhales.

The e-cigarette might seem harmless by comparison but taking a closer look at what's in the liquid raises other concerns. Like regular cigarettes, many e-liquids contain nicotine, even though nicotine for e-cigarettes is not officially approved in Canada. The liquids often contain other ingredients too, such as propylene glycol (PG), a popular food additive. They also come in hundreds of flavours such as strawberry, root beer and chai tea, which make them very tempting to children and teenagers.

The production and sale of e-liquids is not yet closely monitored in Canada, which means they may not always contain the ingredients and proportions listed on the label. What's more, the e-cigarette industry is still so young that there's no data on the long-term effects of inhaling e-liquids.

I would like to close with another excerpt from that answer. It reads:

Public health officials are now speaking out about the dangers of making smoking acceptable again, a trend that could potentially roll back decades of work achieved by anti-smoking campaigns. E-cigarettes should never be viewed as a better way to start smoking. Pediatric specialists all agree that whether it's e-cigarettes or regular cigarettes, children, teens and adults should never take up smoking under any circumstance.

I think we all agree on that.

• (1100)

Are e-cigarettes a solution? What role should e-cigarettes play? Studies are just beginning to cast light on this. According to the latest study, which the media have picked up, vaping increases the risk of cancer and heart disease. Preliminary findings from a laboratory study involving mice and human cells indicate that smoking e-cigarettes can increase the risk of certain cancers and heart disease. The study was conducted by researchers at the New York University School of Medicine and was published this week in the proceedings of the U.S. National Academy of Sciences. Here is an excerpt from the report:

Although e-cigarette smoke has fewer carcinogens than tobacco smoke, e-cigarette smokers might have a higher risk of developing lung and bladder cancers and heart diseases.

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That is what the research shows. However, they do not say whether vaping is more or less harmful to one's health than smoking cigarettes. The study is silent on that. Are there benefits compared to tobacco? Is vaping more or less harmful? The authors of the study did not even want to comment on that. They did not feel as though they had enough information. One thing is certain; more and more people are vaping, and more and more people are using it as a crutch. We do not have enough information to clearly determine how safe vaping is.

This study has been referenced in the media quite a bit in the past week. E-cigarettes cannot be simply categorized as either beneficial or harmful, as we heard from Mr. Eaton, the dean of the University of Washington in Seattle and chair of the committee that drafted the report commissioned by the U.S. Congress in 2016. He also said that in some circumstances, such as their use by non-smoking adolescents and young adults, their adverse effects clearly warrant concern. For smokers who use e-cigarettes to quite smoking, vaping does provide a way to reduce harmful tobacco use.

Once again, there are differing opinions. In seeking the truth, I took a look at the study findings. I am not a scientist, so I just read the scientific interpretation reported in the media. I want to thank these journalists for so concisely interpreting the findings of this latest study.

The Quebec government has already dealt with this issue and passed very stringent legislation on e-cigarettes. Quebec's Tobacco Control Act already subjects electronic cigarettes and all other devices of that nature to the same regulations as tobacco products. The display and sale of e-cigarettes is limited to specialized retail outlets. To protect youth, the act bans sales by Internet, telephone, or other methods, as well as advertisements online or in store windows. Quebec has figured out how to regulate this industry in order to curb advertising aimed at youth.

The federal government must move in the same direction, but we should take our study even further so we can learn more. That is why I am very pleased about this bill going to committee. I really hope it goes to committee so that my colleague and all the members of the Standing Committee on Health get a chance to study it further. I hope the committee gets an opportunity to invite one of the authors of the last study to speak about the dangers of vaping.

I also wanted to talk about plain cigarette packaging. In France, the adoption of plain-packaging regulations had little effect on cigarettes sales. Sales declined by only 0.7%. Over the same period, however, Marlboro, the most iconic American brand sold in France, saw sales of its cigarettes grow by 3%. People were able to recognize the cigarettes and name brands anyway and chose them over the cheaper alternatives. Swapping one cigarette for another is no less harmful.

• (1105)

I hope the Standing Committee on Health analyzes Bill S-5 in depth with the goal of protecting Canadians and Canadian youth, not protecting an industry or business that I believe should not exist anymore.

**Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Madam Speaker, I thank my opposition colleague for his thoughtful comments, and I would like

to say how sorry I am to hear about how tobacco has affected his family.

He said it would be best if young people chose not to use either tobacco or vaping products, but we know that is not realistic because young people want to make their own choices. Since some of them will choose to vape, should the government opt for strict regulation or should it try to stop people from using vaping products altogether?

**Mr. Luc Berthold:** Madam Speaker, I thank my colleague for her kind words and her sympathy.

Obviously, I am not alone. Many of us here have a friend or loved one who was diagnosed with a tobacco-related disease. That is not easy for anyone. That is why we have an important role to play here and now.

We definitely need to regulate tobacco product use by young people. We need to make tobacco products seem even less appealing. Over the past few years, initiatives introduced by the previous government have reduced youth tobacco use significantly. I do not have the numbers off the top of my head, but I am sure somebody will share them with us today.

We need to keep working on prevention so that young people never start using these products. Tobacco and vaping products that contain nicotine or marijuana should be off limits for our young people. None of them should be using those products. Yes, they have to be regulated, but prevention campaigns aimed at teaching young people that these products are bad for them are important too.

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Madam Speaker, I want to thank my colleague for his speech on preventing youth from starting to use tobacco products and stopping them from developing addictions and possibly dying from tobacco-related illness.

However, his speech seemed somewhat ambivalent to me. He acknowledged that prevention can keep youth from taking up smoking, yet in 2015, we saw an increase in the number of youth who had started smoking. Almost four million teens between the ages of 15 and 19 had already tried an electronic cigarette once.

Does my colleague not think it is past time we implemented this bill? That would help reduce vaping and smoking among youth, because there would be plain-packaging regulations.

Of course, we could go even further than what the bill proposes. We could follow France in banning all positive depictions of smoking. This bill does not yet include such a provision, but it is a good start, at least.

In 2015, the Parliamentary Standing Committee on Health released a report with 14 recommendations, including one to establish a legislative framework for regulating vaping products. There has already been a study, yet a new study is being done. Does my colleague not think it is time to start implementing all of these recommendations to reduce the number of young people who will start using tobacco products and save them from the inevitable disease and death?

• (1110)

**Mr. Luc Berthold:** Madam Speaker, indeed, we must do everything we can as quickly as possible to prevent young people from starting to smoke, whether it is tobacco, vaping products, or marijuana. I completely agree. There was nothing ambivalent about my comments. On the contrary, I believe that we have to be concerned about this and take action.

However, is this the right thing to do? Experts do not agree on that. Does vaping pose less health risks than smoking for someone who wants to stop smoking? Should we allow vaping to help young people stop smoking? Are we really going to stop young people from smoking by changing a label, even though we know that they already buy cigarettes on the black market, cigarettes that are generally not branded and whose contents we know nothing about?

As MPs, it is our responsibility to create better regulations to make these products less accessible. I am not one of those people who believe that we will reduce consumption by legalizing this and creating all kinds of regulations. We have to make people understand that it is dangerous. They have to accept this and we must put in place various measures to prevent people from starting to smoke and to help them quit. Instead of spending weeks on trying to regulate this and finding a way to legalize it so we supposedly have greater control, we have to strike at the root of the problem.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Madam Speaker, I thank the member for Mégantic—L'Érable for his speech.

I think the bill contains a drafting error or perhaps poor wording. In division 3, subclause 30.21(1) on testimonials or endorsements reads as follows:

No person shall promote a vaping product through a testimonial or an endorsement, however displayed or communicated, including by means of the packaging.

However, we have heard testimonials from people who successfully used vaping to quit smoking. I know of one such example in my riding. I will read it in English, because I am quoting one of my constituents.

[English]

“I wanted to tell you my story to let you know that vaping has saved my life. I am 36 years old and had smoked cigarettes for 19 years until I started vaping.” He then goes on to describe why he stopped. He said, “One day I noticed my daughter colouring. She picked up one of her markers and pretended it was a cigarette and said she needed a smoke. When I saw that, I knew it was time to quit.”

[Translation]

I would like to hear the member's thoughts on that part of the bill, which prohibits promoting a vaping product through testimonials.

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Jordan, my constituent, sets a perfect example for people who currently smoke but might be able to quit if they were to hear this account of someone who was able to quit smoking thanks to vaping.

What does my Conservative colleague think of this example?

**Mr. Luc Berthold:** Madam Speaker, that is a very good question.

If vaping can indeed help people quit smoking then it should be used for that purpose. Again, the amount of nicotine in e-cigarettes needs to be regulated. Currently, it is not. That has to be better regulated. If vaping can be prescribed to help people quit smoking, then that is great. The ultimate goal is to have fewer people smoking and addicted to nicotine.

The problem is that scientists are divided. They cannot seem to agree either way. Is vaping good? Is it less harmful than cigarettes? Some say we must allow vaping because it helps people quit smoking, but others say we should not promote any type of cigarette that might entice some people to smoke.

I do not have a clear answer for this. However, if vaping under supervision can help people quit smoking, then it is hard to argue with that.

• (1115)

**Mr. Martin Shields (Bow River, CPC):** Madam Speaker, I will be sharing my time with the member for Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix.

[English]

I rise today to speak to Bill S-5, an act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts.

There is an old saying which John Wanamaker said about advertising, but it would work for politics too, that half the money we spend on politics is useless but we never know which half. Even if some of what we do in this place is fruitless, that certainly cannot be said of our efforts to combat smoking. The reduction in smoking rates in this country is a great success story. It demonstrates that well-designed legislation can improve Canadians' health. It is part of the half of what we do that really matters.

It is really worth reflecting on how far we have come. I can remember when smoking was absolutely everywhere. We have made huge strides. One in two Canadians in the 1960s was a smoker. Every second person was a smoker. Today that number is just 13%. We have made huge strides, but not all jurisdictions made similar progress. Smoking is still very prevalent in some countries in the world.

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I am reminded of a story on the history of tobacco use worldwide. The author was on a train in another country when a local offered his friend a cigarette. His friend declined and the local was flabbergasted. He simply could not understand why someone would decline a cigarette. The cigarette used to have a similar cultural power in Canada. Not that long ago those ashtrays on desks in this place were in use. What started as a public sector ban eventually spread to the private sector. We no longer have to inform a server if we want the smoking or non-smoking section in a restaurant. Our country has really made progress in discouraging this deadly habit.

This brings me to the legislation we are debating today, Bill S-5. The bill seeks to expand our country's proud legacy of curbing tobacco use. The question is, does it successfully build on that legacy? The bill addresses some of the very important issues. On my way to work in the morning I have seen fewer people smoking cigarettes than before, far less compared to 20 years ago, but I am seeing more people puffing on small metal devices. When I initially saw them, I did not know what they were. They call it vaping. It does not quite have the cool look that cigarettes supposedly used to have. It is hard to imagine Clint Eastwood projecting his rugged image in those old westerns while puffing on a tube attached to a battery pack, but that is a good thing.

We know for sure that inhaling carcinogens into our lungs is neither rugged nor cool. The Marlboro Man died a long time ago of lung cancer. Does vaping really help people quit smoking as its advocates claim? A study by Public Health England found that vaping is 95% less harmful than smoking tobacco. That is a good start. It is called harm reduction. The vapour does not contain the carbon monoxide and volatile organic compounds that cigarette smoke does, but it does still contain nicotine, which is, of course, what smokers are addicted to.

Studies have found that people using e-cigarettes with nicotine were more likely to stop smoking compared with those who received placebos. It is still supplying the addictive substance, but through a much less harmful delivery mechanism. It would still be best to get off nicotine altogether, but it is a powerful drug. For those who cannot, vaping seems to hold great promise as a less harmful option.

● (1120)

If vaping has such great potential to help smokers quit, then we need to be very careful in how we regulate it. However, before I speak further to that point, I want to make it clear that I strongly agree the vaping market needs some regulation. Nicotine is a drug subject to the Food and Drugs Act, but as it stands, no vaping product has been authorized in Canada. All nicotine-containing vaping products are being sold illegally. I assume that would come as a surprise to many people. I see vaping happening on Sparks Street. I do believe that most of those people do not know it is an illegal substance.

It is a Wild West market out there for these products, and this situation needs to be addressed. The vitally important provisions in this bill are those that ban the sale of vaping products to those under 18. The U.S. Surgeon General released a report in 2016 which found that 25% of students in grades 6 to 12 had tried e-cigarettes. In Canada, one in four youths age 15 to 19 reported having tried e-

cigarettes. These products are making their way to those underage. This needs to stop.

We know that educating children about the dangers of smoking is most effective before they reach grade 6. Too often this is forgotten. We concentrate on warning them when they are teenagers, when it is often too late. With the rising popularity of vaping e-cigarettes, we need to educate children about their danger as well. Just because they have great harm reduction potential for adults who already smoke does not mean we want more people taking it up as an addictive habit. Nicotine is very addictive.

Education should go hand in hand with regulation. However, to return to my earlier point, we need to protect the health of adult Canadians without robbing them of a viable way to get off cigarettes.

While I support this legislation, I hope the committee will carefully consider certain aspects of it. For example, while some restrictions on branding and marketing are important, I am not sure that banning flavours is wise. Many adults enjoy a variety of flavours, and access to them might help encourage them to quit cigarettes. I, myself, have a jar of jujubes in my office. I am sure many of my hon. colleagues in this place have a sweet tooth. I am not sure about the logic of sweet flavours only appealing to children. Maybe there is a good case for completely banning flavours. I just think it is something the committee should consider in depth.

The other piece of this legislation that I hope will receive some careful consideration in committee is the implementation of plain packaging for cigarettes. I support measures that will reduce the smoking rate, but we do not want to see a corresponding spike in organized crime. It is important to remember that smoking is already at an all-time low in Canada. Five decades of combatting tobacco use has been successful.

We need to be careful about inadvertently supporting the contraband cigarette industry by taking drastic new measures, especially when existing measures are working. Will cigarettes with no branding at all, even on the filter, look identical to unbranded, contraband cigarettes? If that is the case, it becomes a consumer protection issue. Contraband cigarettes often have been found to contain ingredients that would not be allowed in the regulated Canadian market.

As far as I understand it, the Australian experience of plain packaging has led to unclear outcomes. They saw a decrease in smoking rates among adults, but a possible increase among those underage. Tobacco use as measured by tobacco expenditures was unaffected. A careful cost-benefit analysis needs to be conducted.

*Government Orders*

It is up to the hon. members opposite to prove that plain packaging will not aid in the sale of contraband tobacco. I should note that while I support this bill going to committee, I am surprised the government is supporting legislation to modernize smoking laws while at the same time legalizing marijuana.

It is a real mixed message to Canadians. If plain packaging is necessary to lower cigarette smoking rates, why has no similar rule been introduced for marijuana? The Liberals are rushing forward with Bill C-45 despite the objections of police forces and municipalities across the country. Like many aspects of legalization, these issues have been left unaddressed.

With that said, as it stands, I am in support of this bill going to committee. I think it has great potential to do a lot of good. The committee will need to consider some of the concerns I have raised today to make sure the bill does not result in unintended consequences. If the committee does that, I think the bill could really help foster a healthier Canada.

• (1125)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, with respect to the idea of vaping, I know, and some of the other Conservative members have implied, and correctly so, that if one who is smoking can convert to vaping, that is a good thing. Overall, that transition has many benefits.

Does the member believe there are situations where young people in particular start vaping because they think it is much healthier? They may vape because it is perceived differently. Could vaping lead to cigarette smoking? In other words, can the reverse happen? Yes, vaping can be used as a tool to help people get off cigarettes, but does he believe there is a possibility the opposite could take place?

**Mr. Martin Shields:** Madam Speaker, the belief is that anything that would contribute to starting a habit that includes nicotine is absolutely a problem. Nicotine is still part of vaping. Nicotine is capable of, with one use, creating an addiction as it lodges in the brain. Anything that does that is a problem. That is why I believe education is critical. That is why I believe the DARE program, for example, is one of the most effective tools. Members of the municipal, federal, provincial police forces and the RCMP go into schools and work with children in grades 5 and 6 on the reasons they should say no to things that are dangerous to their health. The list would include smoking, vaping, drugs, those kinds of things. This is the most effective mechanism we have to change those habits or ensure they never start vaping, smoking, all of those things where nicotine is involved. It is truly a tough drug to deal with as an addiction.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, I have one question on vaping and one on tobacco.

As science is starting to show us, vaping is, depending on the studies we read, up to 95% safer than smoking tobacco, yet we do not know the long-term health impacts of vaping. Does the hon. member support restricting promotions and advertising on vaping products in some similar fashion to tobacco?

With respect to tobacco, I know his party is generally against taxes, but would he favour imposing a levy on tobacco companies to

help recover the costs of the government having to enforce a tobacco reduction strategy? Would that be a reasonable levy in his view?

**Mr. Martin Shields:** Madam Speaker, that is something which the committee will have a great responsibility to look at, which aspects or which ways would work best. Taxing the tobacco industry, when we look at uses, rates, and addiction to nicotine, it is a revenue source and has not necessarily changed. What we have found is that the best way to change habits related to tobacco is through education, educating at as young an age as possible. I have been in many situations where health promotion was aimed at high school students, which I argued against very strongly, because that is too late. It needs to happen in grades 5 and 6. If we can stop the addiction from happening through choice and education, I think that is the better way.

Taxing the very addictive use of nicotine has not proven the most successful way to curb its use. I believe education is the better alternative.

• (1130)

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Madam Speaker, I pointed out previously the poor drafting of the legislation. Under “Flavours”, proposed subsection 30.48(1) states, “No person shall promote a vaping product set out in column 2 of Schedule 3”, and the schedule goes into it and describes the flavours. The proposed subsection states, “that could cause a person to believe that the product has a flavour set out in column 1”. It does not say a “reasonable person”; it says “a person” may believe this. It does not really provide the threshold for a person looking at this or a court to then determine whether a company or a person selling, a retailer, had violated the law; whereas in different sections of this act it does refer to “reasonable”.

On the section about flavours, I know the member mentioned it, but does he have any concerns that there is a lack of clarity as to exactly what the legislation is trying to achieve when it comes to confectionery flavours?

**Mr. Martin Shields:** Madam Speaker, some of the things we have pointed out today are challenges with this legislation. I would support the bill going to committee, but we need to do some more work on it. There needs to be some clarification and some corrections made to it. Basically, Bill S-5 is a good piece of legislation, but there are problems in it. The challenge for the committee is to solve those issues, and as I have mentioned, this would be one of them. It needs to be solved in committee so it becomes a better piece of legislation.

[*Translation*]

**Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC):** Madam Speaker, today we are talking about vaping. This is interesting because vaping is often associated with the bad habit of smoking. According to some available records, it took more than 50 years for people to understand that smoking is a health hazard.

That said, having worked at Health Canada from 2011 to 2013, I want to make a distinction between vaping and cigarette smoking, which is that people can vape with nicotine or with what I call placebos, which come in fruit flavours, for example.

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Vaping has been recognized as a way to reduce cigarette use. In 2016, 24 studies, including three randomized clinical trials were reviewed. Two of the trials, with a total of 662 participants, showed that people using e-cigarettes with nicotine were more likely to stop smoking for at least six months, compared with those in the control group, who received a placebo without nicotine. We have to make a distinction between the two.

I fully support Bill S-5 because we need to show people that bad habits are never a good thing. People are replacing cigarette smoking with vaping because it becomes a habit. I have never smoked, thank goodness, but my mother smoked for many years and it had become a habit for her to have something in her hands, like the pencil I am holding right now. However, since my mother now has Alzheimer's she no longer remembers that she was a smoker and has stopped smoking. I think we also need to talk about that.

Most people smoke when they are stressed. There are chronic smokers and those who only smoke socially when they are having a glass of wine or a beer, but regardless, smoking is still a bad habit.

This bill seeks to prohibit vaping in public places where smoking cigarettes is already prohibited. However, I would like a distinction to be made between vaping with nicotine, which is just as harmful as smoking since it replaces cigarettes, can be habit forming, and can damage the lungs and bronchi, and vaping fruity flavours, which is not the same thing.

The bill prohibits the sale of vaping products to young people under the age of 18. If children have access to vaping, they need to be taught that vaping can be habit forming. Not every habit is bad, but smoking and vaping with nicotine can be equally harmful.

It makes me laugh when I hear my colleagues opposite asking us whether vaping can lead young people to smoke cigarettes. We do not want to create habits among young people that could lead to more harmful habits down the road. Vaping can lead young people to smoke cigarettes, just like it can lead them to smoke pot. However, the government failed to mention that.

● (1135)

Today we are talking about how evil cigarettes are, although people rarely talk about marijuana, although I think marijuana is worse than cigarettes, because it directly affects children's brains. That is the topic of another debate.

It must also be said that some people think that e-cigarettes are less harmful and that they reduce exposure to leaf tobacco. If the e-cigarette contains liquid nicotine, it is just as dangerous as cigarettes. It is important to make the distinction, because nicotine is the problem. Vaping is not a problem when there is no nicotine, when the liquid is nicotine free. That is altogether different.

It is important to remember that nicotine is a drug and that it is subject to the requirements of the Food and Drugs Act. Its marketing should be overseen by Health Canada based on safety, effectiveness, and quality.

I remember when the debate on vaping first began when I was working at Health Canada. At the time, it was still illegal to sell e-cigarettes in grocery stores and other stores. We wondered how these products were being sold in grocery stores, how people could just

ignore it, if that was illegal and if the product was so harmful. It is unacceptable.

Now, we have a bill. I fully support this bill, but I think it needs more teeth. We need to flesh it out. If we want a good bill, we need to send it to committee so that it can be studied in depth.

I was listening to the speeches given earlier. It is true that scientists do not agree. They are all saying something different. They should work together so that we, as legislators, have a better idea of what this bill should seek to accomplish.

I will definitely be voting in favour of this bill because I think that we need to set some limits. Vaping with nicotine is what interests me the most because it is most similar to smoking. However, it is also important to remember that these products are being sold to consenting adults. It has been proven that vaping exponentially reduces the urge to smoke. I worked with a friend who smoked for 40 years. She was my assistant manager. She smoked three packs a day. That seems like a lot of cigarettes to someone like me who has never smoked. She started vaping and two months later she had quit smoking entirely, so vaping can be beneficial for some.

Now, we need to ensure that the legislation covers all aspects of vaping. In my opinion, a distinction needs to be made between vaping with liquid nicotine, which is more similar to smoking a cigarette, and vaping with flavoured liquids that do not contain any nicotine and can help people stop smoking by vaping grape-flavoured liquid or something similar. We need to be aware of that. I hope that the committee will look at that aspect. We need to consider all aspects of this bill because it is a good bill. It is a start.

● (1140)

It took 55 years to convince people that cigarettes were bad for their health. I hope it will not take 55 years to make them understand that vaping and marijuana are also harmful.

[*English*]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I appreciate the comments from my colleague across the way. Supporting the legislation is a good initiative. We do need to see the legislation go to committee, where ultimately, we can listen to what the stakeholders might have to say.

I appreciate her concerns. Her friend was a good example. There are many examples of people who have been lifelong smokers, who found vaping to be a way out of smoking.

I think we share the same concern in regard to young people. I would ask her to add some further comment on the possible risk factor to young people, especially if they do not have the educational component. They could end up vaping, which could ultimately lead to their smoking in the future. Another issue is that of nicotine being used in vapes. Perhaps she would like to provide some additional thoughts on that component.

[*Translation*]

**Mrs. Sylvie Boucher:** Madam Speaker, I would like to thank my colleague for his question.

*Government Orders*

Obviously, young Canadians are above all influenced by the education they receive. They will be exposed to cigarettes, vaping and marijuana. We cannot bury our heads in the sand. Vaping can be a gateway to whatever you want. In the case of young people, the answer is education. We are responsible for their education, as are practitioners, parents and society as a whole.

It is not enough to simply tell our kids to stop smoking or vaping. We must make them aware that there are risks involved with these behaviours. To raise awareness among young people and society as a whole, we need to educate them. Usually, when young adults are told that they should not do something, they do it. It is not enough to prohibit something, we need to explain why. We need to explain the risks so that both young people and parents understand.

I want to stress the fact that education is the answer.

• (1145)

[*English*]

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, I agree very much with my hon. colleague that education is the key whenever we, as legislators, are talking about important issues like drugs or substances like alcohol and tobacco.

The hon. member for Thornhill, before Christmas, got into some trouble for comparing growing legal marijuana at home with leaving fentanyl on the shelves for children. Of course, that was just a terrible analogy that had no real basis in scientific fact. However, I just heard my hon. colleague say that, in her view, cannabis is worse than tobacco. More than 4,000 chemicals are found in tobacco smoke. Hundreds are toxic, including hydrogen cyanide, lead, acetone, arsenic, and formaldehyde, and at least 70 of those chemicals are carcinogens. One person dies of tobacco ingestion every 14 minutes in our country, yet there has never been a single death associated with cannabis ingestion directly.

Nobody asserts that cannabis should be used by children and young people. There may be an impact on brain development. However, does she really think that tobacco is less harmful as a health issue than cannabis in this country? New Democrats do not believe that.

[*Translation*]

**Mrs. Sylvie Boucher:** Madam Speaker, we are aware of the effects of tobacco, but we know very little about the effects of cannabis.

Unfortunately, someone in my family died because he used too much cannabis. Yes, I am aware of what I said, and I will say it again. In my opinion, cannabis is more of a problem than tobacco, but both are bad for your health.

[*English*]

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, I rise today to speak to Bill S-5, the tobacco and vaping products act.

Canada's New Democrats have long called for the measures contained in the proposed legislation and we will work positively with the government to facilitate its implementation at every stage to ensure it is passed and improved as soon as possible. The legislation will save lives.

Indeed, our party has led the fight in Parliament for strong tobacco legislation for decades. As we all know, tobacco products contain deadly carcinogens and many other harmful substances that are injurious to human health. We also know that tobacco products are highly addictive. It is really a perfect storm, a terrible substance that kills and addicts the consumer who tries it.

In the 1960s, when the federal government was still unwilling to pursue an effective control tobacco policy, more than 20 private members' bills to control tobacco packaging, labelling, and advertising were introduced by opposition members. More than half of them were introduced by NDP MP Barry Mather.

In the fall of 1986, over 30 years ago, NDP member of Parliament, Lynn McDonald, introduced a private member's bill, "The Non-smokers' Health Act", Bill C-204, to ban tobacco advertising and smoking in workplaces under federal jurisdiction. Unlike most private members' bills that unfortunately die on the order paper, this legislation would go on to become law, albeit in a modified form in 1988.

In 2008, former New Democrat health critic Judy Wasylycia-Leis launched a successful campaign to ban flavours in tobacco products. At that time, of course, the addition of flavours to tobacco was another insidious move by tobacco companies to try to skirt effective regulation and continue to hook Canadians with their product.

The legislation before us today, Bill S-5, was introduced in response to the 2015 report of the House of Commons Standing Committee on Health entitled "Vaping: Toward a Regulatory Framework for E-Cigarettes".

In essence, the proposed act before us today aims to protect youth and Canadians from nicotine addiction and tobacco marketing, by granting regulation-making authority to the Governor in Council for the implementation of plain and standardized packaging for tobacco products and by creating a new legislative framework for regulating vaping products in our country.

Since it first took office, Canada's New Democrats have been calling on the Liberal government to expedite the implementation of plain packaging requirements for all tobacco products. Plain packaging has proved to be an effective way to reduce smoking, discourage young people from starting to smoke, and decrease second-hand exposure to tobacco smoke. Every month we delay, more Canadians, especially young Canadians, start smoking and become addicted. That will result in more Canadians dying from tobacco-related illness. Action is needed immediately for the health of all Canadians.

According to the Canadian tobacco, alcohol and drugs survey in 2015, 115,000 Canadians started smoking daily, with 82% of daily smokers starting before the age of 18. This means that of those 115,000 Canadians who start smoking pretty much every year, most of those people are under the age of 18. One-third of them will ultimately be affected negatively in a health consequence and die from that tobacco use.

*Government Orders*

The Liberal government issued mandate letters to their cabinet ministers in 2015. One of those mandates was to bring in this legislation. Here we are, almost three years later in 2018, and the legislation is still before the House and has not passed.

What did the health minister and the government do when they were given that mandate? They decided to consult. Consult about what? Did they not know that tobacco products killed? Did they not know that tobacco products were addictive? Did they not know that plain packaging worked? I will get into that in a few moments because all three of those questions need to be answered.

• (1150)

We knew the answers to all those questions back in 2015. Therefore, it is inexcusable the government delayed and dithered for years to bring in this legislation. We know that every day young Canadians start smoking, get addicted to cigarettes, and will ultimately die in large numbers from that.

This means that since 2015, somewhere between 250,000 and 300,000 Canadians have started smoking and become addicted since the government first said it was going to act on this matter. That is not putting the health of Canadians first, and it is not giving the priority to the health of Canadians that New Democrats believe is appropriate.

As Rob Cunningham, senior policy analyst with the Canadian Cancer Society, said:

The sooner we have tobacco plain packaging, the sooner we can have the health benefits. Plain packaging will reduce the appeal of tobacco packages and brands. Right now, tobacco companies are using brand colours and logos to make cigarettes more attractive. That might include mountain scenes or feminine pastels, it might include super-slim packages targeted at women.

I think many parliamentarians in this room have been approached by members of the Canadian Cancer Society and anti-tobacco groups. They bring with them samples of the products tobacco companies are using to market, particularly to young people and especially to young women. That marketing is disgusting. They market small slim packages that are meant to look like cosmetics, slim so they fit in a young woman's small purse at night clubs. They are directly trying to addict young women in particular to tobacco products, using sophisticated marketing techniques to do that. They are marketing a carcinogen that is addictive and that kills to our young girls and women. That needs to stop.

Plain packaging for tobacco products would standardize the appearance and size of cigarette packages by requiring the removal of all brand imagery, including corporate logos and trademarks. Packages would display a standard background colour, usually a very unattractive greenish-brown, and manufacturers would be permitted to print only the brand name in a mandated size, font, and position. Other government-mandated information such as health warnings would remain in prominent fashion.

The changes would render cigarette packages almost indistinguishable from each other, which would make them less attractive to consumers, especially young people, and would make the health warnings clearer, more prominent, and more effective.

With respect to the government needing to consult, plain packaging was implemented in Australia in 2012, six years ago; in

France, Hungary, and the United Kingdom in 2016; and in Norway and Ireland in 2017. Again, we have empirical evidence from around the world from jurisdictions similar to ours that plain packaging works, and the government chose to wait and delay rather than act forcefully and effectively. Plain packaging is also under formal consideration in Slovenia, Sweden, Finland, New Zealand, Singapore, Belgium, and South Africa, among other countries.

The New Democrats believe Canada should have the strictest and most rigorous plain and standardized packaging regimen in the world in order to promote public health. While this act is an excellent start, it is not perfect and requires some scrutiny to ensure it meets its full potential. For example, in its consultation document on the proposed regulations concerning plain packaging, Health Canada did not include the option of further regulating brand names beyond limiting the number of words they could contain.

I met with the former health minister of Australia, Nicola Roxon, who told me we had to close every loophole in these regulations or tobacco companies would find a way to exploit them. That even includes things like their names. If we do not put controls on their names, then we will see things like "Sexy Brand Smoking Inc." or "Young People Beauty Cigarettes Inc." We will see the tobacco companies use that kind of marketing to get their messages to young people. We, as parliamentarians, have to ensure that does not happen.

• (1155)

This is why New Democrats are calling on the government to ban all brand names and terms with positive connotations, as is the case in France and outlined in the European Commission tobacco products directive. Canada should also prohibit tobacco brand variants, as is done in Uruguay.

In the past, partial marketing bans for tobacco have had limited effectiveness. When most traditional forms of tobacco advertising were prohibited, big tobacco's marketing expenditures did not stop; they simply shifted to other channels, including packaging and the retail environment.

Plain packaging not only eliminates one of the last remaining marketing avenues available to big tobacco, it also enhances the impact of health warnings.

Health warnings are the most cost-effective, self-sustaining way of communicating with Canadians about the harms of tobacco. Effective warnings should be large, prominent, be unavoidable, use colour, and include pictures. Large pictorial warnings are the most effective way to reach children and youth and the most vulnerable members of our society with low literacy.

However, warnings are not just about scaring consumers away from a deadly product. They are also about informing Canadians and providing access to support for those who need it to overcome their nicotine addiction. In Canada, every cigarette pack includes a telephone helpline number and a website for helping Canadians stop smoking.



*Government Orders*

Dr. David Hammond, professor at the University of Waterloo School of Public Health and Health Systems, recently informed the health committee that this approach had been extensively evaluated and worked very effectively.

Moreover, despite big tobacco's efforts to mislead the public, all credible evidence shows that the removal of branding does not promote illegal or contraband sales. The only research that has found any link between contraband market increases and plain packaging comes from studies funded directly by the tobacco industry.

Specifically, this research comes from reports commissioned from KPMG that had to include a disclaimer that they were not to be used for any purpose other than what the funder decreed because the terms of reference were so narrow that they could not be used to draw any broad inferences. Indeed, KPMG took the extraordinary step of writing to the U.K. minister of health to state that the tobacco industry was misusing its work.

The argument that plain packaging increases contraband tobacco sales has been repeatedly put forward by big tobacco in court cases as well, and it has been rejected every time. In fact, five separate legal rulings have affirmed the positive impact of plain packaging.

This sort of deceptive behaviour from big tobacco is nothing new. Today's fight for plain packaging follows a long and dark history of big tobacco engaging in orchestrated campaigns to deceive the public about the harms of its extremely deadly product. Indeed, in a landmark 2015 Canadian court ruling, three of the world's biggest tobacco companies were ordered to pay \$15 billion for their duplicity.

In his ruling, Quebec Superior Court Justice Brian Riordan pulled no punches, saying:

By choosing not to inform either the public health authorities or the public directly of what they knew, the Companies chose profits over the health of their customers. Whatever else can be said about that choice, it is clear that it represents a fault of the most egregious nature and one that must be considered in the context of punitive damages.

Despite big tobacco's attempts to obstruct the truth, we know that of the more than 4,000 chemicals found in tobacco smoke hundreds are toxic, including hydrogen cyanide, lead, acetone, arsenic, and formaldehyde. At least 70 of these chemicals are known carcinogens. We know that every day, 100 Canadians will die of a smoking-related illness. That is one every 14 minutes. That is 37,000 Canadians who will die this year due to smoking. Of those, over 1,000 non-smokers will die of lung cancer and coronary heart disease caused by exposure to second-hand smoke.

We also know that big tobacco has no qualms with continuing to aggressively market this poison to young people in order to encourage and exploit their addiction to a product that will ultimately kill them. However, I am heartened to see that this generation of young Canadians is fighting back.

● (1200)

I recently had the honour of attending the Freeze the Industry luncheon on Parliament Hill. Freeze the Industry is a youth-led coalition that is dedicated to stopping big tobacco from developing and marketing products that entice young people. I was inspired to

see the coalition's unwavering support for plain and standardized packaging for tobacco products in Canada.

I also must give tremendous credit to organizations that have been on the front lines of this battle with big tobacco for decades. Their tireless efforts have saved countless lives over the years. Although there are too many to name individually, I would like to specifically recognize the advocacy of the Canadian Cancer Society, the Heart and Stroke Foundation, the Canadian Coalition for Action on Tobacco, Physicians for a Smoke-Free Canada, the Canadian Lung Association, and Coalition québécoise pour le contrôle du tabac. Of course, I would be remiss not to recognize the heavy lifting that has been done for us by Australia's former health minister, the hon. Nicola Roxon, who led the global fight against big tobacco to bring in the world's first set of plain-packaging requirements. That is leadership.

I might also point out that in Australia, tobacco giant Philip Morris brought a claim against Australia under investor-state dispute settlement provisions in a Hong Kong trade deal in 2011. Thankfully, this was unsuccessful, but it is another example of the misguided inclusion of investor-state lawsuit provisions in trade agreements, which Liberals and Conservatives continue to push.

By the way, Philip Morris also failed in a bid to challenge the constitutionality of plain-packaging laws in the High Court of Australia in 2012. After a five-year legal battle, Australia's plain-packaging requirements were upheld at the World Trade Organization in 2017. Therefore, we cannot underestimate the lengths and steps that big tobacco will take in order to continue to legally market its dangerous and fatal product.

Canada's New Democrats believe that we cannot give big tobacco any room to manoeuvre to continue to promote this deadly product. Canada must have the strictest and most rigorous plain and standardized packaging regime in the world, and that is what New Democrats will work towards.

*Government Orders*

The proposed legislation also deals with vaping products. The New Democrats understand that this new technology holds promise as a harm reduction tool to promote the cessation of tobacco consumption. An expert independent evidence review published by Public Health England concluded that e-cigarettes are 95% less harmful than smoking and have the potential to help smokers quit smoking. At the same time, the long-term health impacts of vaping are presently unclear and require further research. Thus, Canada's New Democrats believe that the goal of any regulatory framework for vaping products should be to maximize their potential benefits as a smoking cessation tool while minimizing their potential health risks and curtailing access for minors. Publicly, Health Canada has not established a harm reduction policy or articulated the goals and administrative measures that one would expect for such an approach.

At present, the vaping market in Canada is an informal grey market in which suppliers have kept a low profile and not aggressively marketed their products, which are technically illegal. There are growing fears that the passage of Bill S-5 will trigger the entry also of large tobacco companies into the licit Canadian vaping market, which is why I will now highlight some of the weaknesses of Bill S-5 regarding the advertising and promotion of vaping products and suggest some potential amendments to remedy these gaps.

First, the prohibition on promoting vaping devices containing flavours set out in column 1 of schedule 3 may be too narrow, since all flavours could be appealing to young people. The legislation should be amended to prohibit the promotion of vaping products that could potentially be appealing to young people.

Unlike the Tobacco Act, Bill S-5 contains no restrictions on permitted locations for advertising and promotion of vaping products, which means that Bill S-5 could allow advertising on television, social media, bus stops, arenas, or virtually anywhere. Therefore, the proposed legislation should establish strengthened restrictions regarding permitted locations for vaping product advertising and promotion.

While the current bill would also ban lifestyle advertising, with some exceptions, there is no provision that states that only information or brand preference advertising is allowed on vaping products. This is another area that ought to be looked at. Bill S-5 would still permit lifestyle advertising in bars and in publications sent to adults. This provision would serve no public health purpose and should be eliminated since there is no need for lifestyle advertising in relation to a harm reduction smoking cessation device.

• (1205)

Finally, Bill S-5 would still permit extensive incentive promotions for vaping products in places where young people do not have access. Things like contests to win beach vacations, access to invitation-only parties, and tickets to concerts and sporting events could still be allowed and they should not be in this legislation.

New Democrats will work diligently to try to make sure that the vaping provisions of this bill serve Canadian public health interests as much as possible. We will work very diligently in that regard.

**Hon. MaryAnn Mihychuk (Kildonan—St. Paul, Lib.):** Mr. Speaker, we are proud of introducing legislation that would take another step in reducing citizens' dependence on smoking. Back in the late 1990s, I was honoured to have led a campaign that actually

removed smoking from the legislature. Staff were not permitted to smoke. However, MLAs, because of their stressful occupations, were permitted to smoke in the legislature. It was because of the foresight and hard work of the government services minister, after I had approached the individual a couple of times, that action was taken. That kind of outrageous privilege was the norm in the late 1990s.

In two years, this government took on this issue as one of its earliest activities and in fact reviewed, deliberated, and constructed a bill. After two years, we are presenting a bill. How would this compare with the activities of the previous Conservative government?

**Mr. Don Davies:** Mr. Speaker, it is all relative. We are at second reading of the bill in the House of Commons and I suspect it will likely take until June to get through the House, be sent to committee, and then get back to the House for third reading. It will likely be passed by June and then, of course, the substance of the bill would be set forth in regulations that still have yet to be drafted and passed. I suspect that this legislation, which deals with plain packaging for tobacco and vaping, will likely not be in force until the fall of 2018.

The Liberal government was elected in the fall of 2015, so it took three years to bring in legislation that New Democrats knew was essential and necessary years ago. New Democrats do not regard three years as expeditious delivery of such important public health legislation, so I am not going to give the government credit for that.

In terms of comparing the current government with the previous government, the Conservatives did not bring legislation at all in their 10 years of government, so that is not a record that New Democrats think is appropriate either.

• (1210)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, I feel compelled to stand after the last question, because I recall very clearly that the former government dealt with the issue of removing flavours that were appealing to children from tobacco. The former government was part of a committee, from which a unanimous report was delivered in May of 2015. As we know, there was an election and a new government was in place. That unanimous report was ready for the Liberal government to take action on. All parties in the House agreed to it as it related to the vaping component and all the government had to do was move forward.

It is three years later and this has taken much too long. The government knew it had to do the job, it was in the mandate letter, and there is no excuse for it to have taken so long to take action.

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**Mr. Don Davies:** Yes, Mr. Speaker, I would give the previous government credit for some action on tobacco in terms of flavouring. I agree wholeheartedly. We deal with lots of issues in the House, literally thousands. Some of them are foundational and some more important than others. I regard the saving of public lives to be of the highest order.

The Liberal government should have introduced this bill as its first bill back in 2015 and it should have been passed in its first legislative session in the House by June of 2016. Instead, the government introduced bills to give tax cuts that the middle class and upper middle-class Canadians would benefit from. It thought that was a higher priority than saving the lives of Canadians. I do not agree with that. When 37,000 Canadians die every year, when 115,000 Canadians start smoking and most get addicted very quickly, and a very high percentage of them will die, taking every step we can to prevent that is of the highest order and the biggest priority of the House. That is what New Democrats believe.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I want to thank my hon. colleague from Vancouver Kingsway for his ever-thoughtful and very comprehensive educational view of what Bill S-5 offers and what it does not.

I am in the same boat as the hon. member. I look forward to the opportunity to plug some of the holes in committee, in my capacity as a non-member of the committee summoned for clause by clause. However, I do want to press him a little, because while the initial evidence is very clear that vaping can help people give up smoking, and therefore the statistics he shared with us are well known, that it could be a very good smoking cessation technique, the long-term health effects are not yet known.

I am wondering if the member could share with us if there is any general medical concern about the direction of the long-term health effects. What kinds of health effects? Is there any sense of what the medical community is looking for in terms of epidemiology or lab tests? I am curious about that aspect of this new smoking cessation technique.

**Mr. Don Davies:** Mr. Speaker, I would like to thank my hon. colleague for her thoughtful and always rigorous questions. I do not think very many members do their homework as well as the hon. member for Saanich—Gulf Islands.

The member raises an excellent point. When the House's Standing Committee on Health studied vaping products in March 2015, virtually all the expert testimony identified the apparent reduced harm to users of nicotine vaping products compared with users of combustible tobacco cigarettes. However, the experts also voiced concern about whether the reduction in harm for smokers justified the risks of introducing new nicotine products to the market.

Most of the testimony we have heard has to do with the policy considerations that we are struggling with about encouraging, in any way, the ingestion of nicotine. However, in terms of the actual epidemiological and health impacts of vaping, I think we need a lot more research and information on that. That is something I am looking forward to receiving in the committee to help us craft the kinds of regulations that we think are necessary for this new product.

●(1215)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, I would like to ask the hon. member if he believes in plain packaging for marijuana.

**Mr. Don Davies:** Mr. Speaker, as a matter of fact, Bill C-45 contains extensive provisions that regulate the promotion and packaging of cannabis products. We went through a detailed examination of those in committee.

I think all of us in the House share general agreement on things like making sure that cannabis products are not marketed towards children, that they are sold only in places that adults frequent, and that there is accurate, safe information on cannabis products.

Whenever we are dealing with a substance like cannabis, tobacco, or alcohol, we want to make sure that consumers have accurate, safe information about the product they are ingesting so that they can make an informed choice. Of course the difference between tobacco and cannabis is that tobacco is a known carcinogen that kills. There are some differences in terms of the products. That is a distinction that may be lost on the Conservative Party.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I want to congratulate the member for Vancouver Kingsway on his remarks. It was a very frank assessment of the situation that we face with smoking, and a very frank assessment of the bill and some changes that may need to be made.

I, and probably many people in the House, have seen some of those little packages that look like cosmetics with the fancy little cigarettes in them. They are attractive. They do look nice. It is a marketing vehicle.

The member talked a little about illegal tobacco. I have met with people in the tobacco industry a few times, and they argue that there is an increasing amount of illegal tobacco with other impurities in it being smoked in the country. People do not know what is in it. They outline some concerns that this type of packaging would make it easier for illegal tobacco.

Could the member expand on that and how we deal with that problem? What would the member's response be to the tobacco industry in regard to illegal tobacco?

**Mr. Don Davies:** It is true, Mr. Speaker. The cigarette packages aimed at young women look like lipstick tubes, container size, with very thin, elegant cigarettes. It is clearly a sophisticated attempt to get young girls and women to start smoking. It is something we should really be concerned about.

*Government Orders*

Fourteen separate studies on the impact of plain packaging in its first year in Australia were published in a special supplement to the *British Medical Journal*. The research found that after the laws were implemented, there was a statistically significant increase in the number of people thinking about and making attempts to quit smoking. Key findings of the report included that plain packaging reduced the appeal of packs, particularly among adolescents and young adults. The legislation did not increase the consumption of illicit, cheap, white cigarettes, as they are known in Australia, or contraband cigarettes, and plain packaging encouraged smokers to think about and attempt to quit.

Those are positive reasons to do everything we can in the House to expedite this legislation and to make sure that it is the strongest in the world.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, it is a pleasure to address Bill S-5 this afternoon. Bill S-5 is not about the legalization of marijuana, but I am going to talk a little about that anyway. The member for Winnipeg North, clearly holding up a lot of the government here today, will enjoy this in particular, I think.

The comparison between the way the government proceeded under Bill C-45 and what is happening with Bill S-5 is interesting and instructive. The reason I want to, later on in my speech, talk a little about the issue of marijuana legalization is that there is a bit of a gap when we hear members talk about the need to have clear information and the importance and value of plain packaging, but a member of the NDP cannot even answer my direct question about whether he supports plain packaging for marijuana. These comparisons are interesting. The push on tobacco, on the one hand, and then some of the messages with respect to marijuana, are clearly very much in tension with each other.

The other point I want to make in relation to the bill is that the government has spoken about the great work it has done, which happens from time to time in this place, but Bill S-5 originated in the Senate, so perhaps it is another opportunity to underline the fact that the Senate perhaps acts more independently than the government would actually like it to. When we have a bill coming out of the Senate that the government says reflects the work of the government, clearly it raises some questions about the actual independence level of the so-called independent senators the government is appointing.

I was going to move unanimous consent on something, but I will not anymore.

The issues that are dealt with in the bill are vaping and plain packaging for tobacco. The member for Winnipeg North appreciates my restraint, I am sure.

The bill speaks first about having plain packaging for tobacco. Members have probably heard, from different sides of this question, about the merits of this as a strategy for reducing the amount of smoking. For example, there are some people who argue that there has been a reduction in smoking as a result of plain packaging initiatives in some countries. However, in some of those cases, we can also see a long-term trend in the reduction of smoking in those countries anyway, so it can be difficult to establish a clear cause and effect if there was a reduction in levels, but it was consistent with a general social trend of a reduction in smoking.

The same argument could potentially be made about contraband. If we see an increase in the use of contraband after plain packaging, some might ask if that is part of a trend or something new. In general, as we try to make policy and respond to evidence, we have to, as much as possible, distill what seems to be caused by a change in policy and what might be part of an overall long-term effect. These are questions that, as we support the bill through to committee, I hope to see studied in detail, because it is not enough to have a good intention, obviously. We need to be able to demonstrate the link between the intention and the impact the policy would have practically.

One of the concerns we have heard about the proposal to have plain packaging is an increase in contraband. There are already very high levels of contraband tobacco. Over 50% of cigarettes in Ontario, for example, are contraband, and there is some evidence, although I know it is disputed by others, that plain packaging increases contraband. That creates all kinds of risks in terms of people being aware of what is in them, and obviously, the impact on health associated with that, and the greater risk of cigarettes getting into the hands of minors, and so forth.

• (1220)

I think there is a legitimate debate about plain packaging. It is not necessarily helpful when members characterize anyone who has legitimate questions about plain packaging as being put up to it by the tobacco industry. There is a legitimate discussion there, and I hope the committee will explore this in the spirit of that legitimate discussion. I myself remain relatively agnostic on the question. I am interested to see where the discussion on plain packaging goes.

On the issue of vaping, I have heard from constituents who have attested to the benefits for them in terms of smoking cessation. They have been able to make progress in cessation, as a result of access to vaping products, that they had not previously been able to make. I appreciate that feedback from constituents. It is something that I very much take note of as I consider the legislation in front of us.

What this bill seeks to do is regulate vaping. Certainly members have recognized the benefit of vaping, of having the information out there, and of further research. In particular, this part of the bill marshals strongly in favour of sending it to committee. There are different elements of this bill, some of which are more legitimately contentious than others. This bill deals with these two very distinct issues.

I think members know that the member for Cariboo—Prince George was in the hospital recently. I understand that he is doing very well now and is watching these proceedings. He had asked someone to highlight a particular story he had noted about a teen baseball player whose stepmother is calling for stronger vaping regulations after his death. This was someone who fell in the context of vaping and subsequently passed away. It raises again the importance of studying the issue of vaping and the impacts, as this bill does, and of exploring opportunities around regulation.

I want to send our best wishes to the member for Cariboo—Prince George and also to note this article he discovered and wanted to see raised.

*Government Orders*

I will go on to the issue of marijuana, because, as is well known, the government is proceeding with its plan to legalize marijuana. Members have heard the talking points on this. I almost slipped into saying them myself. To “legalize” and closely “regulate” is what the government always says. On the other hand, if we look at the kinds of regulations it is proposing and the arguments it is making in the context of Bill S-5, and we compare them to Bill C-45, it becomes quite clear that it is failing on this issue of close regulation, even when it comes to its own standards. I want to talk about some of those specific issues in terms of how we compare the agenda being advanced vis-à-vis tobacco and the discussion on marijuana.

First of all, we should acknowledge that while there is a great deal of public health information about the risks associated with tobacco use and a lot of information encouraging cessation from using tobacco, there is a general lack of information and advertising on the risks associated with marijuana. It has become clear to me, in some of the conversations that have happened in this House, that while one would never hear members say that they doubt evidence about the risks associated with tobacco, and there is agreement here that the use of tobacco is not good for one's health, on the issue of marijuana, there are members who really have downplayed the risks. Of course, we have a Prime Minister who has himself talked about his use of marijuana when he was an elected official while at the same time he was initially voting in favour of tougher sentencing with respect to marijuana. He then obviously changed his position. Perhaps he had some reckoning with something he was doing at the same time he was an elected official. Those kinds of messages obviously put out misinformation and confusion, in the minds of people.

● (1225)

I see that there are health claims being made about marijuana that are not backed by science and that are very much at odds with the kinds of claims we might hear made about tobacco. A lot of people may not know that use of marijuana, especially by young people, even relatively occasional use, can be associated with higher rates of certain mental health challenges later in life. The carcinogenic effects of marijuana are, of course, well established and, generally speaking, the carcinogenic effects of smoking marijuana are stronger than the carcinogenic effects associated with smoking a cigarette. Of course, people smoke them differently—they would not necessarily smoke a pack of joints in quite the same way—but the point is that the carcinogenic effects, pound for pound, are much stronger when it comes to marijuana. These are things that members are not always taking note of in their discussion around marijuana and, again, when it comes to the misleading health claims that we see sometimes made around marijuana.

I had a particularly jarring experience of this, which was captured by TVO. The member for Beaches—East York and I participated in a show that TVO put on—*Political Blind Date*, it was called—where we went to different facilities and learned about different sides of a question. We went to a facility in Toronto that has subsequently shut down, called Queens of Cannabis, where we were greeted by a so-called wellness expert who had no medical training of any sort, who was telling us about the alleged benefits of infusing one's children during pregnancy with THC. Obviously this is not something with any evidentiary basis, and yet it was the kind of health claims that were being made. We see some of these false claims being made and propagated with regard to marijuana in a way that, generally

speaking, we do not see happening with respect to tobacco. There are not so-called wellness experts out there who are claiming to tell us about the benefits associated with using tobacco.

Recognizing that, the urgency of having clear, strong public health information associated with the risks of marijuana should be noted by members and should be well considered, and yet we do not have any requirements in this legislation for plain packaging on marijuana products. If members think that tobacco products should have clear warning labels, and I agree that they should, then why would the same not hold with respect to marijuana? If, as some have argued, plain packaging is beneficial for reducing the smoking of cigarettes, then why would not the same principle apply in the case of marijuana? It is strange to me and I have a hard time understanding, on the one hand, the approach to tobacco and, on the other hand, the approach to marijuana.

The government members have also talked about how, if we legalize and strictly regulate marijuana, so they say, it will be kept out of the hands of children and the profits will be kept from organized crime. I can almost give the speech from their side, I have heard the line so many times. However, when it comes to tobacco we see, as members have said today, how very often people start smoking when they are underage. It is very common that young people still access tobacco products when they are underage, and there is still a great deal of contraband tobacco that benefits organized crime. Therefore, how do we square the claims that the government is making with respect to marijuana with the information that the government members are talking about? For instance, I think it was the member for Winnipeg North who talked specifically about the age at which people often start smoking tobacco. If nothing else, the government should be considering promoting a reduction culture around marijuana as it legalizes it, but it is not even doing that, at least not in the same way that it is trying to do so with respect to tobacco.

● (1230)

The situation with contraband tobacco makes a point that was lost in the debate around marijuana, which is that just because a product is legal does not mean organized crime cannot be involved in that industry and benefit from it.

In reality, organized crime does not just sell illegal products. It can use illegal methods to sell legal products. Organized crime can benefit from exploiting instances of regulation or taxation, which provide it with an opportunity to operate outside of the legal sphere even while selling a product that is legal. In the case of tobacco, it is regulation and it is taxation.

I think all members are supportive of the idea of having taxes on tobacco, but when those taxes are in place, a reality is that they create an opportunity that might not otherwise exist for organized crime to be involved in that industry. That is simple, basic economics.

When it comes to marijuana and the federal government and other levels of government talk about taxation, regulation, and age restrictions, all of these dynamics will ensure that organized crime is still involved. It is a reality that organized crime is not being shut out of the picture. Those risks will continue to be in place for young people to access it.

*Government Orders*

If we look at the history of organized crime, frankly, this is true. Organized crime has benefited in certain instances when products are illegal, but it has certainly not ceased to operate when said products are legalized. Organized crime made a lot of money during alcohol prohibition, but it certainly did not go away or cease to make a lot of money after alcohol prohibition ended.

The other issue that we need to note is flavour. The last government addressed the issue of flavoured tobacco products, but the present government is open to moving forward in the future on edibles and on questions around flavouring in marijuana. There is not the same approach, with respect to the risks of flavouring and the impact associated with it when it comes to marijuana, as the approach when it comes to tobacco, and that is quite interesting.

The particular issue, as well, with marijuana is that it is just much easier to grow than tobacco, from what I have been told. The Liberal government would allow home grow. People are not growing four tobacco plants in their home regularly. Am I right?

The risk with the marijuana discussion, again, is that an environment has been created in the bill where we are going to have flavoured products, where we do not have clear health information, and where we do not have those same warning labels. As a result of allowing home grow, we will have the continuance of an illegal market, the continuance of a situation where it will be relatively easy for young people to access marijuana.

I want to make this point as well. The government has argued with respect to its marijuana legislation that the current approach is not working. If we define success as the complete elimination of marijuana use, then we could say that the current approach has not achieved complete cessation. However, nothing is going to achieve complete cessation. We have not achieved it on smoking and we have not achieved it on very hard drugs either.

Over the last 10 years we have seen a substantial reduction in marijuana use, and the numbers bear that out. I presented them in questions and comments in discussion with the Minister of Justice. If the goal was to reduce use and therefore reduce the risk, then the approach that was being taken to marijuana was not perfect—there were certainly opportunities to improve; our party favours the ticketing option—but it is quite clear that success was being achieved in terms of reduction.

To summarize, we are supportive of sending the bill to committee, of further studying the issues around plain packaging as well as vaping. I encourage stakeholders as well as my constituents to keep us informed about their perspective and proposals they have for potentially improving the bill.

• (1235)

It is important to highlight how the government's approach to marijuana legalization is very much exposed by this bill, and how the lack of proper safeguards and procedures in Bill C-45 is evident in comparison to Bill S-5.

[*Translation*]

**Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.):** Mr. Speaker, I listened closely to my colleague's speech. Some of the figures he quoted on contraband cigarettes in Ontario surprised me a little. They seem a bit high, to me.

However, I am happy to hear that he understands the government's message, that we want to keep cannabis out of the hands of young people. Tobacco and alcohol are more difficult to purchase because they are regulated. It is difficult for young people to purchase tobacco or alcohol, because they need to show ID. We want the same for cannabis.

My colleague also mentioned that there was too little education and prevention. I am happy to hear that he is concerned.

The legislation talks a lot about plain packaging, but what does my colleague propose to help decrease the rate of smoking among adults?

• (1240)

[*English*]

**Mr. Garnett Genuis:** Mr. Speaker, of course this is not the government's message; this is the Senate's message. Again, it is evident that the appointed senators are not as independent as some people might have once thought. I was always somewhat skeptical.

On the issue of access to marijuana versus access to tobacco, the member suggested that, because of regulations, tobacco is harder to get than marijuana for young people. The reality is that marijuana is much easier to grow than tobacco. As someone put it to me once, they call it a weed for a reason. The fact that marijuana is easier to grow influences its accessibility. Legalizing is not going to change that. In fact, it will make it easier to access.

The other point to make, with respect to the ease of access to marijuana that people generally have now, is that it comes down to the intensity with which these things are policed. People who speak about a war on drugs I don't think have observed the reality of the way in which, by and large, marijuana is policed in the current context. There are certainly ways of improving our approach to this, which is why we favour a ticketing option.

The member concluded her question by asking what other things we can do to reduce use of smoking, but my time is up, so maybe I will come back to that later.

[*Translation*]

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Mr. Speaker, I would like to thank my colleague for his speech. We are talking a lot about prevention, and we always support increased investment in prevention.

With respect to tobacco products and their users, one quarter of young people between the ages of 15 and 19 have experimented with vaping. The tobacco industry also targets vulnerable and marginalized populations, such as first nations between the ages of 12 and 17, divorced, separated or widowed women, street kids and the Inuit. There are many types of vulnerable people.

Does my colleague not think that the bill should include a strategy aimed at having the industry contribute financially to the fight against tobacco so that we can achieve healthier social conditions?

*Government Orders*

[English]

**Mr. Garnett Genuis:** Mr. Speaker, it is an interesting idea from the member. At the same time, we do not want to encourage the government to include too many different issues in the same bill. Frankly, we already have a bill that deals with two very distinct issues: the question of plain packaging and the question around regulation of vaping. As much as possible, we want to see legislation that allows members to deliberate and consider separate proposals separately.

With respect to the previous question from my Liberal colleague about the strategies we would propose for reducing smoking, by and large we see that the current strategy of providing significant information, labelling, and making sure people are aware from a young age of the risks is having an effect. When we alter the strategy, it is important to demonstrate whether that has a different effect, greater or less, and to evaluate it on that basis. At a minimum, we could ensure there is the same kind of prevention message and regulation with respect to marijuana. The government says it is going to strictly regulate it, but it is not regulating it at the same level that tobacco is already regulated, which is quite revealing. It is something important for members to consider when they evaluate the government's claim to be serious about limiting access to marijuana to young and other vulnerable populations.

• (1245)

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, I certainly appreciate the member's speech. It is a little ridiculous, given the way the government is proposing to regulate marijuana while in this bill it is actually saying that vaping products cannot have that flavour. It is a bit of a mixed message.

More importantly, on the plain packaging, for that measure to even have any chance of success, there would need to be some way of differentiating between illegal contraband tobacco and legal tobacco. The way the government has presented it is the CRA excise stamp would indicate what is a legal product.

The member raised in his speech that, again, organized crime contraband tobacco does not face the same costs. Other members, including the member for Malpeque, have said that we do not know what is in illegal contraband tobacco. That is a legitimate health issue.

We have heard from industry at committee that those stamps have gotten onto baggies of contraband tobacco. Does the member believe that we need to investigate that, either as a committee of the whole in Parliament or as a particular parliamentary committee, and have CRA come and explain this? If that process is not sound, all of this legislation is for naught.

**Mr. Garnett Genuis:** Mr. Speaker, that is an excellent point. There is a risk, especially when there is the potential misuse of a stamp suggesting that a product is legal, that people will be confused about what is and is not a legal product. This is especially true for young people. Adults going to a store that sells cigarettes can have some degree of assurance, hopefully, that they are buying a legal product. They would expect the proprietor would have done the necessary due diligence on that. However, a young person who is accessing cigarettes indirectly is much more vulnerable to getting contraband tobacco in the context of a plain packaging environment.

It is something we need to be aware of, and we need to analyze the risks in a clear-headed way.

There may be other ways of addressing the contraband tobacco issue. I think the member is right to suggest that this is something the committee could dig into further, around how we could fight back against these contraband products that create a real risk. This is something that should not be dismissed. The risk of contraband and the impact it could have is quite significant.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, since the member delved into the issue of Bill C-45 and the legalization of cannabis, I wonder if he would allow me to also pursue some aspects of that program that I have concerns about.

I am definitely in favour of Bill C-45 and the legalization of cannabis, but I do see that we are moving in a direction that there is a presumption that cannabis cannot be grown outdoors and we need to move it indoors. In the state of Colorado where cannabis is legal, the city of Denver's growing operations for cannabis alone now constitute 2% of all the electricity demand for the state of Colorado.

From a carbon footprint point of view, I am very concerned about the direction of how we regulate the growing of cannabis, which is not covered in Bill C-45, and why we are moving in the direction of additional water use and intensive energy use for a product that we do not think is safe but is not more dangerous than tobacco. Tobacco is grown outside, so why can cannabis not be grown outside?

**Mr. Garnett Genuis:** Mr. Speaker, I do not have direct experience with much gardening at all, certainly not in this case. However, on the issue of growing indoors versus outdoors, I would have significant concerns about the growing of marijuana in an environment where it could not be secured from relatively easy access by minors, potentially by thieves or even children who are part of the same family.

Attention needs to be paid to this aspect of home grow. Frankly, I think it would have been more responsible for the government to not allow—well, I do not support the bill in general, but it would have been more responsible for it to not allow home grow, recognizing the risk that even with growing it indoors, the chances of children living in that house or other people being able to access it who should not be accessing it increases exponentially. That is particularly true for growing it outdoors.

I take the member's points about the impact on the environment, but maybe that is a reason not to grow marijuana at all.

*Government Orders*

•(1250)

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, I would describe the thesis of my speech as helpful suggestions for committee stage. On the surface, there are quite a few positive things in this piece of legislation, and something I think all of us in the House can agree on is that it is a positive thing to reduce tobacco product usage. I am sure some lobbyists listening to this might not agree, but I think that is something we probably all agree on here. The question then is how we do that. Would the legislative framework we are looking to introduce drive to that end goal? Would it make Canada healthier? What are some of the opportunity costs? What are the costs associated with implementing this legislation? How do we make sure that at committee stage some of these issues are addressed?

For anyone watching, this bill was introduced in the other place and has gone through the reading stages there. It is an act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts. It was introduced in the other place on November 22, 2016. The bill proposes amendments that would implement a legislative framework under the Tobacco Act for vaping products. To clarify, a vaping product is defined in subclause 3(3) of this bill as:

- (a) a device that produces emissions in the form of an aerosol and is intended to be brought to the mouth for inhalation of the aerosol;
- (b) a device that is designated to be a vaping product by the regulations;
- (c) a part that may be used with those devices; and
- (d) a substance or mixture of substances, whether or not it contains nicotine, that is intended for use with those devices to produce emissions.

It does not include devices and substances or mixtures of substances that are excluded by the regulations, tobacco products or their accessories.

This has come up in debate already. As I understand it, and I would be happy to hear some clarification, this bill does not actually cover something that we would refer to as heat-not-burn cigarettes. When I studied this legislation, I will be honest that I had no clue about the differences between these products, but they are different and are being marketed separately now. It feels like one of those whack-a-mole situations where we have introduced this legislation to put regulations on vaping products, but we are now lagging behind on this other form of tobacco.

Since I have spent some time defining what the bill covers, my understanding is that the bill does not include heat-not-burn cigarettes. An article in *The Globe and Mail* in August 2017, stated:

One of the world's largest tobacco companies is rolling out a smokeless cigarette in Canada that it contends is less harmful than conventional combustible products, but some critics call the device merely a ploy to maintain – or even increase – market share in the face of dwindling smoking rates.

Philip Morris International has developed a heat-not-burn product called IQOS, or I-Quit-Ordinary-Smoking,—

They have tried to brand it as a smoking cessation product:

—that the tobacco giant says retains a high level of nicotine while reducing carcinogenic components found in the smoke of regular cigarettes.

As I understand it, this product heats the tobacco stick or cigarette up to a point where the substance can be inhaled, but is not actually combusting the product. Therefore, by the definition of the producer, not as many carcinogenic products are being inhaled. Under the theme of helpful suggestions for committee, my understanding is that the proposed regulations in the current bill do not cover this

product, but we probably need some regulatory congruency just so there is some certainty both in the marketplace and for consumers and the health care system on what the government's intent is with this other product.

As far as I can tell, this product is being quasi-marketed as a smoking cessation product, but there has not been a lot of arm's-length research to show that it actually does that. The research that I have read on vaping products, which are also marketed as smoking cessation products, is that they actually prolong the period to cessation because people maintain their addiction to the nicotine.

•(1255)

As this bill heads to committee, I think that those particular claims and whether they are adequately addressed within this regulatory framework are important to address. If we do not have the quantitative data to look at that, then it is incumbent upon the government to initiate some studies to that effect. I did find as a legislator there was a bit of a gap in information on those claims. Certainly, the producers of these products have done research. As a legislator, I would like to see some arm's-length research done prior to making any sort of conclusions on that particular issue.

To continue on with the debate around the IQOS product, or this slightly less smoky cigarette, I want to read one of the complaints about it because I do not think the health minister has commented on this yet. It states:

David Hammond, an expert in tobacco policy at the University of Waterloo, said PMI and other tobacco companies have been making claims about minimizing health risks for decades, going back to the 1950s when filtered cigarettes were introduced.

"If they think combustible cigarettes are killing people and they would rather not sell them, then I would ask them why they continue to sell them?" he said.

Still, Hammond agreed that any nicotine product that doesn't involve smoke inhalation "is almost certainly going to be less harmful than regular smoked cigarettes. That includes e-cigarettes and it probably includes these products."

I am reading that statement into the record because of the number of times "probably" and "maybe" are used. I think there are a lot of claims that are being inserted into the rationale for proceeding with this regulation. However, we just do not have a lot of quantitative data on it. Again, I am not trying to use that as a knock on the bill itself, but more that this is something which as parliamentarians we should be trying to get more information on at committee.

My colleague from Cariboo—Prince George, who is a fantastic colleague, brought an article to my attention that talked about the context as to why this legislation is important. An article was released a couple of days ago about a situation that occurred in Delta, British Columbia. A baseball player died under some circumstances and his mother has been calling for stronger vaping regulations after his death. This is the Kyle Losse case. His stepmother Niki Losse took Kyle to the hospital and then he passed away. She found an e-vape product where he had collapsed. A subsequent blood test determined that Kyle had nicotine in his system, and she believes there was some sort of an associated risk here.



*Government Orders*

The Kyle Losse case underscores the fact that there has not been a lot of research on the health effects of vaping tobacco. There are a lot of claims out there. While it might be true that the health impact of vaping products may be less harmful than traditional tobacco products, we do not understand what unique health challenges they may present.

As this legislation progresses, it is important for the government to look at a research framework around this issue, so that as we review the efficacy of this framework, assuming that it goes into force, we can measure those outcomes against quantifiable research. I must emphasize the point that when I was preparing for this bill, there was no consistent body of research that one could point to from credible, peer-reviewed sources that really hit a lot of these claims home. That is something we should look at.

A lot has been made about the plain packaging. I would like to take some time to talk about that as well and make a similar point.

• (1300)

The parliamentary secretary, in his introductory speech on this bill, talked about how Canada was lagging behind. In the past we had always been a world leader in legislation that aimed to reduce tobacco usage. He said that Canada had ceded the mantle of world leader in tobacco control to other countries such as Australia and the United Kingdom, that they had been quicker to adapt tobacco control efforts to address the always changing stories tobacco companies used to recruit new smokers, and that it was the government's intention to once again make Canada a world leader in tobacco control. The he went on to talk about the plain packaging component.

Australia has put in place plain packaging. On the surface, this is probably worth exploring, but there are associated consequences with it that we do not have a lot of research on, including the potential correlation between the introduction of plain packaging and an increase in contraband tobacco, as has been discussed at length in the House.

As always, when we as legislators use data from other jurisdictions, I sometimes feel we do ourselves a disservice, and I will get to that in a minute because there is not a lot of quantifiable data on that link one way or the other from other jurisdictions. Canada is in a fundamentally different context than a country like France. We are more geographically diverse, we have different problems with contraband, and we also have a higher rate of contraband being a problem.

At committee stage, it is worth it to perhaps bring in more experts who could speak to the problem of contraband and how the legislation with plain packaging could impact that and then amend the regulatory framework in such a way that perhaps the component could be addressed.

When I read the debate, one of my NDP colleagues asked the parliamentary secretary about this issue and the response was that the Liberals had a strategy to deal with it, which is administered by the RCMP and other agencies. I think that strategy actually turns out in March of this year. I have a concern that if this legislation comes into force and we have not adequately thought about the specific measures we need to implement within combatting a contraband

framework unique to Canada, while layering on the additional pressure that the plain packaging regulations in this might have, we will do Canadians a disservice.

To emphasize the point of how much contraband is an issue in Canada, an article was posted by CBC in November 2017, which says "Contraband tobacco 'out of control' in Ontario, convenience store lobby says". It says:

More cigarettes smoked in Ontario this year are contraband than in the last four years, a study released Wednesday by a group of convenience store owners in the province suggests. The study found especially large percentages of contraband cigarettes in northern Ontario. In the cities near Hamilton, the largest increase by far was in Brantford, where contraband cigarettes accounted for half of the cigarettes smoked, up from 36 per cent last year. In Hamilton, 31 per cent of cigarettes smoked were contraband, up from 25 per cent a year earlier. Across southwestern Ontario, contraband cigarettes rose to 33.9 per cent from 26 per cent in 2016 — the highest proportional increase in the four regions of the province studied.

The Ontario Convenience Store Association commissions the study every year, where researchers sweep a sample of about 100 butts from high-traffic locations like schools, hospitals, malls and casino in 23 cities. Then the group analyses whether the cigarette was contraband or was legally sold.

The group's president...told CBC News he acknowledges the survey isn't scientific, but said it does get at the trend without relying on consumers, stores or distributors to be honest about whether their smokes are legal.

The reason I wanted to put that on the record is that there is another theme there. He acknowledges that the study is not scientific. We hear on the news that there is an increase in contraband, but we do not really understand how widespread the problem is. This is one sample in one region of the country. It is important to note that Canada has regional differences in tobacco usage. Without having that framework, how can we possibly look at strategies to prevent the distribution of contraband products?

Again, this is a helpful suggestion as the bill goes to committee. It is incumbent upon the government to look at, as the framework for combatting contraband is potentially renewed or whatnot in March, the research on how much contraband is a problem should come to bear.

• (1305)

Perhaps the government could partner on with companies that are doing behavioural research on tobacco consumption using artificial intelligence technology. A lot of new companies are working in this space. Perhaps we could start looking at a better model on how we monitor this.

We love to regulate in this place. It is kind of our first reaction to any sort of policy problem. However, my concern with the implementation of the proposed legislation is that without the associated metrics or a system to measure the efficacy of the legislation, we really cannot tell our constituents whether what we have put in place here is working.

*Government Orders*

In looking at the proposed legislation, the government has not put a lot of information out to parliamentarians about the cost of implementing the framework. I do not even understand how the government would implement this framework. Therefore, I would like to see my colleagues who will study the bill at the health committee really question departmental officials about how they plan to implement it, over what time period, and what metrics the government will be using. What are the end goals? Is the government stating that the legislation will see  $x$  percentage of reduction of tobacco usage over a period of time? If so, how will the government measure that and what sort of quantitative analysis will it put in place to do that?

Again, my review of this shows that there is not a lot of framework out there or research being done on this. My concern, and I am showing my Conservative colours on this, is that we should not be moving directly to regulation without having that framework in place. We should be able to communicate to our constituents, when we put in place regulation, how much it will cost to implement and how we will measure it against stated end goals, which is kind of lacking in the bill.

On the surface, I do not oppose plain packaging. If the data is there to show that it reduces tobacco usage, then it we should probably explore this. However, my question is where is that data right now. The closest thing I could find in another jurisdiction was in France where it has had plain packaging regulations. Official data published on January 29 by the French agency shows that plain packaging has not had an impact on smoking rates. Indeed, according to l'Observatoire français des drogues et des toxicomanies, in the course of 2017, sales of cigarettes remained stable with a slight decrease of a 0.7% in volume after a 1.3% increase in sales during the first half of the year. This study was conducted between August 4, 2017 to January 29, 2018, so this is fresh data.

This failure was acknowledged by the French health minister, Agnès Buzyn, who stated, "We know that plain packaging does not lead smokers to stop smoking." She concluded that "unfortunately in 2016, the official sales of cigarettes have increased in France. Plain packaging did not contribute to the decrease of official tobacco sales."

The French study is worth examining at the committee stage. Also, when we do that, we should look at the regional context. What sort of factors does France have that might be different from Canada with respect to tobacco usage and contraband increases?

Whenever we seek to put regulations in place, we should be able to clearly define what we hope to see as the measurable policy outcome, which I am not sure has been stated here; how much it is going to cost; and then how we would measure success.

We need more robust research, and I would like to see the government put that in place prior to implementation of this framework.

• (1310)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, a couple of thoughts come to mind. First is that the whole idea of plain and standard packaging is not new. Other

countries in the world have done this. My colleague made reference to France. Australia has kind of led the way.

Within the last couple of years, an enormous amount of consultation has been done by this government. Legislation has been brought in and some goals have been established with respect to reducing smoking. Obviously, the government is very much concerned and wants to get fewer Canadians, young Canadians picking up the habit of smoking. Most of the different stakeholders, and I suspect there would be a consensus from most, believe that moving toward that standardized packaging is good. The member seemed to conclude that. It appears she is not in opposition to this.

She raised concerns with respect to contraband cigarettes. I see them as two different issues. I do not see the direct correlation, and one of her colleagues made reference to that. Maybe that is one of the issues we could advance to the standing committee where no doubt the committee would have more time to deal with it.

My question is specifically on standardized packaging. Do the Conservatives believe we should be moving forward with this? The New Democrats have been very clear. They support it and they want to see it move forward.

**Hon. Michelle Rempel:** Mr. Speaker, in his comments, my colleague reinforced the point I made in my speech. He said that some people believed this would work and that other jurisdictions had introduced this. However, is it going to work?

The government needs to state very clearly how much it predicts the plain packaging initiative will reduce demand, how much the cost of implementation of this framework will be, how it will deal with the issue of a potential increase in contraband, which we need to study as well. It also needs to talk about some of the findings that have come out, especially the report that has been published in France. The French health minister has said that plain packaging does not lead smokers to stop smoking.

Again, I would go back to the thesis of my speech, which is helpful questions for committee. These are questions that as legislators and regulators we should answer prior to introducing a regulatory framework so we can go back to our constituents and say, if as the Liberals claim, this will reduce the incidence of tobacco usage, this is how much the government expects it to be reduced by, this is the data it relies on, and this is the framework it will use to reduce contraband consumption.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, as the health critic for the NDP, it was incumbent upon me to do extensive research on the bill. I want to assure the member that there is credible peer reviewed evidence on this subject.

Fourteen separate studies on the impact of plain packaging in its first year in Australia were published in a special supplement to the *BMJ*. That research found that after the laws were implemented "there was a "statistically significant increase" in the number of people thinking about and making attempts to quit smoking." Other key findings included that plain packaging reduced the appeal of packs, particularly with adolescents and young adults, the legislation had not increased the consumption of illicit cigarettes, and plain packaging had encouraged smokers to think about and attempt to quit.

*Government Orders*

My hon. colleague kept referring to France as some sort of evidence that plain packaging had no measurable effects on smoking rates. That legislation was only implemented in France in 2016, so it has had maybe a year and a half to evaluate it. That is not enough time for the French government to truly understand the implications of its legislation.

Does the member agree, given the experience of Australia, which is the longest period of time we have since 2012 with legislation, that we should proceed with this legislation confident in the fact that it will definitely have an impact on smoking rates, particularly among young people, even if we cannot measure the exact amount?

• (1315)

**Hon. Michelle Rempel:** Mr. Speaker, the point of the legislation is to say that we would like to reduce it to this amount and that this is how this regulation is going to do that. That is kind of what we do here. If we are going to spend taxpayer dollars on implementing a regulatory framework, where there will be staff required and all sorts of different things to do this, it is kind of ridiculous if we cannot exactly measure it. Why would we do something if we cannot measure it?

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, I appreciate my colleague wanting to have a good discussion based on data and not simply just, as she said, a knee-jerk reaction to regulate and ask questions later. We need to have a more significant discussion about contraband tobacco and its influence in this country. I have heard from industry that it is aware of more contraband tobacco factories in this country than legal ones.

The question is not only who, but whether our policy response in terms of enforcement is woefully inadequate and why that is. The government is asking Canadians to trust it, asking us as their representatives to trust, that plain packaging will make it better. However, there are different factors here than in France or Australia. Contraband tobacco is one of them. Taxes and the cost of them is another. Any time one has a higher cost, it is going to push more to the illegal market.

Does the member think there needs to be a better case made by the authorities as to why we have this problem, and whether we are taking into consideration a problem that already exists and may actually be magnified by this legislation?

**Hon. Michelle Rempel:** Mr. Speaker, I agree with many of the points my colleague has made. Again, this is why part of the discussion at committee needs to be around that whole measurement framework. My colleague from the NDP made some good points as well that there are bodies of research. I read one study showing there might be a correlation between how people perceive the taste of nicotine products in plain packaging versus regular packaging.

The point I am trying to make is that we just do not have a lot of data on that in the Canadian context. How are we going to do that once this comes into force? I know the Liberals have a majority government and this is going to pass, but as the opposition party, I would hope the government takes suggestions in terms of the need to put in place a framework to measure whether this works or not. I am concerned that without those side pieces of research, of the enforcement of contraband products, it might not. I might be wrong, but that is what the committee study is for. I hope the government

really has a hard think about that, so that we are not coming back here in five years saying that it did not work.

I am not sure if the legislation has a parliamentary review component built into it. This is perhaps something that the committee could include if it does not right now.

I also wanted to thank my colleague from Central Okanagan—Similkameen—Nicola for his previous intervention before I spoke around the CRA's enforcement procedures for contraband cigarettes. With the introduction of this potential regulation, it is a timely discussion to have. We should perhaps be putting more enforcement around that. That would also perhaps lead to a reduction of tobacco usage in Canada.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Mr. Speaker, it is my pleasure to rise today to speak to the bill. Before I get started, I want inform the House that I will be sharing my time with the member for Kamloops—Thompson—Cariboo.

Today, I would like to talk about the bill from three perspectives. I want to talk about the present rate of smoking, whether plain packaging will work, and the relationship between tobacco use and marijuana use.

I am going to start with the present rate. I have some good news. Smoking has been on a downward trend for about 50 years. That is the case. Over the last 10 years, we have seen the usage rate drop about 10%. I expect we will continue to see this as smoking becomes less and less culturally acceptable.

Why are we discussing this here? One of the reasons I got into politics is that I often think the government takes on things that it has no business taking on. This is another area where we have to look at whether the government even has a responsibility to worry about whether Canadians are smoking.

In Canada, we have public health care. It is not necessarily administered by the federal government, but a big part of our budget does end up getting transferred to the provinces. I know in my own province, 50% of Alberta's spending is spent on health care. Therefore, because of all the money we collectively spend on health care, we then collectively get to infringe upon the freedoms of others and say, "No, sorry, you cannot do that."

Fortunately, we do not throw people in jail for smoking, but we do exert a lot of social pressure and some legal pressure to ensure that people are not smoking. In my own life, I do find that smoking is a filthy habit. I have several people close to me who smoke. I give it no credence whatsoever. I have no problem publicly shaming them for smoking, and even people I do not know very well. I must say it is part of Canadian culture. If somebody is overweight, people definitely do not say anything about it. However, if somebody smokes, it seems to be fair game to tell them that it is a filthy habit that they should give up. That is entirely the case.

*Government Orders*

That social pressure, that legal pressure, and the fact that we have public health care, all three of these things seem to be working to reduce the rate of smoking in this country.

As I said earlier, in the 1960s, and I was not around in the 1960s but I have read a few things and my notes tell me, about 50% of Canadians smoked. Today, I am told it is about 13% of Canadians who smoke. I would say that whatever we are doing seems to be working.

Then we come to the plain packaging that is being introduced by the current bill. Will plain packaging work? If we listen to the NDP members, they say it will definitely work. What does working look like? What will success look like? If we are seeing a downward trend in the percentage of the population that is smoking, then after we introduce plain packaging we would expect to see a significant, sudden decrease. We would expect to see this trend line going in one direction, and then with the introduction of plain packaging we would expect to see a blip, hopefully in the downward trend. That has yet to be seen, and I do not think that we are going to see that.

The other thing about plain packaging that I would like to point out is that from the examples of the plain packaging that I have seen, I am pretty sure that I could make a plain package on my home printer. That is going to be a gift to the contraband community. In the province that I come from, the province of Alberta, contraband is not as big of a deal because there is not a lot of tobacco being grown in Alberta. The contraband tobacco that does come to Alberta comes from far away.

The contraband that I have heard of in Alberta is typically packaged in the plain packaging. It is typically in a package that has no identifying marks on it whatsoever. Unlike in other jurisdictions where contraband is often seen in a plastic bag, in Alberta it seems to come in plain packaging. Therefore, plain packaging will be a gift in that now if we see someone with plain packaging we know immediately it is contraband, whereas if everybody has plain packaging we will not know what is contraband.

● (1320)

This overlaps with the marijuana debate that we are having here, and I am not sure who I got this from but someone sent this to my office and put “Tobacco” and “Marijuana” on either side of it. What is interesting is that the person points out that the plain packaging or even the shape and size of tobacco, the appearance of cigarettes, these kinds of things, are all highly regulated by the government, yet when it comes to marijuana there does not seem to be any interest in regulating what, how, or why this product is going to be consumed. Granted, I know that marijuana is consumed in more ways than just smoking, but it is interesting that in this Parliament we are debating the legalization of marijuana and putting in higher restrictions on cigarettes.

One of the other interesting things, as we are debating this and the government seems to be supportive of this particular bill, is that the government is bringing in plain packaging for cigarettes yet does not have any kind of advertising or packaging rules around marijuana. This particular picture shows me some of the examples of the marijuana packaging, which looks like candy packaging, and then it shows a picture of cigarettes. I do not know if it is the same in every province. In Alberta, flavoured tobacco is illegal, but I know that the

tobacco packages are the most disgusting things one has ever seen, and 75% of the package is covered with a health warning label. The example here is a picture of someone's mouth with their teeth rotting away. I think that would be more effective than plain packaging. Then there is an example of the marijuana packaging, which has no health warnings on it and does not seem to have any indication that this might be affecting people's health.

Interestingly, marijuana may have even more detrimental effects to one's health than tobacco. Tobacco affects one's physical health. Marijuana may also affect one's mental health. However, the government has been silent on the warnings that are going to be on the packaging. It says that there will be some level of branding allowed.

We have seen that members of the *Trailer Park Boys* and the Tragically Hip have all signed on as ambassadors for marijuana branding, but the Marlboro Man has long been outlawed in this country. It is interesting, for the sake of consistency, that we would be working on that.

Another so-called sin tax area that we deal with is alcohol. Again, there are fairly strict guidelines as to the advertising of it, yet there does not seem to be anything when it comes to marijuana. Therefore, it seems that we are very much moving quickly in one direction with one particular item and totally in another direction with another item. This strikes me as odd, particularly given that I like to think that the free market has a lot of benefits. The free market gives us everything that we need. I would say that we need to allow the free market to flourish, but I again go back to the fact that we have public health care in this country so we have the right to impose upon each other these health restrictions.

I look forward to seeing what happens to the bill at committee. I understand my party will be supporting it being sent to committee. I certainly hope that the folks on that committee take into consideration the present rate and the declining rate, that they look at the effects that plain packaging will have on the contraband world, and that they will consider the current government's direction with its marijuana legislation and in some way try to keep it consistent with other products in this country.

● (1325)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I have been sitting here thinking about this debate and recognizing that I owe cigarettes big thanks for my activism through life. When my dear grandfather was taken from us with lung cancer from smoking cigarettes when I was five years old, I became so rampant in my objection to smoking that I stole cigarette packages out of my mother's friends' purses, blew out matches, and did all manner of things to stop people from smoking. I am grateful that the statistics quoted by our colleague show that Canadians are smoking less, and clearly not due to my activism.

I want to pursue what we might know about how Health Canada will pursue the problem of smaller amounts of nicotine delivered by a different system. We do need this legislation. We need to regulate, but do we know enough about the downstream risks of vaping? I wonder if he could comment on that, either on behalf of the Conservative Party or for himself as a member of Parliament.

*Government Orders*

•(1330)

**Mr. Arnold Viersen:** Mr. Speaker, one of the things I found very interesting in my own research on vaping and its ability to get people to quit smoking is the fact that we really do not know at this point what the downstream effects of vaping are. Anecdotally, vaping seems to help people quit smoking. That is a big positive.

I will go back to the beginning of my speech, where I talked about the government's involvement in people's lives. I always ask, does the government really have anything to do here? I would put that forward as well. Some people come down on it and say that if we do not know what is going to happen, we should definitely regulate it. We know it helps people to reduce smoking. We do not know its long-term health effects. Given the fact that we have a public health care system, we seem to think that we should regulate it.

Let us pull back for a moment and see what comes in. If we can work hard to get people to quit smoking by the use of vaping, let us allow that to happen. Let us get out of the way until we know what the real results are.

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I listened to the debate on the topic throughout today, particularly my colleague's comments, and there appears to be a conflict between Bill C-45, which is the cannabis bill, and Bill S-5.

Governments, provincial and federal, as well as organizations have spent a lot of money trying to stop people from smoking. We get into vaping, contraband, and a lot of these topics. All of these things are out of fear for our health, whether we are talking about illegal contraband, packaging, or health, when people go to a doctor or have surgery and have to sign something saying whether they smoke and when they stopped smoking.

In Bill C-45, it is almost like we are encouraging people by legalizing cannabis. The provincial governments will be selling different types of products or sending it out to have other people do it. Is there a major contradiction in the philosophy of these two bills?

**Mr. Arnold Viersen:** Mr. Speaker, that was precisely what I was trying to do, lay it out that Bill C-45 and Bill S-5 seem to be going in two opposite directions. I am asking the government for some consistency on this.

When it comes to a good cigar, however, there is something to be said about adding life to years rather than years to life.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, my colleague from across the way said very briefly that vaping helps people get away from smoking addiction. There is no doubt that it has a very positive impact for many smokers. Would he acknowledge that, particularly for young people who are being enticed to get involved in vaping, there is a very high risk that vaping at an earlier age could ultimately lead to more young people eventually quitting vaping and picking up cigarette smoking, who would not have done so if vaping was not there?

**Mr. Arnold Viersen:** Mr. Speaker, this is where we get into it. Vaping has not been around that long. I was about 22 years old when vaping became a thing. The first time I saw vaping, it was some 12-year-olds who were giggling like crazy. They had bought electronic cigarettes at the corner store, and they thought it was hilarious that

they could buy these things but they could not buy those other things.

I will grant the member that it is a possibility, for sure, but at this point we do not know. I do not think that it is going to be a great issue. I would rather kids smoked vapour than an actual cigarette. Again, the government is searching for a problem.

•(1335)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, I am pleased to rise to add my comments to the debate on Bill S-5, an act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts. After reading that very long title, people might be wishing to go back to the days of the Conservative government, when we had very catchy phrases for our particular pieces of legislation.

There are three components I would like to focus my comments on. One is vaping; the second is the intended plain packaging; and the third is the issue of flavours. If there is a little extra time, I might have some general comments on public health and the approach it is taking.

In May 2015, there was a unanimous report from the health committee. I was on the committee at that time. We worked hard, and we said that we needed a regulatory framework on vaping. We presented 14 recommendations to the government in May of that year, looking forward to the government's response. The report was unanimous and said that we needed a regulatory framework. As we know, there was an election a short time after that, and the government of the day did not have the opportunity to respond and move forward.

I find it interesting that this was in the mandate letter of the minister when the Liberals were first elected way back in the fall of 2015, a few short months after this unanimous report was presented with recommendations, and it has taken almost three years to get this particular piece of legislation to the stage it is at now. It speaks to how long it actually takes the government, when it sets something as a priority in the mandate letters, with a lot of the background work already done and a consensus within the House, to get what it says is a priority to the table. There are recent articles showing how ineffective the government has been in passing legislation, especially on something that has pretty solid support, such as the framework on vaping.

The government can never leave things simple, and it had to add a number of other issues to this piece of legislation, which I will talk about a little later. With regard to vaping, it is absolutely appropriate that there be some structure around it. Things like prohibiting the sale to minors, prohibiting promotion of vaping products that appeal to youth, and submitting information to Health Canada are all sensible pieces of moving this forward.

*Government Orders*

I know that some of my colleagues have mentioned this, but it is important to note. The member for Cariboo—Prince George, as many know, is in hospital right now, and all of us in the House wish him a very speedy recovery. It speaks to his dedication and passion for what goes on in Parliament that he has been watching the debate and sending messages to all of us as we are coming up for our opportunity to speak, asking whether we have seen a certain article or whether we are aware of this or that. I want to say to the member for Cariboo—Prince George that we wish him well. He should make sure he gets enough rest because he said he was going to look for a better balance.

I will bring to the attention of members the article he sent. It is very recent, from January of this year, and it is entitled “Teen baseball player’s stepmom calls for stronger vaping regulations after his death”. He was 14 years old. He was found collapsed in the bathroom with some vaping products beside him. Of course, his death cannot be directly attributed to them. The story is about his going to the hospital and how he died shortly thereafter.

● (1340)

However, it is enough to raise a caution. It is enough to say it was a young man who was exposed to a product, so there certainly are some things that we need to perhaps look at and watch from there, which really speaks to the fact that we might have a regulatory framework that is in place to provide some protection, but there is an actual need to continue the research.

I do not think anyone has talked to this particular issue. Right now it is a bit of a no man’s land in terms of people selling products that are illegal, but here is a recent study that talks about the importance of research and knowing what is in the products that people are vaping. It links chemicals in flavoured e-cigarettes to a respiratory disease that is called popcorn lung. Right now people need to be very cautious because there are no controls in place in terms of what they are actually inhaling.

This says:

A chemical found in the vast majority of flavoured e-cigarettes tested by researchers in a new study has been linked to severe respiratory disease. The study out of the Harvard T.H. Chan School of Public Health, released Tuesday, tested 51 types of flavoured e-cigarettes and refill liquids, known as e-juice.

It was actually a couple of years ago.

“In our study we focused on flavours we feel are appealing to children and younger consumers,” the study’s lead author Joseph Allen, assistant professor of exposure assessment science, said. “Flavours like Waikiki watermelon, alien blood, cupcake and cotton candy.”

The researchers said the flavouring chemical called diacetyl was found in more than 75% of the products tested.

This goes back to popcorn factories where people working there were getting a debilitating respiratory disease, bronchiolitis obliterans, and it is known as the popcorn lung. It is very serious and often can require a lung transplant—an irreversible lung disease.

What is concerning about that is smoking damages the lungs over a long period of time, but the effects of diacetyl and the creation of popcorn lung is much more rapid and much more concerning. It can

be ingested, but when it is inhaled into the lungs, it is certainly a problem. We know it is in e-cigarettes. In the U.S. there are more than 7,000 flavours on the market, many of them containing this. Health Canada has not yet regulated e-cigarettes, so that is a word of caution for people who are using the product.

This leads me to the flavours issue. One of the things that our government committed to in the last Parliament was to ban the flavours that were appealing to youth. I know there were chocolate, strawberry, and banana flavours that were on the market and very appealing to youth.

At that time we had a pretty significant discussion and debate about menthol. There was a suggestion that we should also ban menthol, and the decision at that time was that menthol had been in cigarettes for many years; it is a product that is legal in Canada; it is a product whose risks adults who choose to smoke are aware of. They have chosen and used menthol cigarettes for years, and we thought it was unduly unfair for the government of the day to ban menthol.

I notice in this legislation that the new government has decided to go ahead with that. Perhaps members need to hear from people, especially adults, who had a lot to say about that issue, when a different decision was made in the past. I certainly agree with the issue around the strawberry, chocolate, and banana tobacco, but menthol was something we did consider.

There is not a lot of time, and the plain packaging is the final area that I want to note. We hear that it might be very helpful. We hear that it has not made a difference.

● (1345)

Coming from British Columbia, I did not realize how much of an issue contraband tobacco was until I came to this House and heard from my colleagues from Ontario. It was a pretty consistent conversation we had. The other thing is that, for the first time in my life, I saw these bags of contraband tobacco. Of course the Canadian government policies significantly impacted the contraband tobacco industry. There needs to be a very thoughtful conversation in committee on that particular issue.

In general, we support this going to committee. We think there are a few areas that perhaps need some additional consideration.

**Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.):** Mr. Speaker, the area about which I would like to ask a question for the hon. member is with regard to youth. I have worked with youth for 20 years, and I have seen youth pick up smoking for various reasons. Sometimes it is because of stress, and stress has led to smoking. There are all kinds of reasons that youth actually start smoking. However, I would like clarification from the member on this idea of packaging, which was the last topic she spoke on. We know thousands of dollars are spent on how we market and package products so they gain the attention of young people. There is no doubt in my mind that attractive or glitzy packaging does that.

Would she not admit there is no question that the packaging has an impact on the purchasing of these products, and commend the government for moving forward in this regard?

*Government Orders*

**Mrs. Cathy McLeod:** Mr. Speaker, the member raises a very good point. First of all, I totally disagree that we currently have glitzy, attractive packaging. Any package I have looked at in the last number of years has been quite appalling in terms of the actual images on it. It is also important to point out that, in most provinces, cigarette packages have to be put behind walls where children cannot see them, and the adults have to ask to have the cupboards opened to get their package of choice. What we are talking about is packaging that is not very clear. I mean, it is not sitting there on open shelves as it used to be. There are unattractive images on them.

Offsetting that, what is it going to do in terms of the contraband industry? That is a legitimate question to ask. We have done a lot around packaging and hiding the product, but with what impact? I hope it would be a concern for the Liberals also to see a significant rise in terms of contraband and cheaper products for children.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, when it comes to plain packaging, in my riding, on reserve, there are little white cigarettes in plastic bags. I do not think we can get any plainer than that, and it does not seem to be having any impact on the people who want to smoke.

I am interested to ask the question about public education. I remember, when I was growing up, there was a huge public education campaign with the pictures of the bad lungs and the good lungs, which was very effective in preventing young people from starting smoking. Does she think this should be part of the bill as well?

**Mrs. Cathy McLeod:** Mr. Speaker, over the years, we have seen many effective cessation programs. Obviously prevention is the best opportunity, to discourage children from actually starting the habit, through banning flavours. We know many public health dollars, both federally and provincially, have been spent on supporting cessation programs and supporting folks through things like QuitNow.ca. Someday it would be interesting to look at the cost of prevention. We talk about the interesting dichotomy between moving forward with legalizing marijuana, saying it is going to help with the costs of drug enforcement, and then spending probably a lot of money trying to discourage people from using it. It is a bit of an irony.

• (1350)

[*Translation*]

**The Deputy Speaker:** Before giving the floor to the hon. member for Salaberry—Suroît, I must inform her that, although she is entitled to 20 minutes for her speech, there is only about 10 minutes left before member statements. I will therefore have to interrupt her.

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Thank you, Mr. Speaker. Today, I am speaking in support of Bill S-5 to amend the Tobacco Act to include and regulate vaping products and strengthen our hand in the fight against tobacco use.

As my colleagues mentioned earlier, the NDP has worked and collaborated with different governments in the past 30 years to promote and implement the principles underlying this bill. In 2009, the NDP introduced a bill restricting the labelling, packaging and sale of flavoured tobacco, prompting the Conservative government to legislate on the issue.

We have no choice: every year, 37,000 Canadians die from a tobacco-related disease. Tobacco use is the number one avoidable

cause of disease and premature death in Canada. Think about it: every 14 minutes, someone dies from using tobacco.

The big tobacco companies want to maintain their profits despite the fact that products containing nicotine are responsible for the current situation. They lied for decades, trying to mask the harmful effects of smoking on public health. That is why it is clear that we must adopt strict and extremely explicit rules and that we must apply them to tobacco and vaping products as soon as possible.

A particular concern of mine as a former teacher is the question of plain packaging and these products' appeal to young people. Unfortunately, too many young Canadians smoke. Approximately 17.17% of Canadians age 12 or over smoke every day. On average, smokers smoke their first cigarette at around age 13. The tobacco companies are always seeking new ways of attracting young people and promoting customer loyalty. Because we know that nicotine is addictive and that a third of all smokers die from tobacco-related diseases, we must take the matter seriously and pass legislation as soon as possible to prevent other young people from starting smoking and becoming addicted to tobacco products.

We also know that the tobacco companies can be extremely imaginative when it comes to designing packaging and developing techniques to make their cigarettes appealing. For example, they use pastel colours to attract women, one of their target markets. They also associate words like "sexy", "beauty", "fun", and other terms related to the high life in bars with cigarettes. This gives tobacco products a falsely positive image.

If these health issues are not enough, the economic aspect might be of interest to my colleagues. The three largest tobacco companies in Canada made \$25 billion in profit in 2015. Meanwhile, the direct and indirect health costs associated with tobacco use are approximately \$4 billion per year in Quebec alone. We could repair hundreds of schools and thousands of potholes if we did not have to pay companies to make money from an addiction they themselves cause. These figures and many more can be found on the De Facto website.

*Statements by Members*

Plain packaging helps make cigarette packages less appealing, particularly to adolescents and young adults. This was tested in Australia. The findings were clear: there was a significant decrease of several percentage points in the rate of tobacco use. In New South Wales, the most populous state in Australia, tobacco use among young people plummeted from 23.5% to 6.7%. In Toronto, former Australian minister Nicola Roxon explained to the press how effective the plain packaging law was in reducing smoking in Australia. Since the initiative was implemented in 2012, the number of smokers has dropped by 100,000. Proportionally speaking, we could see 190,000, that is, almost 200,000, fewer smokers in Canada. It is unbelievable. When we speak of tobacco-related diseases and deaths, we are talking about human lives that can be saved by implementing measures like these.

● (1355)

The tobacco industry knew that it would lose profits. For example, Philip Morris Asia sued the Australian government based on clauses in an investment treaty between Hong Kong and Australia. In its press release, the company explained that plain packaging was damaging to its intellectual property and used other spurious arguments to oppose the law. It tried to circumvent the law and manipulate the public, as it had done with nicotine. Finally, its arguments were totally rejected by the highest Australian court of law, and, apparently, the company has been making smaller profits in Australia since then. That is not entirely surprising.

This anecdote reminds us how important it is to bring in plain packaging as soon as possible, and also to be cautious when signing free trade agreements, so that companies like Philip Morris Asia cannot try to undermine our legislative arsenal protecting the health of Quebeckers and Canadians.

The second point in the bill is the regulation of vaping products, the so-called e-cigarettes. The NDP knows that this new technology is a promising harm-reduction tool to help people quit smoking. However, we do not have clear information about the long-term effects of vaping, and we need some in-depth research. We hope that this information will come over time, as the Standing Committee on Health studies this bill.

However, the benefits of this product are still debatable, since little is known about some of the products. Vaping products may contain nicotine, which is still a public health hazard. The department prohibits their importation and has seized a number of products at the border, which shows why we need to do more to limit access to products containing nicotine.

Some methods used to sell e-cigarettes, such as adding flavours, are the same as those used to sell tobacco. Banning some ingredients used to make these products taste better was a good first step, but this bill unfortunately does not prohibit all tobacco flavours, such as menthol. We must limit added flavours as much as possible to ensure that vaping products truly help lower the use of cigarettes and other tobacco products.

Another positive element in the bill is the restriction on the promotion of these products and on the addition of certain ingredients that could be perceived as healthier. Children and youth need to be protected from harmful advertising campaigns. As long as the long-term effects of vaping remain unknown, they cannot be

declared safe. We need to apply the precautionary principle, restrict access to this product, and not allow companies to slip in additives, such as vitamins, in an attempt to make the product seem healthy when it is not.

Any regulatory framework for e-cigarettes must seek to maximize the potential benefits of these products as a means of reducing the harmful effects of smoking, while limiting their potential health risks and restricting access for youth.

Today is January 30, 2018. The Liberals need to speed up the passage of this bill. In 2015, the House of Commons Standing Committee on Health released a report entitled “Vaping: Toward a Regulatory Framework for E-Cigarettes”. The Committee had held eight meetings and heard from 33 witnesses. The report contained 14 recommendations, including a recommendation that the Government of Canada work with all affected stakeholders to establish a new legislative framework that would set maximum levels of nicotine, among other things.

Thanks to this report, we already had all the information we needed to implement this bill. However, the Liberals waited more than two years to present us with a bill, and they tabled it in the Senate instead of the House of Commons. I will say it again: passing this bill could save lives. I hope we will be able to pass it quickly and improve it along the way.

● (1400)

**The Deputy Speaker:** The hon. member for Salaberry—Suroît will have 11 minutes to finish her speech when the House resumes debate on this motion.

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## STATEMENTS BY MEMBERS

[*Translation*]

### CONTRECOEUR

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Mr. Speaker, 350 years ago, in 1667, Antoine Pécaudy, captain of the Carignan-Salières regiment, founded Contrecoeur on the south shore of the St. Lawrence River.

I am proud to announce the kick-off to Contrecoeur's 350th anniversary celebrations. It was there that the Patriots met at the Lenoblet-du-Plessis house in 1837 to draft some of their 92 resolutions.

Contrecoeur is now a modern, dynamic community experiencing rapid economic growth thanks to its strong industrial sector. With its industrial port zone, the city is well on its way to becoming a crucial transportation hub, but none of that would matter without its warm and friendly tight-knit community of 7,740.

Happy 350th anniversary to everyone in Contrecoeur.



*Statements by Members***MARC CORMIER**

**Mr. David de Burgh Graham (Laurentides—Labelle, Lib.):** Mr. Speaker, it is with a heavy heart that I pay tribute to Marc Cormier, a resident of my riding who died suddenly on January 19 at the age of 48.

Marc was dedicated to promoting physical activity and opportunities for youth to flourish. The day after the federal election, Marc, a triathlete and coach, talked to me about how important an arena was to the community. The Pays-d'en-Haut RCM had been trying to get a sportsplex for decades. Last summer, we announced a \$32-million project funded by equal contributions from all three levels of government. The community's proposal was a success thanks in large part to Marc's involvement.

In recognition of his leadership, he was selected as a recipient of the Canada 150 pin. Sadly, he passed away before I could give him that honour. On behalf of the entire community, we would like to express our deepest condolences to his wife, Patricia, and their children, Alexandre, Simon, and Sandrine.

Thank you, Marc. We will miss you so much.

\* \* \*

[English]

**GRANDE CACHE**

**Mr. Jim Eglinski (Yellowhead, CPC):** Mr. Speaker, in the late 1960s, the town of Grande Cache was created and envisioned as a model mining town as people moved in to work at the Grande Cache Coal mine. However, on Christmas Eve of 2015, the mine was closed, putting the last of its 650 miners out of work. Since then, the community has struggled with the loss of businesses, residents, and medical professionals.

Grande Cache is turning a new page. I am pleased to announce the purchase of Grande Cache Coal by Sonicfield Global. The court approved the sale on January 8, and the closing transaction is scheduled for May of this year. There will be an open house tomorrow at the local Métis hall, and company officials will be there.

To the residents and businesses of Grande Cache, this is great news. For the Yellowhead riding, coal mining is still a viable economic driver for the region.

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**RICHMOND HILL WINTER CARNIVAL**

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, Lib.):** Mr. Speaker, I am excited to announce that this weekend marks the 50th anniversary of the Richmond Hill Winter Carnival, a winter event that has become a proud tradition in our community. From February 2 to 4, people from near and far will come together at Mill Pond Park to brave the cold weather and have some true Canadian winter fun. From the carnival's hockey tournament and wood carving to the fireworks and live music, our community knows how to celebrate the best part of Canadian winters.

The carnival is run by a team of dedicated volunteers, with support from the Town of Richmond Hill and local sponsors, who bring this event to our community each year.

Join us in Richmond Hill this weekend. Bring family and friends for an outing that is sure to put the “wonder” back in winter wonderland.

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● (1405)

**TAMIL HERITAGE MONTH**

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, I am pleased to rise today in recognition of Tamil Heritage Month. Over the month of January, events were held all across Canada to celebrate the richness of the Tamil culture and language as well as the immense social, economic, cultural, and political contributions the Tamil community has made to Canada.

Tamil Heritage Month also provides us with an opportunity to learn about the unique and distinct culture of the thriving Tamil community in Canada. Through this knowledge, we are better able to understand and celebrate the diversity and individual values of the different communities that make up Canada's dynamic multicultural fabric.

I would like to acknowledge the resiliency of the Tamil community as it continues to overcome hardships and challenges and to fight for social justice and equality for all. New Democrats look forward to continuing to work with Tamil Canadians to build a more just and fair Canada.

Happy Tamil Heritage Month.

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**CENTRE CULTUREL ISLAMIQUE DE QUÉBEC**

**Mr. Gagan Sikand (Mississauga—Streetsville, Lib.):** Mr. Speaker, today I rise to remember those who lost their lives in the Quebec City mosque mass shooting and to extend my gratitude to those in the emergency, medical, and community services who extended their support in the aftermath.

Last night, members of the Mississauga—Streetsville community attended a vigil not only to remember those we lost but also to stand in solidarity with our friends in Quebec City.

I continue to share open and honest dialogue with the entire Muslim community so that we may promote compassion, understanding, and collaboration. Our country is united and diverse, and as our Prime Minister Justin Trudeau said, we are stronger together.

**The Speaker:** I believe the hon. member for Mississauga—Streetsville is aware that we do not use personal names here. I would ask him to refrain from doing so in the future.

The hon. member for Provencher.

*Statements by Members***CANADA SUMMER JOBS PROGRAM**

**Mr. Ted Falk (Provencher, CPC):** Mr. Speaker, the Prime Minister talks a lot about respecting diversity, but his actions tell a very different story. He has launched a dangerous attack on fundamental freedoms with his new Liberal values test within the Canada summer jobs program. With this new values test, if one does not agree with the ideological positions of the Liberal Party, one's organization will no longer be eligible to receive funding for a summer student. Of course, this is outrageous, and Canadians know it.

The charter protects freedom of religion, conscience, thought, belief, opinion, and expression from exactly this type of government overreach. Canadians must be free to apply for government funding or programs without fear that they will be rejected simply for having different values and beliefs than those of the Prime Minister. What is next on his agenda?

The attestation on the Canada summer jobs application is a blatant violation of the charter, and I call on the Prime Minister to immediately withdraw this outrageous new requirement.

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**TOMMY BANKS**

**Mr. Randy Boissonnault (Edmonton Centre, Lib.):** Mr. Speaker, Edmonton has lost one of its greatest cultural treasures: a former senator, a broadcaster, an Officer of the Order of Canada, and a truly brilliant jazz musician, the legendary Tommy Banks. He worked as a professional musician, music director of the Orion Musical Theatre, and coordinator of the Edmonton Symphony Orchestra, all before he was 20. *The Tommy Banks Show*, which he hosted from 1970 to 1974 and again from 1980 to 1983, delighted Canadians. As a senator, he championed the arts, the environment, and the ever important balance between security and government oversight.

[*Translation*]

He fully supported my decision to run for office.

[*English*]

When he arrived at one of my local events, I said, "Senator, now that you are retired, how do I refer to you?" His response, echoing his musical career and his deep humility, was, "Hey man' will do."

He was devoted to his wife Ida and was a doting dad and grandfather.

Mr. Speaker, through you to this great Canadian, I would simply say, "Hey man, rest in peace. You certainly earned it."

\* \* \*

**MEMBER FOR BONAVISTA—BURIN—TRINITY**

**Mr. Churence Rogers (Bonavista—Burin—Trinity, Lib.):** Mr. Speaker, I am so proud to stand today in this House for the first time as the member of Parliament for Bonavista—Burin—Trinity.

I would like to take this opportunity to thank a number of people, starting with my outstanding campaign team, organizers, and volunteers. My gratitude extends to each and every one of them. It

is through their persistence, dedication, and untiring work ethic that I am in this incredible House today.

Also, to all my constituents in the riding, I would like to reaffirm my commitment from the campaign. I am eager to serve them as their representative here in Ottawa, and I welcome the opportunity to be their strong voice.

Finally, I would like to give thanks to my family and close friends, most especially my wife Yvonne, for their love and support toward me and this incredible journey I chose to pursue.

\* \* \*

● (1410)

**HOLOCAUST REMEMBRANCE**

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, this weekend we marked International Holocaust Remembrance Day. We remember the killing of six million Jews and many others by the Nazis and we say, "never again".

Today as I reflect on the past and the present, I am deeply frustrated. We have defined "genocide", have codified international responsibilities, and have created mechanisms for prosecution, but we continue to live in a world marked by impunity for international crimes and where many states avoid undertaking their responsibilities by refusing to recognize acts of genocide until they are already over. We need to create the political technology for effective intervention to stop violence while it is happening and we need to prioritize the basic security of the innocent. We must put that ahead of our own self-interest. If we take "never again" seriously, then we must be prepared to count and pay the cost.

Acts of remembrance should drive us to acts of prevention. Let us ensure that this remembrance pushes us forward to do this hard and vital work.

\* \* \*

**HUMBER COLLEGE**

**Mr. James Maloney (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, 2017 was a stellar year of celebration for our country. One that I am particularly proud of was close to home, the anniversary of Humber College located in my riding.

For over 50 years now, Humber has been building minds and expanding the horizons of students. Two hundred and fifteen thousand Humber alumni are changing their communities in Canada and around the world. With courses in media studies, information technology, creative and performing arts, liberal arts and sciences, athletics, social and community services, and hospitality and tourism, Humber is propelling students forward into successful careers.

CBC's George Stroumboulopoulos, Grammy and Juno nominated music producer Matthew Burnett, and grocery mogul Anthony Longo, just to name a few, all got their start at Humber.

*Statements by Members*

Winning award after award, Humber is a world leader in education. I congratulate Humber College on its success over the past 50 years. We look forward to the next 50.

\* \* \*

**SUSAN HUTCHINSON**

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, I stand today to pay tribute to the life of an extraordinary person. My constituent, Susan Hutchinson, died earlier this month. She devoted her entire life to public and community service. Susan was ordained in the Diocese of Quebec in 2000. She was a minister for congregations in Gaspé, Trois-Rivières, and La Tuque before moving to British Columbia, where she served at Anglican parishes in the central interior of B.C., and the city of Vancouver.

Before being called to the ministry, Susan was a feisty young Liberal and a strong, vocal, feminist leader pushing tirelessly for gender equity policies. She touched the lives of all she met and was an inspiration to young women. Susan was the lead designer and seamstress for my Pride parade costumes, and I will always remember her wicked sense of humour and her flair for the dramatic.

Mr. Speaker, through you I say, here is to you, Susan, and a life well lived.

\* \* \*

●(1415)

**INTERNATIONAL TRADE**

**Hon. Ed Fast (Abbotsford, CPC):** Mr. Speaker, it is January. New year's resolutions are beginning to fade and, surprise, surprise, the Liberals' much-vaunted trade agenda is in shambles.

The long-promised softwood lumber agreement is nowhere in sight. Remember the Prime Minister's bromance with Barack Obama? Then there is the TPP meeting in Vietnam where the Prime Minister was a no-show, embarrassing his hosts, and burning all his bridges to Southeast Asia. A visit to China to beg for a trade agreement was similarly embarrassing, with the Chinese dismissing our Prime Minister, and sending him packing. Now our reckless ambassador has suggested that China could replace the U.S. as our best trading partner and ally. All of this is happening while our hapless Prime Minister is trying to negotiate a NAFTA trade agreement with Donald Trump.

Cozying up to communist China is not going to help our relations with the United States. When will the Prime Minister finally realize that negotiating trade agreements is not for rookies? When will he get out of the way—

**The Speaker:** The hon. member for Nickel Belt.

\* \* \*

**ALZHEIMER'S AWARENESS MONTH**

**Mr. Marc Serré (Nickel Belt, Lib.):** Mr. Speaker, January is Alzheimer's Awareness Month.

More than 400,000 Canadians have been diagnosed with dementia. I have seen first-hand the devastation caused by this disease. After my motion to develop a national seniors strategy was passed in Parliament in May, I began travelling across the country to

co-host seniors town halls with my colleagues. Countless Canadians have expressed the need to proactively get to the root cause of this disease, eliminate the stigma, and identify the most effective ways to prevent, diagnose, and treat it.

[*Translation*]

I am proud to say that we listened to the public and that the Government of Canada is developing a national strategy for dementia and subsequently creating an advisory committee.

I encourage everyone to learn more about Alzheimer's and go to the Alzheimer Society of Canada website. Together we can improve the quality of life of people living with dementia, their families, and everyone involved.

*Meegwetch.* Thank you.

\* \* \*

**SAINT-HYACINTHE—BAGOT**

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, Saint-Hyacinthe now has its own biomethanation plant, making it a pioneer in reducing greenhouse gas emissions. It is the largest plant of its kind in Canada and the fifth largest in the world.

The plant processes enough organic matter, like the organic waste we put in brown bins, to meet the energy needs of my entire riding for three years. I have been working on this file since 2009 and have even toured the inside of a bio-digester. As the former chair of the environmental advisory committee for six years, I am proud of this innovative green infrastructure.

Saint-Hyacinthe Technopole is developing the Biotechnology Park and inviting entrepreneurs to choose Saint-Hyacinthe because they can dispose of their organic waste at a lower cost so it can be used to produce biogas. I am proud that this \$11.4-million investment will contribute to the economic development of the region.

\* \* \*

[*English*]

**BEV SKWERNUIK**

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, I rise today to remember and pay tribute to Bev Skwernuik, who passed away suddenly on January 2.

### Oral Questions

During the veterans' mental health and suicide study, veterans testified on mefloquine's impact on those who served in theatre from Somalia to Afghanistan. This is when I first met Bev. She was there to support the veterans who were testifying. I was honoured to endorse her Vimy Ridge bike ride as she drew more attention to the mefloquine crisis. As I travelled across western Canada this summer meeting with veterans, Bev was there at round tables from Victoria to Saskatoon to Brandon. She also played a major role in organizing the mefloquine warriors rally on Parliament Hill last fall.

Bev was not a member of our Canadian Armed Forces. She was not a veteran. She was a Canadian civilian who was prescribed mefloquine on a trip to Thailand. That is when her own experience began, and yet her advocacy was not for herself. She had a deep bond with those veterans who now are grieving so deeply the loss of one they considered their own.

Rest in peace, Bev. I know we will meet again.

\* \* \*

### BLACK HISTORY MONTH

**Mr. Greg Fergus (Hull—Aylmer, Lib.):** Mr. Speaker, February is Black History Month.

We celebrate the countless contributions of Canada's black communities to the building of our great country. We recognize what one generation to the next has done: from Mathieu da Costa in the early 1600s to today's Dr. Gervan Fearon, Canada's first black university president.

Many communities faced joy and achievements; others, pain and setbacks. They all faced anti-black racism, and yet, they chose to overcome.

[Translation]

Today we are represented in every field, every profession and vocation. We still have to deal with anti-black racism and its consequences, but we are choosing to fight it. Earlier today, the right hon. member for Papineau did what no other Prime Minister has done. He acknowledged the scourge of anti-black racism in Canada.

[English]

With eyes wide open, this and future parliaments, governments, and indeed all Canadians can unite in fighting anti-black racism. Together, we shall overcome.

Happy Black History Month.

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## ORAL QUESTIONS

• (1420)

[Translation]

### ETHICS

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, the Prime Minister refuses to accept any responsibility for his illegal actions. In fact, he still wants taxpayers to foot the bill of more than \$200,000 for his illegal luxury trip.

When will the Prime Minister finally take responsibility and reimburse taxpayers for his illegal trip?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, on the contrary, immediately after the commissioner's report was released, I took full responsibility, as any leader should, and I accepted the commissioner's findings.

I will continue to follow all the commissioner's advice and will be clearing all future personal or family travel with the commissioner.

[English]

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, accepting responsibility means paying taxpayers back. In 2016, his own health minister had to repay over \$3,000 for her own luxury travel of limousine rides that were deemed to be inappropriate. That was the right thing to do.

Can the Prime Minister explain why he forced his own health minister to pay the money back that she charged inappropriately but he refuses to pay back the money he charged taxpayers?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, immediately after the report was released, I took responsibility as a leader should and I accepted all of the recommendations of the commissioner. I continue to follow the instructions and the recommendations that the commissioner gave that I should do. That is exactly what we have done.

I will, in the future, make sure that we work with the commissioner on any personal or family vacations, because that is what the commissioner has asked.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, let me quote. "This situation was a reminder for all of us to be extremely careful about our expenses and about the public trust that we wield." Those are the words from the Prime Minister himself when his health minister was found incurring inappropriate expenses back in 2016.

If the Prime Minister is going to ignore the Ethics Commissioner, ignore questions in the House, and ignore Canadians, can he at least take his own advice and repay taxpayers the \$200,000?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, as the former commissioner stated herself, as Prime Minister, as was the case for all previous prime ministers, security costs are incurred whenever and wherever the Prime Minister travels. That is what the commissioner has recognized. We follow the instructions and the recommendations that the commissioner made in this case.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, no one has ever recommended that taxpayers should have to pay for the Prime Minister's illegal and inappropriate activities. Canadians understand that security has to follow the Prime Minister, but when the Prime Minister is engaged in inappropriate activities, he should pick up the cost when he is found to be breaking the law. Will he pay Canadians back?

*Oral Questions*

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, as I have said many times, when the commissioner put out her report, I accepted all responsibility and I have accepted all the recommendations that the commissioner has put forward, which will mean that on matters of personal and family travel we will work with the commissioner's office to ensure that there is no conflict or appearance of conflict. Furthermore, we will continue to work with the commissioner on anything that is recommended.

[*Translation*]

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, when the Prime Minister was in opposition, he liked to make extra money by speaking to charitable organizations. However, he was caught and had to repay almost \$1,000 in inappropriate expenses. If repaying the money was the right thing to do back then, why is he not repaying the cost of his illegal trips now?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, as I said several times last year, Canadians can rest assured that, despite personal attacks by members, the commissioner and her office are there to ensure that everything is done as it should be and that there are consequences. The commissioner wrote her report, and I accepted all the recommendations. We are moving forward because Canadians know that the Commissioner looked into this and made her decision.

\* \* \*

● (1425)

**INTERNATIONAL TRADE**

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, “The Harper Conservatives have failed to be transparent through the entirety of the negotiations – especially in regards to what Canada is conceding in order to be accepted into [the trans-Pacific] partnership.”

Who said that? The Liberal leader and MP for Papineau when he was an opposition member in 2015. Now that he is Prime Minister, he seems to have forgotten how important transparency used to be to him.

Today I am asking the Liberal leader to keep his transparency promise and tell us what concessions Canada had to make to be accepted into the new trans-Pacific partnership.

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we know how important transparency and openness are. That is why we are going to be absolutely transparent with Canadians. We also know that official languages are important, and once all of the documents have been translated into English and French, we will be very happy to release them when the agreement is finalized.

[*English*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, the thing is that Canadians still do not know what is in the deal. New Zealand was transparent with their people on the new trans-Pacific partnership and there is no reason why the Liberals cannot do the same. If we stand to lose 58,000 jobs because of this trade agreement, I would say that an explanation is in order, and Canadians are worried.

The Prime Minister promised to be transparent on trade deals, and so far he has not been. Will he release the deal?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we have consistently engaged with stakeholders and the text of the deal will be released once it has been translated and approved, as is the case for all trade deals. This is something that is really important, but let me highlight the fact that if it were up to the NDP, no trade deals would ever be signed. If it were up to the Conservatives, every single deal, no matter how bad for Canada, would have been signed. We make sure that it is the right deal for Canada, and that is what we are moving forward with.

\* \* \*

**DEMOCRATIC REFORM**

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, we have to continue the conversation of shifting the culture on Parliament Hill, and I want to thank the Prime Minister for agreeing with us that we need more women elected here in the House of Commons. While I do applaud him for having a gender-balanced cabinet, the fact remains that only 26% of MPs who sit in the House are female, including one in three in his own caucus. Time is up on words and slogans without follow-through. It is time for action now to get many more women elected to Parliament.

My question is simple to the Prime Minister. What is his plan?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we know there are multiple barriers to women engaging in politics and that is what we have to work on reducing. That is why, as part of moving forward in our nomination process, every single riding will have to reach out to great women, to women across the ridings, before we will trigger a nomination contest. We know how important it is to ask multiple times to get women to run for politics. That is one of the barriers there, and that is just one of the ways we are making it easier and more encouraging for women to come into politics and change this place for the better.

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Except for incumbents, Mr. Speaker.

[*Translation*]

Canada is 64th in the world in terms of gender parity, behind Rwanda, Bolivia, Cuba, Nicaragua, and 59 other countries. The Prime Minister has already rejected two concrete proposals to improve the situation by 2019, namely proportional representation and the candidate gender equity bill put forward by my colleague from Burnaby South.

I will repeat my simple question: what concrete steps is the Prime Minister going to take to ensure parity here in the House of Commons?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I have already talked about one concrete measure. Before a nomination contest can be triggered in a riding, the Liberal association in that riding will have to reach out to female candidates. We know that is one way to improve women's representation here in the House of Commons.

*Oral Questions*

However, there are other ways, too. Some women choose not to run because there are barriers and because this can often be a negative or difficult work environment for women. That is why we have introduced several measures, and I hope the members opposite are open to looking at them in order to make this a more welcoming place for women.

\* \* \*

**ETHICS**

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, the Prime Minister likes to say that his government respects the work of the Ethics Commissioner. That is what he said when his Minister of Finance and his own illegal trip were under investigation.

Now that the Ethics Commissioner has found him guilty of four federal statute offences, will the Prime Minister show Canadians the same respect and pay back the hundreds of thousands of dollars in taxpayer money that he spent on his illegal vacations?

• (1430)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, immediately after the report was released, the Prime Minister took responsibility and accepted the findings of the commissioner. The Prime Minister has taken steps to ensure that all future family expenditures are cleared ahead of time. The Prime Minister will continue to follow any advice and recommendations that the commissioner has.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, it is simple. The Ethics Commissioner's investigation of the Prime Minister showed that the Prime Minister is guilty of mismanaging his personal affairs.

Will the Prime Minister commit to repaying the \$200,000 in taxpayer money that he spent to commit this illegal act, yes or no?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as has been the case for past prime ministers and is the case for the current Prime Minister, wherever and whenever the prime minister travels, there are costs related to security. We always accept the advice of our security agencies as to how to best ensure the safety of the prime minister. As the Prime Minister has said, going forward, he will be in contact with the commissioner to discuss personal and family vacations.

[English]

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, it is the Prime Minister who was found breaking the law. It is the Prime Minister who should be answering these questions.

The Ethics Commissioner's investigation into the Prime Minister found that on the charge of accepting illegal gifts, the Prime Minister is guilty. Will the Prime Minister commit to repaying Canadian taxpayers the money he charged them for his illegal act?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, immediately after the report was released the Prime Minister took responsibility and accepted the finding of the commissioner.

The Prime Minister has taken steps to ensure that all future family vacations are cleared ahead of time. The Prime Minister will continue to follow any advice and recommendations that the commissioner has.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, we have a saying where I come from, and that is, "There are no free rides". The Prime Minister has been found to have broken federal ethics laws. The Ethics Commissioner found that on the charge of accepting a ride on a private aircraft, the Prime Minister was guilty. Will the Prime Minister commit to repaying taxpayers the money he cost them by taking this illegal trip?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as has been the case for past prime ministers, and is the case for the current Prime Minister, wherever and whenever the Prime Minister travels, there are costs related to security. We always accept the advice of our security agencies as to how to best ensure the safety of the Prime Minister.

As the Prime Minister has said, going forward he will engage with the commissioner to discuss personal and family vacations.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, is the Prime Minister actually saying that taxpayers should be on the hook when he breaks the law?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as the Prime Minister has said on numerous occasions, he has accepted the recommendations and findings of the commissioner.

Since the new year, the Prime Minister has also taken part in a number of public town halls, where Canadians have asked him direct questions on issues that matter to Canadians. One issue that came up time and time again was related to citizenship delays, which we are fixing after years of neglect under the Conservatives. We are cutting processing times for spouses, partners, and dependent children to 12 months, down from 24 months under the Conservatives.

We will always do what is in the best interests of Canadians. We will continue to engage and listen to them.

\* \* \*

[Translation]

**INTERNATIONAL TRADE**

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Mr. Speaker, our farmers can no longer be a bargaining chip in trade agreements. The Canada-European Union Comprehensive Economic and Trade Agreement has already had a disastrous impact on some farmers. A young sheep farmer in Saint-Anicet in my riding told me that this has been a very tough year. She said, "our milk sales were very slow, our business is in financial difficulty, and I had to look for a new job".

What guarantees are the Liberals negotiating into NAFTA to protect the vitality of our farming regions and ensure that our supply management system is not further threatened?

*Oral Questions*

•(1435)

**Hon. Andrew Leslie (Parliamentary Secretary to the Minister of Foreign Affairs (Canada-U.S. Relations), Lib.):** Mr. Speaker, I want to begin by thanking our negotiators for their excellent work in Montreal. We made significant progress on a number of technical issues. We concluded the chapter on anti-corruption and are close to concluding many other chapters. We have worked constructively with our partners on the U.S.'s unconventional proposals. We will always defend our national interests and our Canadian values.

[English]

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, yesterday the U.S. trade representative emphasized that the U.S. was pushing for the right to opt out of chapter 11's investor state provisions in NAFTA renegotiations. Canada is the most sued country in the world under these provisions, which erode Canadian sovereignty and our health and environmental regulations. Chapter 11 has already cost us hundreds of millions of dollars in legal fees, settlements, and payouts to private investors.

Why are the Liberals still fighting tooth and nail to keep the NAFTA chapter 11 that allows foreign investors to sue our government?

**Hon. Andrew Leslie (Parliamentary Secretary to the Minister of Foreign Affairs (Canada-U.S. Relations), Lib.):** Mr. Speaker, NAFTA has created a stable environment for trade for the last 24 years, which has benefited and results in a win-win-win for Canada, the United States, and Mexico.

Chapter 11 provides certainty and security to Canadian companies that are investing abroad. We are working to find a way with our U.S. partners in preserving the benefits for our business community and labourers. This is the kind of creative approach that Canada has tabled and will continue to table in a co-operative fashion.

We will always defend our national interests and stand up for Canadian values.

\* \* \*

**ETHICS**

**Hon. Lisa Raitt (Milton, CPC):** Let us take some stock, Mr. Speaker.

The Ethics Commissioner found that the Prime Minister broke the law when he accepted this illegal gift. The Prime Minister says "My bad. Won't do it again", and refuses to reimburse Canadian taxpayers.

When the Minister of Indigenous Services was found to make inappropriate expenses, she was told by the Prime Minister to pay it back.

My question is for the Minister of Indigenous Services. Does she think this is equal treatment?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as has been said on numerous occasions, the Prime Minister has answered these questions—

**Hon. Maxime Bernier:** Home run, home run.

**The Speaker:** Order, please. It will be a shorter question period.

The hon. Government House Leader.

**Hon. Bardish Chagger:** As I was trying to say, Mr. Speaker, immediately following the report, the Prime Minister accepted responsibility and accepted the findings from the commissioner.

I would like to share with Canadians that since the new year, the Prime Minister has answered a number of questions from Canadians across the country in open public town halls. Canadians continue to be concerned about jobs and the middle class and those working hard to join it. With our plan, Canadians have created 422,000 jobs in 2017, the best single number in a year since 2002.

**Hon. Lisa Raitt (Milton, CPC):** Let us try the House leader then, Mr. Speaker.

Two of her MPs both break rules. One is a man. One is a woman. The man gets no punishment; the woman does get a punishment. Does she think it is equal treatment?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, on this side of the House, we respect the work that officers of Parliament do. In this case, the commissioner released a report and the Prime Minister accepted her recommendations, accepted responsibility.

We will continue working hard on behalf of Canadians.

[Translation]

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, in the House, all members are required to comply with the Conflict of Interest Act. We were all informed about the procedure at the beginning of our term. We all received the training needed to conduct ourselves with dignity in the House. The question everyone is asking is the following: are there two laws, one for the Prime Minister and another for all other MPs?

That leads to today's question: what is stopping the Prime Minister from reimbursing Canadians for his illegal trip?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as soon as the report was released, the Prime Minister took responsibility and accepted the commissioner's findings. The Prime Minister has repeatedly answered these questions. Since the beginning of the year, the Prime Minister has answered a certain number of questions asked by Canadians across Canada at open and public town halls.

Canadians continue to be concerned about job creation for the middle class and for those working hard to join it. With our plan, Canadians created 422,000 jobs in 2017. We know that the opposition does not want to talk about the economy

*Oral Questions*

● (1440)

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, let us imagine for a moment that a member of this House, regardless of party, took the same illegal trip. He or she could hardly expect to hang on to his or her seat for one second without reimbursing Canadians. The rules apply to everyone, including the Prime Minister. The report released by the Ethics Commissioner found that the Prime Minister is guilty of violating not just one, two, or three, but four sections of the Conflict of Interest Act. He was found guilty.

When will the Prime Minister reimburse Canadians?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, these questions have been answered over and over again.

I would like to point out that, early in the new year, the Prime Minister answered a number of questions directly from Canadians across the country during open, public town halls.

We understand that the opposition does not want to talk about the economy because our plan for growth is working for Canadians. We will continue working hard for Canadians.

\* \* \*

[English]

**PENSIONS**

**Mr. Scott Duvall (Hamilton Mountain, NDP):** Mr. Speaker, companies like Sears and Carillion continue to fail our workers and these workers need more than information sessions with Service Canada. They need to know their retirement is protected.

The minister said that he would work with anyone who put forward a proposal toward this goal. I introduced legislation to protect workers like those at Sears Canada from losing their hard-earned pension and health care benefits. The minister says that he is concerned, but when will he turn to action so Canadian workers will never find themselves losing their pensions and benefits again?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, we share those same concerns when it comes to Sears employees and other companies as well. We know how difficult this is for the workers and many of the different communities that have been impacted. That is why we are engaging with members opposite. We are assessing all the different options that exist.

With regard to Service Canada, this is an important service. That is why the representatives have been engaging with Sears Canada's employees. They have held 302 sessions across the country.

With respect to Sears, I understand the Sears Canada pension fund is held in trust and must be used for the benefit of the pensioners.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, yesterday the innovation minister blew off the ongoing corporate pension debts at Sears Canada so he could brag about the economy. Afterward, I had Sears family members contact me to ask what was with the government.

This is not about people needing to go and find jobs. This is about their elderly parents who can no longer afford their long-term care facilities because the pensions they built up were robbed by hedge fund bandits.

For the Liberals who hang out on billionaire's island, when are they going to put the interests of Canadian pensioners and workers ahead of their Bay Street cronies?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, we have been very clear. We support pensioners. We support workers. We have stood beside them. That is why our government put forward different measures to strengthen the middle class and those working hard to join it.

When it comes to the Sears issue, we are evaluating all the appropriate options before us. We are going to continue to work with the families. We are going to make sure they have options and services available to them. At the same time, we are focused on growing the economy and creating additional opportunities. This is a commitment we are going to make, and we are going to make sure we work hard on behalf of all Canadians, including Sears ex-employees.

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**AUTOMOTIVE INDUSTRY**

**Mr. Lloyd Longfield (Guelph, Lib.):** Mr. Speaker, Canada's automotive sector employs over half a million Canadians. From coast to coast to coast, we have 700 automotive parts suppliers.

I was pleased to take part in recent investments in Guelph to Linamar Corporation, which employs 9,300 Canadians in 24 operations.

Could the Minister of Innovation please expand on how the government is working to ensure our automotive sector will continue to be at the forefront of innovation and to create good paying jobs for Canadians?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, I would like to thank the member for Guelph for his hard work, his advocacy, and his commitment to the automotive sector.

He is absolutely correct. Our government is committed to the automotive sector. That is why we launched the strategic innovation fund to attract investment. I was pleased to be alongside him when we invested \$49 million for Linamar. This will help create 1,500 new jobs. These are full-time, good quality jobs. This underscores our commitment to supporting the middle class and those working hard to join it.



*Oral Questions*

●(1445)

**ETHICS**

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, returning to the Ethics Commissioner's report, titled in the Prime Minister's name, the Prime Minister has been found to have broken the law. The Prime Minister accepted an illegal gift. The Prime Minister's illegal trip and the hundreds of thousands of dollars of improperly generated costs made Canadian taxpayers complicit in the laws he broke.

Why will the Prime Minister not simply repay Canadians for his illegal gift?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, the Prime Minister accepted responsibility and accepted the recommendations from the commissioner. The Prime Minister, since the new year, has been answering a number of questions at town halls across the country.

Canadians continue to be concerned about jobs for the middle class and those working hard to join it. With our plan, Canadians have created 422,000 jobs in 2017, the best single year numbers since 2002, and the unemployment rate is at its lowest since 1976.

We can totally understand why the Conservatives do not want to talk about the economy, because the economy is doing very well under our plan.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, the Ethics Commissioner found that the Prime Minister did not only violate four important sections of the Conflict of Interest Act, but that the Prime Minister violated his own guidance document for ministers, which he sanctimoniously titled, "Open and Accountable Government".

An ordinary citizen who accepted substantial illegal gifts would face serious consequences. Why will the Prime Minister not do the right thing and simply repay Canadians for his illegal gift?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, the Prime Minister has answered these questions repeatedly. The Prime Minister remains open and accountable to Canadians. He will continue to engage with them, as he has done in town halls and as he will do in future town halls, in places like Edmonton and Nanaimo.

Canadians continue to be concerned about jobs for the middle class and those working hard to join it. I am proud to share that Canadians have created 422,000 jobs in 2017, and the unemployment rate is at its lowest since 1976.

I am not surprised that the Conservatives do not want to talk about the economy, because the economy is doing very well under our plan.

[*Translation*]

**Mr. Jacques Gourde (Lévis—Lotbinière, CPC):** Mr. Speaker, when the Prime Minister agreed to spend his family vacation on a private island, he put himself in a blatant conflict of interest. Canadians rightly expect the Prime Minister of Canada to abide by all of our country's laws.

Will the Prime Minister clear up any confusion about the legality of this decision and tell us the value of the gift he received? Will he reimburse taxpayers for the total amount of the gift he illegally received?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, security agencies make determinations on what is needed to protect the Prime Minister, as has always been the case for previous prime ministers. We follow their recommendations.

The former commissioner recognized that these costs were incurred as part of the role of Prime Minister. The Prime Minister will continue to work with the commissioner to clear future family vacations.

**Mr. Jacques Gourde (Lévis—Lotbinière, CPC):** Mr. Speaker, as if the Prime Minister accepting an illegal gift were not enough, the Prime Minister's family also solicited illegal gifts of illegal vacations from someone who does business with the federal government. The Prime Minister is in a blatant conflict of interest, both for accepting the gift and for soliciting another, and I am sure that Canadians do not want to be complicit in illegal actions.

When will the Prime Minister take responsibility for his actions?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, immediately after the report was released, the Prime Minister took responsibility and accepted the findings of the commissioner. Since the new year, the Prime Minister has answered a number of questions from Canadians across the country in open public town halls.

Canadians continue to be concerned about jobs for the middle class and those working hard to join it. We understand why the opposition does not want to talk about the economy because our plan for growth is working very well.

\* \* \*

●(1450)

**PARKS CANADA**

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, Parks Canada is inexplicably planning to relocate treasured artifacts from Quebec City to Gatineau, over the protests of Quebec's National Assembly and the City of Quebec. These artifacts should stay in Quebec's national capital. The same goes for artifacts from the Mi'kmaq nation or any other community targeted by this plan. I am thinking of Acadia in particular. Last week, ethnologist Louise Cyr even referred to this project as "cultural deportation".

Why move historically and culturally significant assets to a city where they do not belong, when we could be working to keep them in the place they came from? It seems like common sense to me.

*Oral Questions*

**Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, our job is to protect, preserve, and showcase the artifacts Parks Canada is responsible for. Parks Canada is currently exhibiting the objects under its care in national parks and national heritage sites in every province and territory. In 2012, the previous government decided to build a new collections facility in Gatineau, Quebec, so that collections can be stored and managed in a sustainable manner when they are not on display.

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**FOREIGN AFFAIRS**

**Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP):** Mr. Speaker, six months have passed since the Minister of Foreign Affairs announced an investigation following reports that Canadian-made weapons were being used against civilians in Saudi Arabia.

[English]

Meanwhile, the crisis in Yemen has also worsened under the devastating attacks of the Saudi coalition.

I would like to know. Has the minister suspended any export permits to Saudi Arabia, and when will the minister release the results of her reports?

**Mr. Matt DeCoursey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.):** Mr. Speaker, we are absolutely committed to an export control system that is transparent, rigorous, and predictable. Our government is taking steps to further enhance our system through Bill C-47, which the member knows is at committee right now. We look forward to having that back in the House. That will help Canada take a leadership role in the regulation of exports of arms around the world. We have allocated \$13 million to help Canada accede to the Arms Trade Treaty, and we will be sure to continue moving forward in that effort to ensure our controls are robust and effective, and they reflect our human rights considerations.

\* \* \*

**ETHICS**

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, the Prime Minister has been found guilty of breaking the law. Now, we all know that when people break the law and take something that does not belong to them, they are expected to give it back. That is exactly what the Prime Minister did. He took something he should not have taken, and he used taxpayers' dollars to do so.

Why does he not right the wrong that he committed and pay back these illegal expenses?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as I have said on numerous occasions now, immediately after the report was released, the Prime Minister took responsibility and accepted the findings of the commissioner. As has been the case for past prime ministers and is the case for this Prime Minister, whenever and wherever the Prime Minister travels there are costs related to security. We accept the advice of our security agencies as to how to best ensure the safety of the Prime Minister.

As the Prime Minister has also said, going forward he will engage with the commissioner to discuss personal and family vacations.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, this is a terrible example that the Prime Minister is setting. If our children take something that does not belong to them, we tell them to give it back. If teenagers are caught shoplifting, we teach them that they return the merchandise. We, as leaders and adults, ask our youth to give back something they might have taken illegally or wrongfully. The Prime Minister had absolutely no business going on that illegal holiday.

Will he show some moral fortitude and pay back these illegal expenses?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, the security agencies make determinations on what is needed to protect the Prime Minister, as has been the case for previous prime ministers, and we follow their recommendations. The former commissioner has acknowledged that these costs are incurred as part of the role of the Prime Minister. The Prime Minister will continue to work with the commissioner to clear future family travels.

• (1455)

[Translation]

**Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC):** Mr. Speaker, in Canada, when someone is found guilty of improper conduct, a sanction or fine is imposed.

In her report on the Prime Minister's family vacation, the Ethics Commissioner clearly found that he broke the law several times, including by accepting this trip offered by a so-called friend, whom he had not seen in 30 years.

The Prime Minister is not above the law; he should be setting an example. When will he do the right thing and reimburse honest taxpayers who should not have to pay for his illegal vacation?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, the security agencies make determinations on what is needed to protect the Prime Minister, as has been the case for previous prime ministers. We follow their recommendations.

The former commissioner found that these costs are incurred as part of the role of the Prime Minister. The Prime Minister will continue to work with the commissioner to clear future family vacations. We trust the commissioner.

*Oral Questions*

[English]

**WINDSOR PORT AUTHORITY****STATUS OF WOMEN**

**Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.):** Mr. Speaker, the recent women's marches and the #MeToo and Time's Up movements are all highlighting public discussion on sexism, misogyny, and gender-based violence. As a result of this growing focus on gender equality, organizations working to promote gender equality and address gender-based violence are facing increased pressure to deliver positive systemic change.

Could the Minister of Status of Women tell this House what this government is doing to support these organizations so they can focus on delivering these much-needed services?

**Hon. Maryam Monsef (Minister of Status of Women, Lib.):** Mr. Speaker, I would like to thank my hon. colleague from Mississauga—Erin Mills for her effective leadership. Of course, I thank and acknowledge the courage of survivors who have come forward with their stories and all the advocates and organizations who are working to provide them with supports.

We are listening. As part of our government's gender-based violence strategy, not too long ago, I announced a new call for concepts, and \$20 million to support organizations who provide healing for those under-represented populations and those most vulnerable. This \$20 million can be spent over the course of five years. We are including eligibility for unions and think tanks.

Many thanks to all those who have contributed to this movement.

\* \* \*

**ETHICS**

**Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC):** Mr. Speaker, the Ethics Commissioner's report confirms that the Prime Minister broke the law. For a year, he dragged his feet and denied any wrongdoing when he should have already known that receiving a personal luxury vacation from someone who has business with the Government of Canada is illegal. The Prime Minister seems to think that rules do not apply to him.

If the Prime Minister accepts the Ethics Commissioner's findings, when will he pay back the more than \$200,000 that he has billed Canadians for an illegal gift?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, I will start by congratulating the member on her election and welcoming her to this place.

I would like to share with her and all members, once again, that immediately after the report was released, the Prime Minister took responsibility, as any prime minister should, and accepted the findings of the commissioner.

The Prime Minister has been travelling the country visiting town halls and Canadians and taking questions directly from Canadians. He has also answered more than 1,400 questions in this House from members of Parliament. The Prime Minister will continue to make himself available to Canadians.

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, last night the City of Windsor unanimously asked the federal government to partner on the crucial environmental property of Ojibway Shores. The property is currently under the stewardship of the Windsor Port Authority, which has threatened to destroy it by developing it as a commercial opportunity.

This is not acceptable. My community will never allow it. We stopped them before and we will stop them again. We will not let this happen to this ecological treasure for all of Canada.

Will the government show leadership on this environment and constructively work with the port authority and my community to make sure that we have a model of success?

We need leadership now. Will the minister finally step up?

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, the Ojibway Shores is a federal property. It is under the control of the Windsor Port Authority, which has a mandate, as one of Canada's port authorities, to develop itself and maintain port capability.

I would recommend that anyone who wants to propose changes to the Ojibway Shores speak to the Windsor Port Authority.

\* \* \*

[Translation]

**FISHERIES AND OCEANS**

**Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.):** Mr. Speaker, something tragic and unprecedented happened last summer: right whales died in the North Atlantic, in the Gulf of St. Lawrence. To protect this endangered species, our government took swift action, imposing a mandatory 10-knot speed limit on 20-metre vessels in the gulf. The government also announced the early closure of the snow crab fishery in area 12.

Would the fisheries minister tell the House about the new measures for the coming fishing season?

● (1500)

**Hon. Dominic LeBlanc (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Mr. Speaker, I thank my colleague for his question.

Our government takes the protection, conservation, and recovery of the North Atlantic right whale very seriously. Last week, I announced new measures that will go a long way toward protecting this important species, and more measures are to come. These snow crab fishery management measures will cut down on the amount of rope floating in the water and help track down lost gear.

I want to thank fishers for their constructive contributions. We will do what must be done to protect this very important species.

*Government Orders***AGRICULTURE AND AGRI-FOOD**

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, the Liberals claim to defend supply management, but they are offering nothing to hard-working dairy, egg, and poultry producers across the country. The Prime Minister is hiding his Minister of Agriculture, who has been missing from international negotiations and is unable to defend our farmers.

Can the Prime Minister tell us whether he will or will not take mitigation measures or will he stand idly by as family farms disappear?

[*English*]

**Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the fact of the matter is that, as my hon. colleague is likely well aware, this is the party that fought to implement supply management, and this is the government that is going to protect it. An example is the CETA program. We put a \$350 million program in place to make sure that the dairy farmers and the manufacturing sector were on the cutting edge. We have and will continue to make sure that the supply management system in this country remains strong.

\* \* \*

[*Translation*]

**MARIJUANA**

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Mr. Speaker, we now know what the Prime Minister's great plan is for his cannabis industry: Liberal influence and money from tax havens. Who are the investors? Is it organized crime, foreign interests, cronies? We do not know, but we do know that a bunch of Liberal friends are going to pocket a lot of money.

When will the Liberals get to work for everyone and stop raiding the cookie jar?

**Hon. Ginette Petitpas Taylor (Minister of Health, Lib.):** Mr. Speaker, our government is implementing a fair and balanced process for issuing licences in order to keep Canadians safe and allow for a diverse and regulated cannabis industry. Currently, under the Access to Cannabis for Medical Purposes Regulations, which came into force in 2013, decisions about issuing licences will be made impartially and will be based entirely on the merits of the application.

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Mr. Speaker, the good news for the Minister of Health is that once she is through with politics, she has a wonderful career waiting for her in the thriving cannabis industry, just like four of her former Liberal colleagues and health ministers.

Today we learned that former minister Pettigrew found himself a job as a board director of a customer loyalty company. They offer something like pot Air Miles, except that with these "Pettigrew Miles", you do not collect points to fly; you collect points to get high.

When will the Liberals decide to work in the best interests of Quebeckers and Canadians, and not the best interests of the Liberals?

**Hon. Ginette Petitpas Taylor (Minister of Health, Lib.):** Mr. Speaker, as I said, our government is implementing a fair and

balanced process for issuing licences in order to keep Canadians safe and allow for a diverse and regulated cannabis industry. Currently, under the Access to Cannabis for Medical Purposes Regulations, which came into force in 2013, decisions about issuing licences will be made impartially and will be based entirely on the merits of the application.

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[*English*]

**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members to the presence in the gallery of the Hon. Jackson Lafferty, Speaker of the Legislative Assembly of the Northwest Territories, and the Hon. Wally Schumann, Minister of Industry, Tourism and Investment and Minister of Infrastructure for the Northwest Territories.

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

**GOVERNMENT ORDERS**

● (1505)

[*English*]

**TOBACCO ACT**

The House resumed consideration of the motion that Bill S-5, An Act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

**Mr. Bob Saroya (Markham—Unionville, CPC):** Mr. Speaker, I rise today to speak to Bill S-5, which would amend the Tobacco Act to add and regulate vaping products as a separate class of products and would align other existing acts to conform.

Bill S-5 is a complex piece of legislation. This omnibus bill brings up many issues for us to consider. It touches on implementing plain packaging for tobacco products. This legislation would cover both cigarettes and e-cigarettes. I believe that these issues should be studied at the health committee in order for us to get things right for all Canadians.

We can all agree that cigarette smoking is harmful. That is why I stand proudly today highlighting the record of the previous Conservative government, which implemented measures that resulted in the number of young people in Canada who smoke tobacco being cut in half. Because of the previous Conservative government's tobacco policies, smoking is now at an all-time low in Canada, with the greatest reduction shown among youth.

I want to share some figures. According to Statistics Canada data from 2001 to 2011, the smoking rate for males aged 15 to 17 dropped from 19% to 10%, and for those aged 18 to 19, it dropped from 33% to 20%. Further, the smoking rate for females aged 15 to 17 dropped from 22% to 9%. For those aged 18 to 19, it dropped from 24% to 19% in that same period. Smoking rates overall, under the previous Conservative government, fell to an all-time low of 13%.

*Government Orders*

While there have been many new studies conducted on tobacco and tobacco products, it is also important to bear history in mind.

I strongly believe in the health and safety of Canadians, and I must say that we do not know enough about this legislation. It must be studied at committee.

More than 50 years ago, then minister LaMarsh rose in this place and said, "There is scientific evidence that cigarette smoking is a contributory cause of lung cancer and that it may also be associated with chronic bronchitis and coronary heart disease." At the time of the statement, about 50% of Canadians smoked, 61% of them men and 30% of them women. Smoking was normal and permitted virtually everywhere.

The public health problem of tobacco use in Canada and around the world has been addressed for over half a century. However, we are faced with a new question. In the last few years, a new product has come to the market, so we are tasked with how to regulate e-cigarettes, or vapes.

In Canada in 2015, one in four Canadian youth aged 15 to 19, and one in three young adults aged 20 to 24, reported ever having tried an e-cigarette. The U.S. surgeon general released a report in 2016 indicating that 25% of students in grades six to 12 had tried e-cigarettes. These are alarming statistics.

We need to ensure that our youth are aware that e-cigarettes are still harmful. Research and education are imperative. I am committed to reducing the smoking of tobacco products, as they are a proven health hazard, just as I am committed to advocating keeping dangerous drugs, such as marijuana, out of the hands of our children. I know that we all agree that Canadians' health and safety is something we all care deeply about.

● (1510)

I understand that a number of stakeholders have concerns about this legislation. For these reasons, I believe that Bill S-5 should go to committee to address their specific concerns. It is important that stakeholders from all sides of the argument have their concerns addressed at committee, that this bill is studied, and that we get this right for Canadians.

E-cigarettes are quite a recent invention, so there is much we still do not know. We need to be prepared to hear from experts. E-cigarettes that are being used today reflect significant technological advances that are constantly changing. I understand that they are expected to surpass traditional cigarette sales within the next 10 years. While some studies suggest that e-cigarettes are popular for quitting smoking, we need to bear in mind that there are still health risks, especially when it comes to relaying the message to our children.

Developed in 2003 by a pharmacist in China, and first introduced into the U.S. in 2007, the e-cigarette is one in a category of products called "electronic nicotine delivery systems". The e-cigarette, a battery-powered device designed with the look and feel of a traditional cigarette, is meant to deliver inhaled doses of nicotine-containing aerosol to users.

In 2016, a total of 24 studies, including three randomized clinical trials, were reviewed. Two of the trials, with a total of 662

participants, showed that people using e-cigarettes with nicotine were more likely to stop smoking for at least six months compared to those who received placebo e-cigarettes without nicotine.

We want healthier Canadians, but before we make this decision, this legislation should be studied at committee.

Recently there have been some very interesting studies conducted on e-cigarettes. Some have suggested that e-cigarettes are less harmful, as they reduce exposure to combustible tobacco. For example, because cardiovascular risks associated with smoke are dose dependent, to reduce the number of cigarettes smoked from a pack a day to 10 a day would reduce risk.

Second-hand exposure to vapour from e-cigarettes has been tested to some extent, and there are studies that say that it has been found to be less toxic than cigarette smoke, as it does not contain carbon monoxide or volatile organic compounds. However, we know that people smoke marijuana, and it is unhealthy, just as when they vape marijuana it is unhealthy. This raises the concern that there is still a great deal of uncertainty when it comes to vaping.

It is important to know that because nicotine is a drug, it is subject to the requirements of the Food and Drugs Act and must be authorized by Health Canada prior to sale based on evidence of safety, efficacy, and quality. No vaping product has been authorized to date in Canada, and all nicotine-containing vaping products are being sold illegally.

It is very important that all restrictions on access and the sale of tobacco cigarettes to those under 18 also apply to vaping products. We need to keep our children safe. I would support restrictions on how vaping products are branded and marketed. It is important, and I hope the committee will have a chance to study this in greater detail.

The Canadian Cancer Society, the Canadian Medical Association, and the Heart and Stroke Foundation have expressed the opinion that this could be one of the most important amendments we make to the Tobacco Act in decades. That is why Bill S-5 should be studied at health committee. We should get this right for all Canadians.

● (1515)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it is important to recognize that every 14 minutes in Canada, someone will die from the consequences of tobacco and nicotine, so it is an issue this government is very much concerned about.

There are many health benefits of vaping. That is often made reference to, and is glorified, to a certain extent, but there are also risks. What is being vaped is of great concern. We need to see more science on the issue. Bringing this into the Tobacco Act is a positive step. I would not say it is quite unanimous, but a very high percentage of people understand the need for what the government is doing today.

*Government Orders*

My question is in regard to having standardized packaging. Australia is doing a fantastic job on this. It is aimed at trying to decrease the number of young people starting to smoke cigarettes. That is a substantive goal we want to achieve. I am interested in the member's thoughts on standard packaging. Does he see that as a good thing? This is something that is already taking place in Australia.

**Mr. Bob Saroya:** Mr. Speaker, years ago my family owned a convenience store. I am talking about close to 50 years back. In those days, the packages were fancy. They were displayed on the counter. They were displayed right behind us. They were all over the place. If members remember, at that time smoking cigarettes in the United States was the fashion. That was the design.

Times have changed. Most people understand that cigarettes cause cancer. As members know, the rate of smoking has been cut basically in half in this country. If you go to Shoppers Drug Mart, convenience stores, or any other place, cigarette packages are hidden in cabinets. I do not think this makes any difference. If there is no display, people know the name of the cigarette they want to smoke, and they ask for it. In my personal opinion, I do not think this would make any difference.

Bill S-5 should go to the committee, where the members will listen to stakeholders. Their opinions are bigger than mine. Regarding the packaging, I think it makes no difference, since all the packages are hidden in cabinets in the back.

• (1520)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I am pleased that this question gives me a chance to put on the record that I have heard concerns from constituents who have found that vaping products have made an enormous difference in their quality of life.

I do not have permission from this particular constituent to read his name out in this place, but what he wants to share is this: "I'm 45 and a smoker of 25 years. I have finally made some progress in quitting smoking, and the current bill, if passed, would be devastating to the vaping industry and my ability to get vape products." He is particularly concerned about the restrictions on flavours.

Personally, and I always want to work for my constituents, I think we need this legislation, because we do need to regulate. We are balancing constantly the benefit of trying to get people off cigarettes and recognizing that there could be health effects from vaping as well.

Does my hon. colleague not agree that we really do need to regulate this? It is an emerging and new industry. Any changes will have vigorous discussion after we hear from the experts in the health committee, but in the end, do we not need to regulate this industry in a way that protects it but also protects the health of Canadians?

**Mr. Bob Saroya:** Mr. Speaker, I totally agree with the hon. member that Bill S-5 should go to committee, where the committee would listen to all the stakeholders. For 5% or 7% or 2% of people, it would make their lives much easier. We have to balance that with the other 95% of people who may oppose it or do not smoke these things. We know that at least 50% of Canadians do not smoke. They are not in favour of this bill. At the end of the day, this bill should go

to committee, where we can listen to the experts and listen to stakeholders. Let all the opinions come to the table, and then we can decide on it.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, I would like to thank my colleague for a great speech, but I do have to say that I think the government is bringing in mixed messages with this bill.

I heard members on the other side passionately declare that they want people to stop smoking because it is bad for them. However, the Liberals are legalizing marijuana, but only in the smoked form. We are talking about vaping and saying that we are not going to sell it to people under the age of 18, and we want to make sure there are no child-favourite flavours in there. On the other hand, within a year, the Liberals are going to legalize edibles on the marijuana side, which all come in candy flavours, and 12- to 17-year-olds are able to whip up to five grams.

I think the government is sending some mixed messages. Would my colleague agree?

**Mr. Bob Saroya:** Madam Speaker, I appreciate the question from the member for Sarnia—Lambton as it is a good question.

There are absolutely mixed messages. The number I heard was that \$16 billion a year is being spent on television and various other ads against smoking. Now, all of a sudden, there is a new mix coming in. On the marijuana product side, the police are not ready, studies are not done, and nothing has been done. There are mixed messages, which is bad news for kids in school. It looks like marijuana is going to be sold on every single corner, just like in convenience stores.

Absolutely, this is a mixed message. The government should look at the whole situation again and at what it will be telling kids down the road.

• (1525)

**Ms. Marilyn Gladu:** Madam Speaker, I have another question that has to do with one of the topics that was raised earlier, about popcorn lung and the negative effects that vaping can have, especially some of the flavours that have an additive in them.

I am wondering if the member would agree that when this is sent to the committee, it ought be considering specific ingredients that should be prohibited in vaping products.

**Mr. Bob Saroya:** Madam Speaker, many things are unknown. We just do not know about many of these things.

It is just like it was with cigarettes. As I said, when I came to this country, smoking was the thing. If people were not smoking, it looked like they were not normal people. This is how everybody felt. Everybody smoked. Everybody was smoking all around, in hospitals, in houses, and in cars. It took some time to find out that smoking is bad and that tobacco is bad.

It is the same thing with vaping. Many negative things will come out in the next five, 10, 15, or 20 years. Many of the effects are unknown. This is one of the reasons we should send the bill to committee and let the stakeholders bring all sides of it to the table.

*Government Orders*

**Mr. Larry Maguire (Brandon—Souris, CPC):** Madam Speaker, I want to reference my colleague from Winnipeg North. In the House this morning he referenced the fact that in his time as health critic, he learned about the vagaries of smoking and a number of those issues. I would just like to point out that when there was only two of them in the legislature in Manitoba, he was the critic of just about everything.

I just want to reiterate the question that was asked this morning. There was talk about the wonderful parts of the bill, but this is not associated with the licensing of marijuana in Bill C-45. Does my colleague think that is a contradiction of terms from the government?

**Mr. Bob Saroya:** Madam Speaker, as far as I know, marijuana is bad. It is all about a balancing act. If anybody wants to smoke or anybody wants to vape, that is fine but the industry has to be regulated. That is the only way to go.

Bill S-5 must go to the committee to clear up all the negative things in it.

**Mr. Doug Eyolfson (Charleswood—St. James—Assiniboia—Headingley, Lib.):** Madam Speaker, I am pleased to have the opportunity to speak in support of Bill S-5, An Act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other Acts. This legislation would be a critical step for our government in delivering on our commitment to introduce plain and standardized packaging requirements for all tobacco products.

Tobacco use is the leading preventable cause of premature death in Canada. It is considered to have a role in causing over 40 diseases and other serious health outcomes. Every year, 45,000 people die in Canada from cigarette smoking.

In my two decades as an emergency room physician, I lost count of the number of patients I saw who suffered from the effects of tobacco. I watched patients with chronic lung disease as they struggled for every breath. I called surgeons to amputate gangrenous limbs. I told families of heart attack victims that their loved ones had just died. I diagnosed advanced cancers in patients and informed them that they were going to die. In almost every one of these instances, I heard the same statement from patients, "I wish I had never started smoking."

In Canada, tobacco use has been declining. However, despite decades of efforts, in 2015, 115,000 Canadians became daily smokers. Studies show that most tobacco use begins during adolescence. In fact, the vast majority of daily smokers began smoking by the age of 18. I can confidently say that no one wants their kids to smoke.

The government and its provincial and territorial partners have undertaken some key legislative and regulatory measures in their fight against tobacco use. These measures include restrictions on most forms of tobacco product promotion, especially those targeting young people; restrictions by provincial and territorial governments on the display of tobacco products at retail; bans on most flavours that contribute to making cigarettes, blunt wraps, and most cigars more attractive, in particular to youth; restrictions on smoking in public, including bans on indoor smoking and workplaces; the

introduction of large, pictorial health warning messages on tobacco product packaging; and the sponsoring of prevention campaigns.

These measures have been effective, but additional measures are needed to further discourage youth and young adults from becoming consumers of tobacco products. Tobacco packaging is one of the few remaining channels available for the promotion of tobacco products. The design and appearance of packages and of tobacco products are extensively used to develop brand image and identity, to create positive associations and expectations for consumers, and to reduce the perception of risk and harm.

The tobacco industry's own research indicates that tobacco packaging, product design, and appearance can shape consumers' perceptions about the product. For example, packages with rounded or bevelled edges are seen as conveying stylishness, elegance, and class. Research also shows how tobacco packaging can impact the perception of risk and harm associated with the use of a tobacco product. For example, tobacco products with lighter colours on their packages have been associated with less harm and perceived lower strength.

Studies have shown that promotion through tobacco packages and products is particularly effective in adolescence and young adulthood, when brand loyalty and smoking behaviour is established. Young adult smokers associate cigarette brand names and package design with positive personal characteristics, social identity, and status. Notably, in 2012, the U.S. Surgeon General's report stated that the evidence reviewed "strongly suggests that tobacco companies have changed the packaging and design of their products to increase their appeal to adolescents and young adults." This is unacceptable.

Our government is committed to protecting young people and others from inducements to use tobacco. This government is seeking to accomplish this by introducing plain and standardized packaging requirements for all tobacco products. One may wonder what we mean by plain and standardized packaging. Quite simply, it refers to packaging without any distinctive or attractive features. Packages, of any brand, are similar in appearance and the same ordinary colour.

Since 2010, the World Health Organization has been calling on parties to the Framework Convention on Tobacco Control to consider introducing plain packaging measures. Canada is a party to that international convention. Australia was the first country to successfully implement plain packaging in 2012. The United Kingdom, Ireland, and France have also adopted plain packaging measures and these countries are in various stages of implementing those measures. In total, over 10 countries, including Canada, are taking steps toward standardizing tobacco packaging.

• (1530)

My colleagues may be asking themselves if plain and standardized packaging works. Independent research studies spanning more than two decades and multiple countries have shown that plain and standardized packaging requirements reduce the appeal of tobacco packages and the products they contain.

*Government Orders*

In 2016, Australia published the results of its post-implementation review of its plain packaging efforts. The review concluded that tobacco plain packaging is achieving its aim of improving public health in Australia, and that is expected to have substantial public health outcomes in the future. In fact, in Australia, since 2012 there has been a decrease in the prevalence of tobacco use, which has been in part attributed to the standardization of tobacco packaging. The expert analysis of the post-implementation period found the packaging changes, which included both plain packaging and graphic health warnings, resulted in an estimated 108,000 fewer smokers.

Cochrane, a global network of researchers, recently released a review of 51 studies that found there is a consistency of evidence from a variety of differently designed studies and from a range of diverse outcomes that shows plain and standardized packaging reduces the appeal of tobacco packages. These are the same conclusions as found in other comprehensive reviews.

It is clear that even a small change in initiation and cessation of tobacco use would be sufficient to produce public health benefits that outweigh the estimated costs of implementing plain packaging.

Bill S-5 is critical as it would provide the necessary authorities to implement plain and standardized packaging through future regulations. In particular, Bill S-5 would prohibit the promotion of tobacco products by means of the packaging, except as authorized by the act and regulations. It would also provide the necessary authority for future regulations to set out the details for plain packaging.

As a first step in the regulatory development process, our government launched public consultations last year, on World No Tobacco Day, on its proposal to implement plain and standardized packaging for tobacco products. Our government published a detailed consultation document online for 90 days. That document, entitled "Consultation on 'Plain and Standardized Packaging' for Tobacco Products", highlighted a number of measures where public opinion and feedback were sought.

Over 58,000 responses were received. The overwhelming majority of responses were in favour of plain and standardized packaging. Specifically, the responses from non-governmental and public health organizations were resoundingly supportive of plain and standardized packaging, and included recommendations to strengthen the proposed regulatory measures. There was also a high level of support from the general public, with over 90% of participants in support of plain and standardized packaging. In contrast, comments received from the tobacco industry and retailers opposed the proposed measures. There is still a lot of work to be done, but our government is committed to moving as quickly as possible to implement plain packaging.

Should Bill S-5 receive royal assent, our government would proceed with the development of regulations. That regulatory proposal would go through the typical regulatory process, which would include another period of public consultations on the draft regulations. Our government believes it is important to continue to take decisive action to help protect young people and others from inducements to use tobacco products, and the consequent dependence on them. It is our government's firm belief that the measures in Bill S-5 are essential to further reduce the attractiveness of tobacco

products for youth and young adults. Remember, tobacco is a deadly product that kills one in two long-term smokers.

With the support of the members in the House, all Canadians will reap the benefits of improved health outcomes thanks to a further decline in tobacco use. I trust that all members will agree and join us in supporting Bill S-5.

• (1535)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I would like to thank the member opposite for his great work on the health committee.

One of the things that will be really important with this bill is enforcement. Part of the problem with the contraband discussion we have had today is that the current law about who can produce and distribute is not being enforced. I have a concern with the vaping industry not wanting to be regulated and not currently obeying the law with respect to some of the vaping products sold such as cannabis, etc.

What does the member think we ought to do to make sure the enforcement part of this issue gets dealt with?

**Mr. Doug Eyolfson:** Madam Speaker, I would likewise thank the hon. member for her excellent work on the health committee.

I agree that enforcement is an issue. The bill, once passed, would lead to the authority of the government to produce regulations. Certainly, part of the regulations would have to include a rigorous enforcement regime.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, it is a pleasure to serve with my colleague on the health committee. I always appreciate the knowledge he contributes as a physician. He is a hard-working member of the committee.

My question has to do with the provisions around the vaping part of the bill. Five or six sections of the bill have been identified as needing attention. This has to do with perhaps tightening up rules around the promotion and advertising of vaping to ensure the same kind of approach is taken to vaping as is taken to tobacco. Does my colleague have any comments on that?

Civil society has indicated that we need to see some funding going into the tobacco control strategy. Does he agree with the New Democrats that we need an infusion of at least \$10 million a year to help bolster the anti-tobacco strategy in our country?

**Mr. Doug Eyolfson:** Madam Speaker, I would also like to thank the hon. member for his work on the health committee.

In regard to vaping, I agree. Many provisions of the legislation need to be reviewed in detail at committee. There is room for improvement.

As for the funding, I agree there will need to be funding. As to the exact levels of funding, we need to review that. I am not in a position right now to commit to any funding levels.



*Government Orders*

• (1540)

**Mr. Colin Carrie (Oshawa, CPC):** Madam Speaker, I would like to ask my colleague another question about the plain packaging part of the bill.

France was the first country in Europe to implement plain packaging, and a year after, the numbers are out. Official data published on January 29 by the OFDT, which is the Observatoire français des drogues et des toxicomanies, showed that plain packaging had not had an impact on smoking rates. In the course of 2017, cigarette sales remained stable with a slight decrease in volume after a 1.3% increase in sales.

The minister of health in France, Agnès Buzyn, also stated, “We know that plain packaging does not lead smokers to stop smoking”. She concluded, “Unfortunately, in 2016, the official sales cigarettes have increased in France. Plain packaging did not contribute to the decrease of official tobacco sales.”

This is a big move. Is it something we need to study a bit more in the health committee before we implement plain packaging? There seems to be differences around the world where it has been implemented.

**Mr. Doug Eyolfson:** Madam Speaker, I appreciate the study the hon. member has brought up. This one study flies in the face of peer reviewed studies of 51 different research papers done worldwide by the Cochrane organization, which is an objective research organization. As well, other countries that have instituted this have shown clear evidence through their departments of public health that there has been a decrease in smoking rates, particularly Australia, which has attributed its smoking rates to have decreased by 12% due to these measures.

I should add that with the difference of opinion, the vast majority of so-called studies that show there is no effect on plain packaging are studies that are sponsored by the tobacco industry and its lobby groups.

**Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.):** Madam Speaker, my focus is on youth and the impact of the packaging. I raised this in a previous question for a member opposite.

I am not sure if my hon. colleague mentioned this in his speech, but we know Canadian youth are at most risk. In 2015, 115,000 Canadians became daily smokers and 82% of all current daily smokers began at the age of 18.

There has been some suggestion by members across the way that the packaging really does not have an impact or they are minimizing the impact that it has on people deciding to smoke or picking up a package of cigarettes at the store.

Could my colleague comment on what he believes the impact of going to a standardized packaging would have on youth?

**Mr. Doug Eyolfson:** Madam Speaker, there are a number of different studies, a systemic review of world scientific literature supported also in addition to what I mentioned about the Australia department of public health and the World Health Organization showing clearly that plain packaging measures do decrease the initiation of smoking by young people.

Of the studies that show there is no difference, in addition to many of these studies being done by tobacco companies and their lobbyists, one of the studies quoted most often is by KPMG. Its study says that this would benefit the beneficiaries, being the tobacco companies that paid them. In its own conclusions, KPMG said that the methodologies changed during the study and that it could not make any concrete conclusions from the rates quoted from year to year in its study.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I did consult the tobacco industry. As the volumes have dropped in its production, it exports almost 50% of its production to the U.S. The concern the industry had was whether the bill would keep it from being able to produce packaging that was colourful and lovely to sell to a different country. Could the member answer that?

• (1545)

**Mr. Doug Eyolfson:** Madam Speaker, that has to be reviewed in the regulations. Certainly, these packages being displayed in Canada will have to be plain packaging. I do not know the answer to whether the industry can export packaging. However, if we had the power to do that, I would advocate it not have the ability to do that.

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Madam Speaker, what is important is that we look at the regulatory framework for vaping products to ensure we are maximizing their potential as a harm-reduction tool while minimizing their potential risks and curtailing that access for young people. This is an important discussion because so many young people feel this is a safe alternative for them. We should be concerned about that.

Will the government commit to funding independent research on the health effects of electronic cigarettes and related devices and their impact on the uptake of nicotine products by youth and other tobacco control efforts.

**Mr. Doug Eyolfson:** Madam Speaker, our government is committed to increasing medical research, as illustrated in our recent \$370 million commitment to the Canadian Institutes of Health Research. While we have not made any commitment at this point to research in a specific direction, we certainly agree much more research needs to be done on this issue.

**Mr. Mark Warawa (Langley—Aldergrove, CPC):** Madam Speaker, I will be sharing my time with the member for Haliburton—Kawartha Lakes—Brock.

I want to give a shout-out to the member for Cariboo—Prince George. He has had some very difficult health issues and may be watching today. This is an important issue for him too. I hope he is doing well and is back with us very quickly.

Bill S-5 has two objectives. One is to deal with the packaging of tobacco products, and we have just heard a presentation from the Liberal member on plain packaging. The other part of the objective of Bill S-5 is to regulate e-cigarettes and the vaping industry.

I want to begin by talking about plain packaging. I want to thank the Liberal member who just spoke for his work in this place, but what was shared and what has happened in Australia has been referenced a number of times by the member. I would encourage him and members of the health committee to approach this with an open mind.

*Government Orders*

Keeping tobacco products out of the hands of our children and young adults and seeing the use of tobacco products reduced even more I think is a goal of all of us. There is a very clear link between some catastrophic health problems that go along with the use of tobacco products. Whether they are inhaled through smoke, or chewed, they do bad things to the human body. There is no argument on that. The argument is on packaging.

I will not say which government gets the credit for this because as politicians we all want to get credit for good things that happen, but the facts are that we are at an all-time low of the use of tobacco products in Canada. That is a good thing. It probably was the former Conservative government that got it done, but I do not want to take the credit.

A moment ago there was discussion about the importance of enforcement. What enforcement body has helped us achieve that great goal of reduced use of tobacco products in Canada? It is stores right across Canada that ensure tobacco products are in a covered, locked, age restricted way so children do not get tobacco products from the stores. When they are covered and out of sight behind flap doors, customers do not see them. They have to be opened up and customers will request what they want. If they are an adult, they can have access to it. Children cannot have cigarettes or tobacco products because of our stores and merchants, which do a very good job. We have achieved this lowest in the use of tobacco products in Canadian history.

Having plain packaging is required in Bill S-5, which was authored from the Senate by an independent Liberal senator. I want to thank the senator for the work and for sending the bill to the House. The question on packaging is whether it will make a difference. Will it reduce tobacco use even more? We have heard about the Australia example.

Definitely the amount of legal tobacco products that have been sold in the period since 2012 has gone down. Therefore, there is a deduction that because the amount of sales of labelled tobacco products has gone down, the use has gone down.

• (1550)

In the KPMG study that the member referenced, at the same time, we have seen the change in the pattern of purchase. A number of young people have asked where they could get cheaper tobacco products when they went to the plain packaging. Also, the KPMG study showed that there has been a dramatic increase in contraband, illegal tobacco products. Therefore, the argument that there has been a reduction is really on very shaky ground. It may have gone down. I do not know. I know that the legal sales have gone down, but the illegal sales have gone up. This is why throughout the debate today often the question of contraband tobacco has come up, which I think is a very important part of the discussion.

If plain packaging does not make a difference in the actual use of the tobacco products, if that is the end result, the truth part that comes out in the study, then why would we do this? If it would make a difference, then, obviously, plain packaging has a strong argument to make. However, if it does not make a difference, why head in that direction?

I think most members will support Bill S-5 going to the health committee to do a study. However, for my Liberal colleagues across the way who are all excited about endorsing Bill S-5—and the previous member said that plain packaging was essential—I do not think that is going into this with an open, scientific mind. Minds are already made up, and I would caution against that. The witnesses called have to be not witnesses who are going to say what they want them to say, but esteemed people, such as scientists and statisticians, who will give us the information we need to make good decisions in the House. I encourage that.

At this point I will remain open to finding out the truth and the facts on whether this will make a difference. If it will, then we should support it. If it would not make a difference, and there could be an argument that it would make it worse, then we should not go in that direction.

The next issue that arises from Bill S-5 is vaping, e-cigarettes, which has been around for a number of years, but not that long. The argument in favour of e-cigarettes and vaping is that it is less damaging and less harmful to our health. Instead of inhaling a product that has been ignited, we would be breathing in products that have been vaporized. There are different contraptions, and I think that now, over the years, they are in generation five. Therefore, they are getting better and bigger. Actually, the bigger they get, the hotter the vaping, and more chemicals can be created that can be harmful to our health.

Sadly, in the metro Vancouver area where I live in beautiful Langley, we were saddened to hear on the news that there was a young 14-year-old boy from Delta, Kyle Losse, who had passed away. His family heard a noise in the washroom. They found Kyle dizzy, and he had fallen, and there was an e-cigarette vaporiser on the floor. They took him to the hospital, and I believe less than a week later he passed away. They believe he was vaping nicotine.

People can vape all kinds of products in these e-cigarettes. It can be nicotine, which is a drug, or things that taste wonderful. One can vape marijuana. The advantage for youth in vaping is that one does not have the bad breath smell that one does with smoking. It is very difficult for parents to know that a youth has been vaping marijuana products, because there is no odour. They would have to be a drug expert, like a DRE, training with the police.

• (1555)

We are living in a new world, with new challenges. Should vaping be regulated? Absolutely; I do not see a problem with that at all.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I am sorry. The time is up, but I am sure that, since you have more to say, you will be able to work it into the questions and comments.

Questions and comments. The hon. member for Charleswood—St. James—Assiniboia—Headingley.

**Mr. Doug Eyolfson (Charleswood—St. James—Assiniboia—Headingley, Lib.):** Madam Speaker, I am glad that the hon. member agrees that anything we can do to decrease the rates of smoking is helpful.

*Government Orders*

I would like to just clarify some of items from the KPMG study in which there was an actual increase in contraband tobacco. This was reviewed by independent university academics. First of all, the methodology of the study was very questionable. It basically involved going through garbage cans to look at empty packs, a very questionable research methodology. In addition, it actually says in the afterword of that very study that, due to methodological changes during the course of the study, the apparent increase in usage of contraband was likely overestimated.

Again, I should say that this study was done by KPMG at the behest of the tobacco industry, which already makes this a very suspect study.

**Mr. Mark Warawa:** Madam Speaker, I would remind the member that statistics can be used in many different ways. The same statistics can be used to make one point for this group and a different point for another group.

Those who argue that plain packaging is actually reducing the number of people using tobacco products are using the statistic that the sales, the legal sales, have gone down. They are accepting that argument, but then they are saying that we do not want to accept that the contraband may be going up.

As I said in my speech, I do not know if they are going up. There was a study, and the member does not agree with the way that research was done, but it would be very difficult to accurately determine what percentage contraband has gone up, and to know who to ask to find out. Would we ask the people who are selling it illegally? No. Would we talk to the customers? Maybe. It is a very difficult statistic to get.

The encouragement I give to the member is to use statistics scientifically and honestly, and to come at this with an open mind so that we can make good decisions.

• (1600)

**Ms. Jenny Kwan (Vancouver East, NDP):** Madam Speaker, I am encouraged, as always, to hear members of the House speaking in unison about the need to ensure that there are better approaches to ensuring that the Canadian public reduces its tobacco use, particularly the youth.

In my riding of Vancouver East, we also have a vulnerable population, and I think studies have demonstrated that individuals who are from the more vulnerable communities tend to be higher tobacco users.

To that end, I wonder whether the member would agree that the government should adopt an approach to resource programs and services that would support people moving toward smoking cessation and using harm reduction approaches, so that we could get people less addicted to tobacco and onto a path toward better health.

**Mr. Mark Warawa:** Madam Speaker, I want to thank the member for her work in her community. I think we can all agree that having healthier bodies in Canada is a goal to which we should aspire.

Reducing the amount of tobacco products being used, consumed, or smoked is a goal. I am very concerned with the government's goal

of allowing children to legally have 15 joints of marijuana in their pocket, which right now could be confiscated. The government's ill-conceived plan to allow children to walk around with 15 joints each is a very dangerous precedent. I do not see it happening anywhere else in this world.

We need to work as a House to make sure Canadians, particularly our children and our seniors, are as healthy as can be.

**Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC):** Madam Speaker, it is a pleasure to be here today to speak about Bill S-5, an act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts.

For nearly 55 years, the Canadian government has taken a position on cigarette smoking and protecting the health of Canadians from coast to coast to coast. When mounting scientific evidence clearly and conclusively demonstrated that cigarette smoking was a contributing cause of lung cancer and coronary heart disease, so began a half century of addressing the public health problems of tobacco use here in Canada.

At that time, about half of Canadians smoked. Currently, there are two federal acts that address tobacco products and their use at the federal level: the Tobacco Act, administered by Health Canada since 1997, and the Non-smokers' Health Act, administered by Employment and Social Development Canada. More recently, in 2001, the federal tobacco control strategy was introduced in Canada. It focused on smoking prevention for children and youth, smoking cessation, and second-hand smoke prevention. In 2005, Canada became party to the WHO Framework Convention on Tobacco Control.

I am very proud of the Conservative Party's record on reducing tobacco smoking. When the Conservative government implemented measures in this area, the number of young people in Canada smoking tobacco was cut in half. Today, through the concerted efforts of government, public health agencies, national and local advocacy groups, and schools, the number of Canadians who smoke has been reduced to just 13%.

Bill S-5 aims to amend the Tobacco Act and the Non-smokers' Health Act by adding and regulating vaping products as a separate class. The bill goes a fair distance in addressing some very important public health questions, but there are some instances where I feel it does not go far enough. This is why I hope it gets closer examination at committee.

I think everyone here agrees that smoking is harmful. We want to reduce the number of people smoking and the harmful effects associated with it. We need to make sure these products are safe for Canadians. We also need to make sure we combat the crime involved in all of the things the bill addresses. We need to be concerned as well about the many economic impacts we might see as the bill is implemented. The vaping industry today is fully unregulated, and that is a problem if we are concerned about vaping products getting into the hands of children, and rightly so. I would like the industry to regulate it and I support this part of the bill. The recommendation to only make vaping products available to those over 18 is a very good idea.

*Government Orders*

With this legislation, we are faced with a question of how to regulate a new product on the market, the e-cigarette. In fact, there are conflicting opinions in Canada about what to do at this particular juncture: regulate, wait for more evidence, or ban the e-cigarette.

Since 2015, the U.S. Surgeon General has issued recommendations to legislate standards for the manufacturing, distribution, marketing, and sales of e-cigarettes. The U.S. Surgeon General concluded that e-cigarettes are a rapidly emerging and diversified market class to deliver nicotine and flavourings, and presently surpass conventional cigarette use among youth. Bill S-5 would ensure that all restrictions of access and sale of tobacco cigarettes to those under 18 years of age would also apply to vaping products. These include the ban and sale of all vaping products to youth under the age of 18 years, no vending machine sales, and age verification with postal delivery for online purchases.

In addition, flavour ingredients that appeal to youth are prohibited, such as dessert, cannabis, and soft drinks. Also, the manufacture, promotion, and sale of vaping products with ingredients that give the impression they have positive health effects are prohibited, such as probiotics, caffeine, and vitamins. However, as of yet, no standards for maximum levels of nicotine contained in the vaping liquid have been established. I would encourage the committee to explore this through witness testimony, and here is why.

The Canadian Student Tobacco, Alcohol and Drugs Survey of 2014-15 found that 65% of students thought there was a “great risk” of harm from smoking traditional, combustible cigarettes on a regular basis. The survey found that only 12% thought there was “great risk” of harm from smoking e-cigarettes. Almost one in four students thought there was “no risk” of harm from using them once in a while and, sadly, one in six students had no idea whatsoever. Clearly we have our work cut out for us in educating young Canadians, which is why we cannot ignore standards for nicotine use in e-cigarettes.

● (1605)

There are four questions to be considered when examining the scientific evidence on vaping and e-cigarette health and safety: as I have already mentioned, as a gateway for youth to tobacco use; as an aid in smoking cessation; the toxicity of the emissions in the inhaled vapour; and potential risks from second-hand smoke exposure.

One concern is that the e-cigarette will actually serve as a gateway to tobacco addiction for young Canadians. A recent review by the University of Victoria suggests that tobacco use in the U.S., Canada, and other countries is declining significantly among 12- to 19-year-olds as vapour device use is increasing, unfortunately.

While three small studies have been done on the use of e-cigarettes as an aid in getting smoking down to the levels where it reaches almost zero, strong evidence is now lacking on whether or not there are serious adverse effects associated with e-cigarette use in the short term. The long-term safety of these devices remains largely unknown. There are also serious concerns about the health effects associated with vapour device emissions. I am positive vapour devices do not deliver tar, and their emissions do not contain 61 out of the 79 cigarette toxins; however, a recent 2016 study in the journal *Environmental Science & Technology* identified more than 31 compounds generated with vaporizers, and stated many more have

yet to be identified. Second-hand exposure to vapour from e-cigarettes has been tested to some extent and is found to be less toxic than cigarette smoke as it does not contain carbon monoxide or volatile organic compounds. However, the vapour does produce a measurable absorption of nicotine in bystanders, and how to measure that risk is not yet clear. All reviews of second-hand exposure have called for more testing to clarify the conflicting findings on the emissions of particulate matter, metals, and other substances.

As we all know, the government is intending to legalize marijuana in about 150 days. I find it interesting that as we are trying to modernize regulations about smoking, the government, even though it wants to reduce smoking, has added marijuana smoking to its must-do checklist. The Canadian Medical Association has come out with studies that show the harm to young people, as their brains are still developing. They see a 30% increase in schizophrenia, psychotic disorders, depression, anxiety, and addiction in young people who consume marijuana once a week. Both vaping marijuana and smoking marijuana are harmful. If we are talking about reducing overall harm, particularly to our young children, we need to make sure we do not incentivize young Canadians to use vaping products with marijuana. I urge the committee to examine this important matter and to bring amendments to this bill that would include marijuana.

Bill S-5 is a complex piece of legislation that also implements plain packaging for tobacco products. There are some inconsistencies here that I believe need to be addressed at committee. There is inconsistency in the approach of packaging marijuana versus tobacco, for one. There are also concerns about quality control and how we would make sure to protect consumers from contraband versus the well-regulated and quality-controlled production of cigarettes.

*Government Orders*

In 2012, Australia was the first country to legislate plain packaging for cigarettes. The outcomes there were twofold. On the one hand, the number of Australians smoking slightly decreased; on the other, incidents of contraband cigarettes increased from 10% to 26%. In my home province of Ontario, it is estimated that 40% to 60% of cigarettes sold are contraband. It can also be bought all over the province. There are important consumer health considerations within the contraband cigarette market. There have been numerous complaints about the content of some of the contraband tobacco. We have heard stories about dirt, bugs, and animal manure being mixed in. From a quality control point of view, if a cigarette has absolutely no markings on it, we have no idea where the product came from. More than one in three cigarettes purchased in 2014 was an unregulated contraband product. If the aim of Bill S-5 is harm reduction and one instrument is plain packaging, I really think the committee needs to weigh plain packaging versus the health and safety risks of organized crime and tobacco cigarettes.

While no one would argue against the need to modernize these acts, we must form a view that weighs all intended and unintended consequences of Bill S-5.

I know that my time is up and I look forward to questions from my colleagues.

• (1610)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, one of the things about the whole issue of vapour is the fact that we need to have regulations put into place. Many provinces already have some form of legislation or regulation. In order to ensure the health and well-being of all Canadians, particularly our youth, Ottawa is now recognizing that this is an area on which we need to move forward. The legislation looks as if it will pass and go to committee, where it will be looked at more closely. It is possible amendments may be made, but it is hard to say for sure at this point.

In regard to the image vaping gives to the Canadian population as a whole, some would argue it is a healthy thing. At the end of the day, a concern I have is with young people being lured into vaping because it is perceived, and I would argue it is a false perception, to be a healthy thing. It is great that vaping will often assist people in quitting smoking, but the worst case scenario is if we have people at a younger age taking up vaping and then ultimately taking up cigarettes.

I am wondering if my colleague across the way shares those types of concerns, which is one of the reasons this debate is so important.

**Mr. Jamie Schmale:** Madam Speaker, I totally agree. As I mentioned in my speech, the Canadian student tobacco, alcohol and drugs survey of 2014-15 found that 65% of students thought there was great risk of harm from smoking traditional cigarettes, as the member opposite said. Where it gets scary is that only 12% of students thought there was great risk in smoking e-cigarettes. I think we would agree we have some common ground there. Furthermore, one in four students thought there was no risk of harm from using e-cigarettes once in a while. Sadly, one in six students had absolutely no opinion on it and did not think it was a bad thing at all.

Clearly, I agree we have some work to do in educating younger Canadians that there are some risks involved. We have some common ground there, absolutely.

• (1615)

[*Translation*]

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Madam Speaker, I thank my colleague for his speech.

He suggested a number of improvements he would like to see made to the bill. The federal tobacco control strategy is expiring in March. I think that if we want to include all of the suggestions he made, we will have to strengthen Health Canada's tobacco control strategy.

Since strengthening the strategy will require funding, I would like to know whether my colleague would support licensing fees for tobacco manufacturers, to cover the cost of strengthening our tobacco control strategy.

[*English*]

**Mr. Jamie Schmale:** Madam Speaker, one thing we have to watch out for as government imposes regulations, additional fees or taxes is all of that is rolled into the price of the product and that is the price the retailer has to pay to the marketplace. Unfortunately, a number of smokers, as was found in the survey, are at a lower income level. They would be forced to pay more for that product, the people least able to do so, or buy contraband cigarettes. I talked earlier about the dangers of buying contraband cigarettes and the lack of regulation in that.

There is a balance that industry, the retail market, and government have to find in order to ensure the black market does not continue while we are trying to solve a problem on one end.

I understand what the member was saying, but I just do not agree with the avenue she was taking.

**Mr. Colin Carrie (Oshawa, CPC):** Madam Speaker, I am speaking today in regard to Bill S-5, an act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts. We have heard today that everyone is committed to reducing the smoking of tobacco products, as it has been a proven health hazard. We support the regulation of vaping products, as well as other consumer products. However, some stakeholders have some legitimate concerns, and some things need to be looked at, so we support the bill going to committee to address these concerns.

I want to start by talking a bit about a conversation I had today. I have a 16-year-old, and I was having this conversation with her about smoking and marijuana around the schools, and so on. I asked her about vaping and what she thought about it. She told me she has an older friend who vapes, and he said she should not start, because if she started vaping, she would not want to stop. Coming from a 16-year-old and a young person who obviously is already addicted to it, it is good advice. We all have to consider the big picture. We all want to see less of these products used.

*Government Orders*

There are two parts to the bill. One part is on plain packaging and the rest is on vaping. The bill aims to build strong regulations and legislation that builds upon what our previous government has done. About 55 years ago, in 1963, Judy LaMarsh, Canada's minister of health, declared there is scientific evidence that cigarette smoking is a contributory cause of lung cancer and that it may also be associated with chronic bronchitis and coronary heart disease. It began half a century ago, addressing this public health problem of tobacco use in Canada, but also around the world. At that time, about 50% of Canadians smoked, and a lot has happened since then.

Personally, I am very proud to be part of a government where I served as parliamentary secretary to the minister of health. We made some gains in that regard. We tackled the issues of smoking rates throughout the introduction of legislation to encourage smoking in Canada to decline. Today, approximately 13% of Canadians are smokers. Smoking is now at an all-time low, with most progress shown among our youth. Smoking rates of males aged 15 to 17 dropped from 19% to 10%, and those 18 to 19 years of age dropped from 33% to 20%, according to Stats Can statistics. Smoking rates of females aged 15 to 17 dropped from 22% to 9%, and those 18 to 19 years of age dropped from 34% to 19%. It is going in the right direction.

However, over the last few years e-cigarettes and vapes have been emerging on to the Canadian market, and they create a new set of challenges for Canadian lawmakers and health officials.

E-cigarettes were developed in 2003, apparently first in China. They were introduced in the U.S. in 2007. These e-cigarettes are part of a category of products called "electronic nicotine delivery systems". The e-cigarette is a battery-powered device designed to look and feel like a traditional cigarette, and it is meant to deliver inhaled doses of a nicotine-containing aerosol to users. It does this by heating a solution commonly referred to as an e-liquid.

The vaping industry has been keen to share figures regarding the use of vapes among Canadians, and I would like to summarize a few of those stats. In Canada, in 2015, one in four Canadian youth aged 15 to 19 years reported having tried an e-cigarette, and one in three young adults between the ages of 20 to 24 had tried it.

Some of the research out there suggests that e-cigarettes are safer than combustible tobacco cigarettes, and that makes sense. In 2016, a total of 24 studies, including three randomized clinical trials, were reviewed. Two of the trials, with a total of 662 participants, so a good study, showed that people using e-cigarettes with nicotine were more likely to stop smoking for at least six months compared to those who received placebo e-cigarettes without nicotine. We are seeing some evidence that these may have a use, particularly for people who are trying to quit smoking.

Some of the research suggests that e-cigarettes are less harmful as they reduce exposure to combustible tobacco. For example, cardiovascular risks associated with smoke are dose-dependent. To reduce the number of cigarettes smoked from a pack a day to 10 cigarettes a day would reduce the risk. There is something to be said perhaps about vaping and e-cigarettes that have less of these combustibles.

Second-hand exposure to vapour from e-cigarettes has been tested, and to some extent have been found to be less toxic than cigarette smoke, as it does not contain carbon monoxide and volatile organic compounds.

● (1620)

It is important to note that because nicotine is a drug, it is subject to the requirements of the Food and Drugs Act and must be authorized by Health Canada prior to sale based on the evidence of safety and efficacy, things along these lines. To be clear, and people do not realize this right now, no vaping product has been authorized to date in Canada, and all nicotine-containing vaping products are being sold illegally. People do not understand that. That is why this debate is so important today, and it is important that we move the bill forward.

Of importance is that the restrictions on access and sale of tobacco cigarettes to those under age 18 would also apply to vaping products. To be clear, these are still unregulated products, and the average Canadian may not know a lot about them.

I want to thank my colleague from Cariboo—Prince George, who I think is watching tonight, for an article he sent that calls for stronger vaping regulations. Here is a big shout-out to him to get better soon. We still do not know the long-term effects of these products, and we have to keep them out of the hands of our kids.

However, I have had the opportunity to witness a demonstration of the technology with people from the vaping industry in my riding of Oshawa. I watched these devices and the inhalable vapour. I had a conversation with them and I listened to them. Many vaping advocates champion vaping as an effective quitting mechanism for cigarettes. For some of these folks it works. They start with a certain nicotine percentage and eventually work their way down to lower amounts or nothing at all. A study on vaping done in the U.K. showed a 95% reduction in harm from vaping over regular tobacco products. This is something we have to keep in mind.

Another large aspect of the vaping industry is the flavours. This is going to be very controversial because this e-liquid can be made in almost any flavour, but are all these flavours safe? What do we know, and what do we not know?

We know that the vaping industry is totally unregulated and there are no government quality controls in place. In Canada, the majority of products on the market are regulated, so we have to move this forward. It is the sensible thing to do.

Another reason for regulating is the variety of products on the market. Many companies are creating new devices for sale in Canada, and e-cigarettes are no different. We are seeing new, emerging technologies from the tobacco industry aimed at reducing harm versus the traditional cigarette. These technologies are out there and they need to be properly regulated by the federal government.

*Government Orders*

These products are not the same as vapes. They heat tobacco without burning it to create a smoking sensation with less harmful methods of consumption. There has been some research to suggest that this is less harmful, with up to 75% harm reduction for these products. They could be viewed as positive trends in reducing harm and moving Canadians off smoking, but in order for this positive narrative to continue, we urge the government to regulate these things appropriately.

The second part of the bill is about plain packaging of cigarettes and the contraband and quality control issues that must be addressed. Let us review what we know about plain packaging in other countries.

There has been a lot of extrapolation about Australia. As a matter of fact, in 2012, Australia was the first country to legislate plain packaging, and in March of last year the World Health Organization released an executive summary, which said that Australia had witnessed a decline in smoking prevalence rates between 2010 and 2013. However, this decrease in Australia's national smoking rate had brought on an unintended increase in the import of contraband tobacco. As we are aware, Australia imports all of its tobacco, and the contraband part of it grew from 10% to 26%.

These things need to be addressed. According to a study by the Canadian Convenience Stores Association, 30% of cigarettes sold in my riding of Oshawa are contraband. As my colleague said earlier, there is a lack of markings on these cigarettes and it is hard for the consumer. This is where we have to focus on consumer protection. We have seen an increase in contraband cigarettes, and we have heard the stories about cigarettes being contaminated with animal waste, dirt, and harmful bacteria.

We have heard about consistency. The Liberal government is going to be regulating marijuana. Unfortunately, it is not going to be consistent and have the same protections in here. I look forward to moving this legislation to committee so that we can address some of these issues.

• (1625)

I think all of us here in the House can agree that we need to do more to protect our kids from these smoking products.

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order. Before moving to questions and comments, 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 Nanaimo—Ladysmith, Indigenous Affairs; the hon. member for Windsor West, Air Transportation; the hon. member for Saint-Hyacinthe—Bagot, Public Services and Procurement.

[*English*]

**Mr. Ziad Aboultaif (Edmonton Manning, CPC):** Madam Speaker, I congratulate my colleague for such a detailed speech and lots of information. It is very informative for us to know what he has to say to us today.

One of the elements in the bill is plain packaging, which is really what we need to watch. The contraband industry is always growing and always a big concern. What would the hon. member recommend

the government do to tackle this point when the bill proceeds to committee and afterwards?

**Mr. Colin Carrie:** Madam Speaker, I want to thank my colleague for a very important question because this is a major question that has not been addressed. The government is proposing to have all the markings taken off these cigarettes. From a consumer protection standpoint, when a person goes out to have a cigarette, it could be a contraband one or a properly manufactured one. We all know that cigarettes are bad, but we also know that contraband cigarettes are way worse. They can have all kinds of chemicals, animal feces, sawdust, and things along those lines.

My colleague has brought up a key point that will have to be addressed at committee. There are ways to make things easier to counterfeit. There are suggestions, and it just intellectually makes sense, that plain packaging would make it much easier for people to make contraband cigarettes, which would be an unintended consequence. Everybody in the House would like to see fewer cigarettes, and if they are going to be out there as a product, a safer product. However, we may end up having the exact opposite occur.

Some of these special markings should be allowed, so that it is not entirely plain packages that go out because they are too easy to counterfeit.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, I would like to thank my hon. colleague for his service on the health committee. I enjoyed serving with him.

My information is that the Conservative Party's 2015 election platform made no mention of tobacco or smoking. I am not saying that to take an underhanded shot, but rather to indicate that, because of that, I do not really know what the Conservative Party's position on tobacco is.

The New Democrats, of course, strongly support this legislation. We believe that we are overdue for plain packaging of tobacco products in this country. We believe it saves lives. We also believe that we need to crack down on contraband tobacco and create a regulatory regime for vaping products as soon as possible, because right now there is none in this country.

In light of the fact that there is no indication from the last election as to what the Conservatives would do, I wonder if my hon. colleague could tell this House what the major underpinnings of the Conservative anti-tobacco strategy would be.

• (1630)

**Mr. Colin Carrie:** Madam Speaker, I enjoyed my time serving on the health committee with my colleague as well. I think he is aware that there is a tobacco strategy out there that is going to be sunset. At the end of the day, all of us want to put things into the public domain that would help decrease the amount of smoking. When we are talking about the regulations of these products, the vaping products and e-cigarettes, I think that everyone in the House is in full agreement.

*Government Orders*

I have one concern where I am not in total agreement with my colleague. We have heard members in the House today trying to extrapolate from the experience in Australia, saying that it would apply directly to Canada. Canada has a different situation, where even today we have a huge contraband industry. In some places up to 60% of cigarettes sold are contraband. These will be increased by going to plain packaging, so I am not sold on it as much as my colleague is.

However, I very much support this legislation going to the health committee. I trust him and the other members of the health committee to work on this legislation to get the best possible piece of legislation that we can, with the understanding that all of us would like to see less smoking, especially among our youth.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Is the House ready for the question?

**Some hon. members:** Question.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

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

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Health.

(Motion agreed to, bill read the second time and referred to a committee)

**Ms. Rachel Blaney:** Madam Speaker, I am rising on a point of order. I apologize on my first day as deputy whip in this House. I may have made a mistake. I understood that we cannot do this on division. Someone said no, and I think it should come back and then we should be able to stand to force the vote. That is what we were hoping to see happen. Could you please advise me, Madam Speaker, on the next steps to take?

• (1635)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I wish to advise the member that when I did ask “on division”, I did not hear any no votes.

**Ms. Rachel Blaney:** Madam Speaker, there was a no from one of the members, the member for Timmins—James Bay.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Clearly, the no was not loud enough to be heard. I did hear “on division”. The vote was carried on division, and therefore the House is proceeding with the orders of the day.

\* \* \*

[Translation]

### STRENGTHENING MOTOR VEHICLE SAFETY FOR CANADIANS ACT

The House proceeded to the consideration of Bill S-2, An Act to amend the Motor Vehicle Safety Act and to make a consequential amendment to another Act, as reported (with amendment) from the committee.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** There being no amendment motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

**Hon. Karina Gould (for the Minister of Transport)** moved that Bill S-2, An Act to amend the Motor Vehicle Safety Act and to make a consequential amendment to another Act, be concurred in.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** When shall the bill be read a third time? By leave, now?

**Some hon. members:** Agreed.

[English]

**Hon. Karina Gould (for the Minister of Transport)** moved that Bill S-2, An Act to amend the Motor Vehicle Safety Act and to make a consequential amendment to another Act, be read the third time and passed.

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Transport, Lib.):** Madam Speaker, I am very pleased to speak today in support of Bill S-2, the strengthening motor vehicle safety for Canadians act.

[Translation]

I would like to begin by thanking my colleagues of the Standing Committee of Transport, Infrastructure and Communities for their hard work in reviewing this bill. I would also like to thank the representative from Central Nova for bringing forward amendments clarifying dealer rights so that existing contractual mechanisms between dealers and manufacturers will not be impeded.

[English]

Based on debate on this bill in this chamber and in the other place and at committee, it is clear that every member supports stronger, better motor vehicle safety for Canadians. This bill would deliver exactly that.

Motor vehicle safety is something that touches each of us on a daily basis. Unfortunately, many of us have been personally affected through the death or serious injury of a loved one, friend, or colleague involved in a vehicle collision.

[Translation]

This is the highest of all the modes of transportation. To a large extent, these tragedies are preventable, and the safety of Canadians is paramount to Transport Canada and this government. This is why we are always looking for ways to improve safety through our policies, regulation, and legislation. This bill will address key, long-standing gaps in Canada's motor vehicle safety framework, providing new and better tools that will help improve safety for all Canadians.



*Government Orders*

[English]

In addition, the automated and connected vehicle revolution has arrived. The pace at which new innovative technologies are being introduced is unprecedented and it is accelerating. This bill would help ensure that Canadians could safely benefit from these new technologies by supporting industry in bringing these innovations to market through clear provisions under the act.

The changes proposed in the bill are some of the most significant to the Motor Vehicle Safety Act since it first came into effect in 1971.

● (1640)

[Translation]

In the discussions on this bill since it was introduced, comparisons with the United States have been made, with the overarching concern being that the Motor Vehicle Safety Act does not provide Canadians with the same level of consumer or safety protection as afforded to Americans for vehicles that are very similar, or even identical. The changes proposed in this bill would meet Canadians' expectations. Although some provisions are different from the American legislation, the legislation would ultimately have the same result of making Canadians safer. Our objective is to make Canadians safer than before, while having the flexibility to allow for creative technological innovations, such as new fuels or ways to increase motor vehicle safety.

[English]

I will highlight some of the new provisions that would strengthen the safety of Canadians.

One of the most significant proposed changes to the Motor Vehicle Safety Act is the new powers for the minister to order actions by companies. Currently under the act, there is no requirement that obligates companies to take corrective actions if a defect or a non-compliance is found.

We acknowledge that Canadian automotive companies have had a good track record in addressing defects in their vehicles. However, if a problem arose today and a Canadian company refused to do anything about it, there would be very little that the government could do quickly. All that Canadians would receive would be a notice of defect. This is not an acceptable situation for Canadians. Companies are responsible for the products they sell, which is why the ability to order a company to correct a defect or non-compliance, as well as the ability to order a company to pay the cost of corrections when it is in the interest of public safety, are some of the key proposed amendments in this bill.

These are key tools that would help protect Canadians in those rare situations where a company decides not to fulfill its responsibilities. It would also help to ensure a level playing field for all of Canada's automotive companies.

[Translation]

The proposed order powers would work in conjunction with the current power to order a company to issue a notice of defect or non-compliance and the proposed requirement that a company include as part of its notice the earliest date that parts and facilities would be available to correct the defect or non-compliance. Whether voluntary

by the company, or by order from the minister, in the event of a safety defect with their vehicles, Canadians would receive, as a first step, a notice of defect that would contain information regarding a potential safety issue with their vehicle. The notice would also contain information on when parts and facilities would be available to correct the defect.

If such information is not available at the time of publication of the notice, the company would be required to issue a subsequent notice when it becomes available. The second step is the correction of the issue. Normally, companies do this as part of their general business practices. However, if a company did not correct safety defects or non-compliances voluntarily, the minister would, if in the interest of public safety, and following the process outlined in this bill, order a company to correct a defect and order the company to do so at no cost to the consumer. Companies would then need to correct the defect using the options outlined in the bill, that is, repair the vehicle, replace the vehicle, or reimburse the cost of repairs already undertaken or the sale price of the vehicle less depreciation.

If necessary, the minister may also order the prohibition of sale, more commonly known as a stop sale, of the vehicle before it is first sold.

● (1645)

[English]

To address concerns raised by dealers, the government proposed, at the Standing Committee on Transport, Infrastructure and Communities, amendments to the bill. These amendments would replace the amendments made in the other place and provide clarification to clauses that already contain many of the benefits sought by the dealers, while preserving the original intent of the bill.

Notably, the government amendments would clarify that the corrective measures and the payment of costs detailed in the bill would apply to individuals and dealers alike. The amendments would also make it clear that there are existing mechanisms to address contractual issues between manufacturers and dealers that are not to be impeded by the bill and that the implementation of a correction does not limit a person or dealer from exercising any other right available by civil law.

The well-intentioned amendments proposed by the other chamber to attempt to protect dealers delved into the contractual relationships between dealers and manufacturers. For example, they included prescribing the rate at which dealers would be compensated for vehicles on their lots that were subject to a correction or a stop-sale order. However, the purpose of the Motor Vehicle Safety Act is to protect public safety, not to manage contractual financial matters or the dealer-manufacturer relationship.

*Government Orders*

[Translation]

I would like to thank all involved for their efforts to address concerns raised by dealers. The amendments in the other chamber enabled the government to work with the Canadian Automobile Dealers Association to clarify concerns and come up with the mutually acceptable language proposed in committee. This back and forth between our stakeholders and the chambers is a positive product of our legislative process, leading to better outcomes for Canadians.

[English]

Another order power that would contribute to the safety of Canadians is the authority for the minister to order a company to conduct tests, analysis, or studies on a vehicle or equipment in order to obtain information related to a defect or to verify compliance with the act. This is a similar power to one in the Canadian consumer protection act. It would help Transport Canada in instances where, as part of a defect investigation or to verify compliance, the department may not have had the tools or the capacity to undertake tests, analyses, or studies. The need to use this power could arise from, for example, components that require proprietary tools for which the departmental staff may not have access, or specialized knowledge or capacity.

• (1650)

[Translation]

While certainly useful in today's context, I believe this study will become even more important in the years to come as already complex vehicles become more so as more new and innovative technologies are introduced.

On the subject of innovation, I am pleased to note this bill's provisions that will help facilitate the introduction of new technologies in Canada, especially in the automotive sector.

These innovations hold great promise for Canadians in terms of economic development, environmental performance, and, of course, road safety.

The speed at which these technologies are being developed and introduced is unprecedented. Unfortunately, our regulations may not be able to keep up with them. This is why we are proposing to amend the exemption process and add a suspension order provision to the act.

While the act currently has an exemption process, we propose to make it more efficient. Currently, the act's exemption authority authorizes the Governor in Council to grant an exemption due to economic hardship or the impediment of the development of new safety features, vehicles, or technologies.

[English]

The proposed changes would authorize the minister to order an exemption, making the process more efficient, and to modify the reasons for an exemption to support the development and safe introduction of new vehicle technologies. It must be noted that it would be up to the company requesting the exemption to demonstrate that the safety performance of the vehicle would not be compromised. All exemption orders would be published as soon as feasible on the Internet or by any other appropriate means.

This transparency is of critical importance to Canadians. Much like their right to know of potential safety defects with their vehicles, Canadians would have access to decisions on the granting of exemptions so that they are informed and aware of how the government is supporting innovation and maintaining their safety.

There are several other aspects of the bill that would also positively impact Canadians.

Enforcement is a key part of any safety oversight regime. An act can have a multitude of provisions to protect and benefit Canadians, but if there are only limited means to enforce them, then they really are not beneficial. The Motor Vehicle Safety Act in its present form has limited enforcement options to elicit compliance. In fact, criminal prosecution is currently the only option, but in some cases, may not be appropriate, depending on the severity of the particular violation. Bill S-2 would change that.

As parliamentary secretary to the Minister of Transport, I look forward to the passage of this bill to better protect Canadians so that my family, all our families, and all Canadians can benefit from its safety provisions.

As I noted at the beginning of my speech, Bill S-2 would dramatically improve the Motor Vehicle Safety Act by addressing long-standing gaps in its safety framework, facilitating innovation, and protecting Canadians.

The bill has been before Parliament for some time. If we include its predecessor, Bill C-62, it has been nearly three years since it was first introduced. That is much too long for Canadians to wait for amendments that would improve their safety.

I urge all my colleagues to pass this bill so that Canadians may start to benefit from it as soon as possible.

• (1655)

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Madam Speaker, at committee, numerous amendments were made by the opposition that, I believe, would have increased transparency and provided clarity on a number of provisions in regard to the minister's powers. It may come as no surprise that of the 19 amendments proposed, only two were accepted by the members of the governing party, and those were the two Liberal amendments put forward.

I know the member spent her time at committee listening to the testimony and debate on the amendments. I wonder if she would comment as to why the members on that committee from her party did not support any of what I think were very good amendments.

**Mrs. Karen McCrimmon:** Madam Speaker, it is always very much a balancing act with these bills. This one particularly was a balancing act between the automobile manufacturers, the automobile dealers, and consumers. We thought it was very important to be fair to everyone. That is why the particular formula they came up with and ended up agreeing to was fair and represented that balance.

*Government Orders*

The fact that we, representing consumers, and the automobile companies and dealers were able to come to a solution we all could accept and live with is an indication that we did indeed find that balance.

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Madam Speaker, one of the concerns the member before me mentioned was that many amendments were proposed. A lot of the amendments proposed looked at transparency and making sure that there was a higher state of accountability. I think Canadians are really hoping to see that. It was rather disappointing to see all the amendments from the opposing parties not even considered or put forward. When we talk about what a transparent government looks like, what a collaborative government looks like, we are not seeing some of those steps being taken.

Therefore, could you please share with the House why the Liberal MPs voted against the NDP amendment to require the minister to table an annual report detailing how the minister uses his new powers and their impact on auto safety. What do the Liberals have against transparency?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I just want to remind the member that she is to address the questions and comments to the Chair and not to the individual members.

The hon. Parliamentary Secretary to the Minister of Transport.

**Mrs. Karen McCrimmon:** Madam Speaker, it is exactly the same thing. It is the balance between getting the information out there, getting the problem fixed, and getting the co-operation of both the manufacturers and the dealers.

We did ensure that Canadians would know about any of these changes that were required. We have to publish them on the Internet, or by any suitable means, so that Canadians are informed. Finding something we could all agree on and commit to was really key in this particular piece of legislation.

● (1700)

**Mr. Gagan Sikand (Mississauga—Streetsville, Lib.):** Madam Speaker, the hon. member mentioned in her remarks that autonomous vehicles and new technologies change very quickly. I am wondering how Bill S-2 would help Canadian interests and Canada keep up with other countries in this space?

**Mrs. Karen McCrimmon:** Madam Speaker, as I mentioned in my speech, the technology, when it comes to automated and connected vehicles, is advancing so rapidly that sometimes the regulations that are in place right now slow us down.

There is so much talent in Canada. There is so much opportunity here on the business side, on the environmental side, and on the safety side to make some significant gains that we need to make the legislation and the regulations a little more responsive, a little more flexible, so that if there was a particular piece of regulation that was impeding their research or their testing, they could apply to Transport Canada requesting an exemption, saying that they would like to do something different but would make sure that everyone was still safe.

We would embed that power inside Transport Canada so that it would have that flexibility so we could keep this technology moving along.

[*Translation*]

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Madam Speaker, the city of Saint-Hyacinthe, which I represent, is known for its car dealerships, but it also wants to be known for its electric cars someday.

The dealerships are small businesses in the retail sector that sometimes are not compensated by the manufacturers when the vehicles purchased there are subject to a recall. I would like the parliamentary secretary to explain to me why the Liberal government is refusing to protect Canadian dealerships, when their U.S. counterparts are protected under the law in these situations.

[*English*]

**Mrs. Karen McCrimmon:** Madam Speaker, it is a balancing act. There is a commercial agreement that links the automobile manufacturers and the dealers. We did not feel that it was the place of the Motor Vehicle Safety Act to play a role in that commercial agreement. However, we wanted to make sure that the dealers were not left hanging in that kind of situation.

Even the dealers have come away saying that they can live with that. At first they did not understand that they were also eligible to use some of the mechanisms in this piece of legislation for redress from the manufacturers so that they were not put at a significant disadvantage. Once it was explained to them that what is in this bill would apply not only to consumers but to the dealers, they were much reassured, knowing that they had these tools they could use, knowing that if they were in that position, they could make redress back to the manufacturers.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I really regret asking the parliamentary secretary anything at all, given how clearly she is suffering through a very sore throat. Part of the question I had was answered in the last answer she gave, so my question is very concise.

I am very interested in the new role of our more independent Senate. There were amendments made to deal with the dealers' concerns. I am certain that we will find out in committee how content the dealers are with the new changes.

This is a novel question for me, because generally, when we see a bill here and the government is speaking to its bill, the text before us is what the government wants. This is one of those rare occasions when the text before us is not what the government wants. Procedurally, normally we would not see an amendment until the bill went to committee.

Is there any procedural objection to ensuring that those of us who are interested in this provision will see the government's alternative before we get to committee and have it presented in clause-by-clause?

**Mrs. Karen McCrimmon:** I am sorry, I do not know the answer to that. I will have to take it back, and I will get back to you shortly.

● (1705)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Again I would remind members that when they are asking or answering questions, they are to address them to the Speaker.

*Government Orders*

Resuming debate, the hon. member for Carlton Trail—Eagle Creek.

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Madam Speaker, I am very pleased to be here today to speak to Bill S-2, an act to amend the Motor Vehicle Safety Act and to make a consequential amendment to another act.

I am also pleased to see that the Liberal government is willing to take good ideas from the previous Conservative government and implement them in a bipartisan manner. Bill S-2 bears a striking resemblance to Bill C-62, as was mentioned. Bill C-62, introduced by the then minister of transport, the hon. member for Milton, was a solid piece of legislation, designed to increase our safety standards.

Bill S-2 proposes to increase the involvement of the Minister of Transport in vehicle recalls to bring Canada in line with the recall standards of other countries around the world. The power of the Minister of Transport to issue recalls is a welcome addition. While this power is expected to be required only rarely due to the willingness of manufacturers to issue recalls quickly, it is an important deterrent to help avoid any issues going forward. The power of the minister to issue fines to manufacturers for up to \$200,000 per day for non-compliance gives this legislation the horsepower it needs to be taken seriously as a legitimately enforceable piece of legislation.

An interesting idea in this legislation is to impose a non-monetary penalty on the company in lieu of, or in addition to, a monetary fine. Such a penalty could take the form of, for example, a requirement for additional research and development to be implemented. I doubt that these penalties would be imposed often, if at all, as the company would want to avoid any public embarrassment that such a fine would cause. That said, having this power would be very useful for the minister should any conflict over safety concerns arise.

This act would also codify into law what the market has set as the standard for recalls, ensuring that manufacturers are the liable party for the cost of replacing any recalled parts. Again, this is the current market standard, but ensuring that the standard is clearly expressed in law is a positive step for manufacturers, the dealerships, and the consumers. It is important to note that while it is, indeed, laudable to increase our safety standards, this bill is not a response to a significant issue within the industry.

Canada does not have an excess of dangerous vehicles on its roads that manufacturers are refusing to repair. In fact, it is quite the opposite. In 2015, manufacturers recalled over five million vehicles of their own accord for everything from bad hydraulics on a trunk to important engine repairs. Manufacturers voluntarily spent their time and money to ensure that their products were safe and that they met the standards that consumers expect.

With the advent of social media and 24-hour news, manufacturers cannot afford the bad publicity that comes with widespread complaints and potentially dangerous faults. That is why, in 2016, there were at least 318,000 recalls issued without a complaint having been filed with Transport Canada. Again, I believe vehicle manufacturers do not want to be put in the difficult situation of having the press catch wind of a defect before they know about it.

The reason I bring attention to this is due to the proposed changes to section 15 of the act. These proposed subsections give several notable new powers to Transport Canada inspectors. Some of these powers are worth noting due to how they change the current relationship between the manufacturer and Transport Canada.

Considering the extent of these powers, I will read from the bill itself, which states that the inspectors may enter on and pass through or over private property “without being liable for doing so and without any person having the right to object to that use of the property”, and can “examine any vehicle, equipment or component that is in the place”. Inspectors may “examine any document that is in the place, make copies of it or take extracts from it”. They may “use or cause to be used a computer or other device that is in the place to examine data that is contained in or available to a computer system or reproduce it or cause it to be reproduced”, and “remove any vehicle, equipment or component from the place for the purpose of examination or conducting tests.”

● (1710)

Furthermore, the bill states:

Any person who owns or has charge of a place entered by an inspector under subsection (1) and every person present there shall answer all of the inspector's reasonable questions related to the inspection, provide access to all electronic data that the inspector may reasonably require...

Perhaps now it is clearer as to why I highlight the good record manufacturers have regarding the timely issuing of recalls.

These additional powers seem somewhat disproportionate to any issues we currently experience with safety recalls.

It is very reasonable, and indeed a requirement, for Transport Canada inspectors to have increased powers to go along with their increased responsibilities in the bill. However, I would suggest a measured response.

It simply is not the case that manufacturers are hiding serious defects from both the public and Transport Canada. Again, I call attention to the 318 recalls that manufacturers issued without any complaint made to Transport Canada.

As I mentioned the last time I spoke to the bill, the reality is that the last time a minister of transport criminally prosecuted a manufacturer was nearly 25 years ago, in 1993, when Transport Canada took Chrysler Canada to court over defective tire winch cables. The case was dismissed in 2000.

Those numbers show that vehicle manufacturers are working with the public in good faith and we ought to work with them in that same good faith.

That is why I proposed an amendment to Bill S-2 which would have ensured that the minister acts in good faith while exercising the additional power granted in the bill.

*Government Orders*

I will read from my amendment to give context to what I am saying. It states, “The Minister may, by order, require any company that applies a national safety mark to any vehicle or equipment, sells any vehicle or equipment to which a national safety mark has been applied or imports any vehicle or equipment of a class for which standards are prescribed to if the Minister has evidence to suggest that there is a defect or non-compliance in the vehicle or equipment.” To add clarity, the amendment I proposed would have required that the minister have a suspicion of defect or non-compliance prior to ordering tests or imposing on a manufacturer. This is as opposed to the original wording, which insinuates the ability of the minister to order tests to prove compliance. While this difference may seem subtle, it is paramount.

While this bill would not amend the Criminal Code, I still believe that the presumption of innocence ought to be the standard in any legislation that contains punitive enforcement options. Remember, the minister can issue fines of up to \$200,000 per day. This is far from an insignificant amount of money.

In addition to the text above, my amendment also required that the minister consult with the manufacturer before ordering tests in order to determine if the company had conducted or had planned to conduct the tests he was considering ordering. This could have potentially saved the manufacturers the cost of conducting tests that had already been completed. I saw this as recognition of the effort that manufacturers were currently placing on safety testing, along with their strong safety track records.

The bill in its current wording seemingly assumes that there is widespread and intentional non-compliance. This is simply not backed up by statistics. Remember, there has never been a case where the manufacturer refused outright to repair a defect in a vehicle, especially one that would lead to a dangerous situation. In fact, there is evidence of the opposite. I would draw members attention again to the over 300 examples from 2016 of voluntary recalls, without any complaint having been received by Transport Canada. I see those examples and recognize the importance manufacturers are already placing on safety.

● (1715)

Again, this is not to state that we do not need a legislative framework to ensure these high standards are maintained. However, improvements could have been made on Bill S-2 to correct the issues I noted. Unfortunately, the Liberal members of the committee rejected my reasonable amendment. In fact, the Liberals rejected both of the Conservative amendments and all of the NDP amendments. For a government that likes to claim bipartisanship or collaboration on these kinds of bills, that is a remarkable statistic.

I would now like to take a moment to speak about the larger framework into which Bill S-2 will fit.

The Auditor General released a report in November 2016 titled “Oversight of Passenger Vehicle Safety—Transport Canada”. The report was less than glowing in its review of the current state of Transport Canada. In particular, the report noted that Transport Canada was slow in responding to new risks, which posed a significant problem for a bill meant to increase the speed and clarity of recalls for Canadians. It states:

We found that Transport Canada did not maintain an up-to-date regulatory framework for passenger vehicle safety. There were lengthy delays, sometimes of more than 10 years, from the time work began on an issue to the Department’s implementation of new standards or changes to existing ones.

The report stated that Transport Canada generally waited until the United States had updated its motor vehicle safety standards. What is the point of conducting research if the safety recommendations are not implemented until another jurisdiction leads the way? Canada has very different requirements than the United States. We expect more from our government agencies than simply waiting and mirroring the actions of our neighbour to the south.

Going forward, this will become an even more pressing concern as autonomous vehicles are introduced onto our roads, as has already been noted by previous speakers. We will need a nimble, legislative, and regulatory framework to ensure that consumers are protected, while recognizing that manufacturers do indeed have a strong track record of ensuring safety.

Furthermore, the Auditor General notes that there is a problem with inconsistent use of evidence and research in determining safety standards. It states:

We also found that it [Transport Canada] did not have complete collision and injury data to inform its decisions. We could not always determine how the Department used evidence and research to develop or amend safety standards. Transport Canada did not plan or fund its research and regulatory activities for the longer term.

These are significant issues facing Transport Canada. They should be resolved if the agency is going to be expected to take on additional responsibilities for a proactive review of vehicles.

The Auditor General report noted that Transport Canada possessed incomplete data on collisions and injuries in the national collision database because provinces were not providing the information.

In addition, the report noted that Transport Canada did not have access to data from insurance companies, hospitals, police, and others involved in vehicle safety matters. Therefore, it is missing information that could help inform future vehicle safety priorities.

Transport Canada will need to work toward addressing these issues as it prepares for the additional responsibilities entrusted to the agency in Bill S-2. It is important to note that the agency has indicated it is taking the recommendations of the Auditor General seriously and working to implement those changes. However, I question how much of a change it can make while dealing with reduced funding.

● (1720)

For example, the budget for crash-worthiness testing was cut by 59% for the 2016-17 fiscal year. At the same time, funding for six regional teams situated in engineering departments in universities and colleges that were charged to assist in outreach activities on vehicle safety also saw their funding cut. These regional teams will no longer be able to feed information into the regulatory decision-making process, which the auditor general had noted was not functioning as well as it could be.

*Government Orders*

Therefore, while the agency is dealing with a lower budget, Bill S-2 is seeking to increase its responsibilities. I question how it will be expected to fulfill these new responsibilities if it does not have the resources to fulfill the responsibilities it currently has.

Bill S-2 would advance vehicle safety standards and would be a positive step in ensuring safety. However, the bill is missing some key aspects that would make its enforcement much more effective and fair for both the manufacturers and the consumers. It was disappointing that members of the governing party did not work with the opposition to ensure that the proposed amendments by the opposition were added to the bill, which would have provided more transparency and increased clarity when it came to the powers of the minister.

All in all, Bill S-2 is important legislation and would result in increased road safety, which why I will support the bill at third reading.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, in substance, I agree with the remarks of the member for Carlton Trail—Eagle Creek, although I always find it a little odd when the Conservatives start talking about the Liberals cutting budgets when the process was actually started under the Conservatives.

One of the questions I believe the member asked earlier of the parliamentary secretary is of concern to me. It is the responsibility for the financial losses for dealerships if a car is subject to recall becomes unsaleable and is stuck in the dealer's inventory. I believe the hon. parliamentary secretary said that she did not want to interfere in this commercial relationship, but I would submit that there is hardly any commercial relationship more unequal than car manufacturers and dealers.

Therefore, the amendment made by the Senate, which was taken out by the Liberals, seemed to be an important part of levelling the playing field for dealers so they would not be stuck with the cost of what was essentially the fault of the manufacturers. Does the hon. member share that opinion?

**Mrs. Kelly Block:** Madam Speaker, we recognize that the bill before us was introduced in the Senate and that the Senate put forward an amendment that it believed would have addressed some concerns raised by dealerships across the country. At the time we were debating the bill, I believe there was support for that amendment.

As the bill was being debated, we understood there were discussions being held by members of the governing party with an association that represented the dealerships. Apparently, the amendment put forward by the governing party was amenable and acceptable to it. Therefore, when the committee was debating it, we certainly saw some merit to the amendment that had been put forward by the Senate.

• (1725)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, what is encouraging, as the parliamentary secretary said earlier, is that we have very proactive, progressive legislation that is going to benefit the consumers of Canada. This is legislation that has been put together over a period of time, in which we are

getting close to the final stages. I appreciate the comments of the member across the way. She seems to be of the opinion, as we definitely are on this side, that this is a step forward. As the Prime Minister says, there is always room to improve things. We can always make things better. No doubt the ministry will continue to look at ways in which we can continue to protect consumers.

I can appreciate some sensitivity in terms of amendments as we go through committees. I can recall the days being in opposition when Harper was the prime minister, and we saw zero amendments ever pass. A lot depends on the content of the amendments, and I am sure the member across the way can appreciate that fact. This is a government that has recognized good amendments brought forward by opposition members on many other pieces of legislation, and they were adopted.

At the very least, would she not recognize that in the passage of this particular piece of legislation we are protecting Canadian consumers? That is a positive thing.

**Mrs. Kelly Block:** Madam Speaker, I agree that when legislation is tabled, it certainly may not be in its perfect form. This bill is one that was introduced in the previous Parliament. Even members in the Senate and we, as Conservative members, brought forward amendments to a bill that very much resembled one that our own party introduced in the previous Parliament.

Yes, I understand there is always an opportunity to make a bill better. Ultimately, I think this is about ensuring that Canadians are safe when they are travelling on our roads. That is why we are committed to supporting this bill at third reading.

**Ms. Jenny Kwan (Vancouver East, NDP):** Madam Speaker, it is interesting to note with this bill that the member for Winnipeg North just raised this issue around amendments and that it needs to be centred on consumer protection. To that end, I note that the NDP advanced 15 amendments to this bill. None of them were supported.

A particular one speaks to, I assume, consumer protection. That is, for the minister to be able to grant an exemption for any model of vehicle manufactured by the company from conformity with any prescribed standard if that exemption from the standard would, in the opinion of the minister, promote a technological development. That is what is in the bill. The NDP moved an amendment that would ensure that such an exemption would only be granted on the condition that the minister ensures the new vehicle model is based on safety standards equivalent to or superior to that prescribed by the regulations. That is for consumer protection, in the name of safety, yet that amendment was defeated at committee. It was not passed at committee.

I would like to ask this member about her comments around this amendment. Will she support this kind of amendment, and would that not be for the protection of the consumer?

**Mrs. Kelly Block:** Madam Speaker, the safety of Canadians and everyone who uses our roads is of paramount importance to me and certainly my colleagues in this place. While not perfect, I believe that this bill does strike a reasonable balance. However, I would agree that the member from my colleague's party on our committee, the member for Trois-Rivières, proposed a number of amendments that would have increased transparency when an order was made under the powers provided for in this bill. My Conservative colleagues and I supported all the amendments, I believe, made by that member at committee. If I am wrong in that representation, I will certainly correct the record, but we were very supportive of that member's amendments to this bill.

• (1730)

**Ms. Jenny Kwan:** Mr. Speaker, just to follow up on this issue around safety, I think it is critical, and it is mystifying to me why the government would not actually support such an amendment. One would think that openness and transparency is the hallmark that the Prime Minister, himself, campaigned on and promised Canadians in this House of Commons.

On the issue around safety, related to regulations with manufacturers, why would the government not support this? This amendment was further justified, given that the Auditor General stated that the government was behind in coming in with regulations adapted to technological developments. Before using his power to issue exemptions, the minister should first address this problem.

Surely this would be the right thing to do, yet this is not the case. Again, I wonder if the member could shed some light on the rationale behind that.

**The Deputy Speaker:** We are at time, although I will allow the hon. member for Carlton Trail—Eagle Creek a brief moment to respond, 45 seconds, and then we will switch over.

**Mrs. Kelly Block:** Mr. Speaker, no, I cannot. That was the very question I asked of the parliamentary secretary.

**The Deputy Speaker:** There will be one more minute remaining in the time for questions and comments when the House next resumes debate on the question.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

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## PRIVATE MEMBERS' BUSINESS

[English]

### DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT

The House resumed from November 20, 2017, consideration of the motion that Bill C-348, An Act to amend the Department of Employment and Social Development Act (persons with disabilities), be read the second time and referred to a committee.

**Mrs. Sherry Romanado (Parliamentary Secretary to the Minister of Veterans Affairs and Associate Minister of National Defence, Lib.):** Mr. Speaker, I am pleased to have this opportunity to talk about Bill C-348, put forward by my colleague the hon. member

### *Private Members' Business*

for Windsor—Tecumseh. Today, my colleague is giving us the opportunity to talk not only about service delivery for Canadians with disabilities but also about accessibility and inclusiveness. In fact, I would like to use the time I have today to talk about our efforts to make our society an inclusive and accessible one.

Today, one in seven Canadians report having a disability, and that number will only continue to grow as our population ages. That is why we are taking the necessary steps to ensure greater inclusion of Canadians with disabilities, and to develop new federal accessibility legislation. The goal of the proposed legislation will be to increase the inclusion and participation of Canadians with disabilities by proactively removing barriers to accessibility.

Last year, we launched an ambitious public consultation process. We met with stakeholders and the public to talk about what an accessible Canada means to them, and we did it in the most accessible way possible. We held 18 public consultation sessions and nine thematic round tables across the country. We had a significant online component. We also held a national youth forum, which featured the Prime Minister of Canada. As well, the government provided funding to five partnerships of disability organizations, as well as three indigenous organizations, for them to engage with their members and communities. Throughout this process, we gained valuable insight into the everyday obstacles Canadians with disabilities face.

Last spring, we also released a report summarizing what we learned through these consultations. We heard about barriers that impede people's ability to move freely in the built environment, to use transportation, to access information, and to use technology, as well as people's ability to access services. We also heard about the barriers that result from people's attitudes, beliefs, and misconceptions about what people with disabilities can and cannot do, as well as outdated policies and practices that simply do not take into account barriers related to disabilities.

We are hoping to break down all those barriers with our proposed accessibility legislation. Our proposed legislation will focus on more quality opportunities across all federal areas and jurisdictions. This includes employment, access to buildings and other public spaces through a built environment, transportation within the federal transportation network, service delivery, information and communications technology, and procurement of goods and services by the Government of Canada.

Over time, the proposed legislation would mean real change for Canadians with disabilities, as users of services, as clients, as travellers, as members of the public, and as employees in federal jurisdictions.

We want to change the story around ability and accessibility. Do not get me wrong; our government knows disability is complex. Disability is challenging, and nothing will be rectified overnight, but we truly believe that all the work we are doing, in collaboration with all of our partners, will lead us to tangible results. When I say “partners”, I mean leaders in accessibility, key stakeholders, provinces and territories, not-for-profit organizations, and of course Canadians, including those with disabilities.

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When I speak to families in my riding of Longueuil—Charles-LeMoine who have a member with a disability, I often hear about some of the challenges: it is difficult having to deal with school boards, with health care, and the lack of coordination among various levels of government and jurisdictions. I work closely with my counterparts at the municipal, provincial, and education levels and institutions. It is imperative that we work in a collaborative way in order to address all of these concerns. It is already difficult enough having a family member with a disability, but having to also navigate many different levels of government makes it even harder.

Thanks to our collaborative work, we will see real change, and we believe Canada will lead by example. It is our responsibility as change makers to make sure everyone is included. Together, we will make Canada an even greater nation than it is today.

Furthermore, we are anticipating the tabling of federal accessibility legislation in Parliament next spring.

● (1735)

Last December, the Government of Canada announced that we had begun the process toward possible accession to the United Nations' optional protocol to the Convention on the Rights of Persons with Disabilities, a complaints mechanism that enables individuals or groups to file complaints with the United Nations if they believe their rights have been violated or are being violated in a systematic manner.

The government has been working over the course of the past year to undertake all of the necessary reviews and consultations required to move this forward. Through these consultations, stakeholders clearly demonstrated their strong support for accession.

We have made great progress. In fact, the Government of Canada tabled the optional protocol in the House of Commons on November 30. Tabling is a significant and necessary step in the federal process, bringing Canada closer to accession. We are continuing to work collaboratively with our provincial and territorial partners and are seeking their formal support for accession. Provinces and territories must undertake their own formal processes to do so.

Upon accession, the optional protocol would provide Canadians with disabilities additional safeguards at the international level for the protection of their rights under the convention.

This announcement represents an important development in our work on improving the protection of rights of Canadians with disabilities everywhere across the country and one that is consistent with Canada's long-standing commitment to equality, inclusion, and full participation in Canadian society for persons with disabilities. We are very encouraged with the progress to date.

Our government takes inclusiveness and accessibility for people with disabilities very seriously and when we see colleagues table legislative initiatives like Bill C-348, we can only applaud them.

We agree that we need better application processes for disability-related programs and services. That is why our government is already taking the necessary actions to that end. In addition to our work towards proposed accessibility legislation, I must point out that Employment and Social Development Canada, or ESDC, is already

developing a department-wide strategy that will improve the quality of service to those with disabilities.

There are other reasons why Bill C-348, while well-intentioned, is not the right avenue to take. If passed, the bill would amend the Department of Employment and Social Development Act to designate that department as the primary point of contact for access to programs and services related to disability assistance. In other words, the bill is intended to bring about a single application process for all disability-related benefits and programs from the Government of Canada, but it is not clear how it would expedite the process and indeed how it would improve the level of service across departments.

Based on our understanding of Bill C-348 as it currently stands, each department would still operate under its own authorities. If ESDC were to become the sole interlocutor for all disability-related programs, we would in fact be creating additional administration for the many programs not currently delivered by this department. Instead of improving the process, it would worsen it by adding another level.

Our government is firmly committed to improving its services for people with disabilities and we want to do this the right way. People in my riding voice that to me and I am sure people in ridings across this great land have said the same to their members of Parliament. We owe it to the Canadians living with a disability to, once and for all, make things easier for them.

● (1740)

**Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC):** Mr. Speaker, it is an honour to speak to this bill today. I just wanted to compliment the member who brought this forward because of the issues facing Canadians who are living with disabilities and dealing with issues on a day-to-day basis that certainly I have not had to.

We need to ensure that we are doing everything we can as a government and as parliamentarians to ensure that we are making life easier. This bill will continue the work done under the previous Conservative government to centralize information across government and to reduce red tape as a whole. This is incredibly important and is something very close to home.

When I was about 10 years old, almost on this date, January 30, my mother was walking across the street, and she was struck by a vehicle. She was disabled, probably permanently, in many ways, with both mental and physical disabilities. She has healed in some ways since then.

I can tell members about the difficulties families and individuals face when they first start to figure out how to re-evaluate their situations when there are major life changes. It is not all people with disabilities. Some are born disabled, and some deal with similar types of occurrences. However, there are life-changing incidents that happen, whether it is to those who support persons with disabilities or others who come in and out of their lives, that affect the person's ability to move forward.



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This bill would bring all the information the Government of Canada has to one place to ensure that all the forms a person needs to fill out are in one single place. It would do nothing but help those people who are on the ground.

Often we think that we come up with better ideas and solutions here in Parliament or as a government than what is requested on the street by people who are dealing with these issues, the people who are living with disabilities. As we have travelled across the country, whether we were in Vancouver, Edmonton, Calgary, Toronto, Montreal, or other places, meeting with groups that are advocating on behalf of persons with disabilities, the number one thing we have heard is that it is too complicated. People have to go here for this and have to go there for that. Getting it all in one place at one time is a very difficult thing to do, specifically for people who are dealing with these types of situations. On top of that, a person may have a mental or physical disability to deal with, which can often get in the way of being able to accurately fill out the information or interpret the information and return it.

It is a very important matter to make the process as easy and simple as possible for those people who are dealing with disabilities, as well as their family members, support workers, etc. Red tape is a major issue for families and those who are dealing with a disability.

I have one personal story that aligns with this bill. It is something that affected my own family. When my brother was 18, he decided that he wanted to go to college and he wanted to work. He was in high school, going every day from 8:00 until 2:30 and then going to work every day, from 3:00 until 11:00, at Pizza Hut. Every day he would go to work and come home.

Where I am from, we respect those people. They are working hard to break the cycle of poverty. They are working hard to create a future, to create opportunity for themselves. The result was that the funding for my mother was cut off, because my brother was saving too much money to go to university or college. Therefore, we ended up in a situation where the cycle of poverty was essentially enforced by the same government that intended to end it. The intent was to provide support, not break it.

What we end up with in government are rules made, regulations created, and responses made off the cuff to situations that bureaucrats or government members see.

● (1745)

The result is that those regulations are enforced by those who work for the Government of Canada, the provincial governments, the school boards, or municipal governments, and in doing so, they are merely enforcing regulations or other things that are in place, which end up enforcing this cycle of poverty or allowing these injustices to continue. Therefore, it is very important that we get the obstacles out of the way and ensure as much ease as possible for those people who are seeking to improve their situation.

This bill would begin to make life a bit easier, making sure that all information can be found in one place, by creating a single, comprehensive application that accesses all programs for the federal government. My hope is that through this process we will be able to align not just all of the federal government application processes in one place, and it is not just about the rejig of Canada.ca and

everything coming in through one portal, etc., but that we work with our provincial and municipal counterparts to ensure that there is a process for persons who are dealing with disabilities.

A lot of these funding formulas have overlaps between federal and provincial jurisdictions and the effects of one application process and result will end up affecting the ability of another government to proceed. Even within the federal government we have programs that depend on one another. If people are accepted for one program, then they can be accepted for another, like the disability tax credit and the savings plan. In order to be able to pull up the savings plan, one has to first be accepted for the disability tax credit.

This bill would continue the work of the previous government, which introduced a landmark registered disability savings plan that helps parents and grandparents of children with severe disabilities contribute to their child's financial security. The previous government also invested \$218 million per year for labour market agreements for persons with disabilities to assist provinces in improving the employment situation of Canadians with disabilities.

It is important to remember that we need our federal government to continue to implement, hand in hand, with other jurisdictions to ensure that the taxpayer, as there is only one taxpayer, is able to access all programs equally. The previous government invested \$30 million annually in the opportunities fund to help persons with disabilities prepare for and obtain employment. It supported caregivers by recognizing their enormous contribution through tax incentives.

Canadians with disabilities are already struggling because of the increased cost of living under the Liberal government. We have seen it already with the changes it made to the disability tax credit. We know that the cost of living is going to continue going up with the introduction and implementation of a carbon tax across this country. Those two items will have a debilitating effect on the ability of persons with disabilities, specifically those who are struggling in terms of financial means, to respond to and create a future that is full of opportunity.

I wanted to finish with some of the things I heard when we were out meeting with groups across the country.

Persons with disabilities are not looking for the government to provide everything for them. They are looking for the opportunity to succeed, the opportunity for employment, and the opportunity to access the programs that will help them reach the successes they are looking for. What we see here is a bill being introduced that will do just that. It will simplify. It will make it easier. It will make it a better process for persons with disabilities to be successful and to work with their government in the future. For that, I know we will support the bill, and I thank the member for introducing it.

*Private Members' Business*

● (1750)

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, to most of the people in my community, and I am sure this is true for most Canadians, government is government. That is to say that in our daily lives, we do not distinguish between municipal, provincial, and federal levels of government. We know that research has actually borne this out, that when someone has had a bad experience or struggles to get a service to which they are entitled, that frustrating, confusing experience translates to “government is not helpful”.

What this means is people do not say “the provincial government and that department of” fill in the blank “is not helpful”, or “the federal government and Service Canada is not helpful”. What happens to citizens is that their negative experience gets attributed to all governments. That makes sense because people's lives are not divided into compartments or neat boxes along jurisdictional lines or departmental lines. Jurisdictions and departments are there to help governments deliver services, to meet mandates, as vehicles to implement policies and laws.

We also know that when someone is accessing service from the government, they do not distinguish between distinct points along a process and say things like, “my phone call was answered right away; that was good service”, and then say, “but the application process was horrific and complicated.” What they say is that the entire journey of the process was not good or was difficult or was confusing, regardless of whether along the way there was good and helpful service.

This is what the research and evidence tells us, which brings me to the topic we are discussing today, and that is, improving the journey for people living with a disability when accessing services and benefits provided by their government.

Currently, if someone went to the government website to apply for CPP disability, the person would be confronted with eight documents totalling 45 pages. Seventeen of those pages are a guide, so 28 pages need to be filled in to apply for Canada pension plan disability. That sounds like a pretty intense and thorough process. Putting aside the difficulties associated with understanding the questions on the application form, and that could be for another bill on another day on plain language in applications, the application sounds like the gold standard to me for determining someone's eligibility for disability benefits.

Bill C-348 would eliminate the onerous burden of multiple forms and duplication for Canadians with disabilities. Once an individual has completed an application and is determined to be eligible for disability benefits, we should not put them through a government application process over and over again to prove they have a disability.

Through this bill, my colleague from Windsor—Tecumseh is trying to ensure that people with a disability get the benefits they are entitled to without the demoralizing, disrespectful, costly, time-consuming process of having to prove over and over again that they have a disability. This bill is brilliant in its simplicity and brilliant in the actual positive impact it would have on people's lives. Sometimes it really is the smallest of gestures that can make the biggest change in people's lives.

I do not want anyone to get me wrong. Parliamentarians and our government have a lot of work to do to address the high level of poverty among people living with disabilities. My hon. colleague reminded us of just that in her introductory speech on the bill. Some 5.3 million Canadians are living with some form of disability, and the poverty rate for persons living with a disability is high, much higher than that of the general population.

According to the DisAbled Women's Network, DAWN, 58% of women with disabilities are living on \$10,000 or less a year. My colleague from New Westminster—Burnaby shared with this House what those high rates of poverty look like on the ground in our communities. Half of Canadians who are homeless have a disability, and half of those accessing food banks in Canada are also living with a disability.

That member dared us to imagine what if Canadians living with disabilities were accessing benefits they were eligible for, benefits that, as we have heard, often go unclaimed because the government process itself is a barrier. It is costly, complicated, confusing, and demoralizing, and a process as I have described that asks people to prove over and over again their disability and their worthiness for benefits.

● (1755)

My constituency office in Saskatoon West is a busy place, and as an opposition MP, people would assume we would be busy with town halls, consultations, and meeting with community members to change, improve, get rid of, or introduce new laws and policies to make lives better for people living in my community. They would be partly right. We are busy with those activities, but we are equally busy helping people in my community access benefits which they are eligible for. Daily we help people navigate the system for disability benefits because it is complicated and it does not work for the people the system is intended to help.

A common refrain of mine when hearing people's stories about trying to apply for disability benefits, and I am sure my staff are sick of hearing it, is, “but that does not make any sense”, and that is exactly how I say it: that does not make any sense. One community member came to my office for help because although she was deemed eligible for Canada pension plan disability benefits and was eligible for her long-term disability plan at work, she could not access the disability tax credit. That does not make any sense. People in my community should not have to go to their MP's office to gain access to benefits they are eligible for, and for sure, people should not have to resort to paying private consultants to help them complete a form. That really does not make any sense. This bill would ensure that individuals living with a disability would not have to incur the expense of their time and, most important, their money to prove their disability over and over again to different government departments.

*Private Members' Business*

During an earlier debate on this bill, the Parliamentary Secretary for Sport and Persons with Disabilities mentioned the current initiatives the government is undertaking to improve the lives of Canadians living with disabilities, including the much-anticipated accessibility legislation. To that I say, that is awesome. The parliamentary secretary also stated that the government supports the spirit of the bill but will not be supporting Bill C-348. The Liberals' main reason for not supporting this bill, as I understand it and from my perspective, is that there is a misunderstanding of what the bill would do, so I thought I would use an illustration in the hopes that members opposite could find a way to support the bill and ultimately help those in their ridings who are living with disabilities access the disability benefits they are entitled to.

Filing income tax is, in a way, a one-stop application for a variety of government benefits. People provide the required information and, using a checkbox and their signature, they give various government programs an ability to assess which benefits they are eligible for. Their privacy is protected and it helps public servants with assessing their eligibility. This is exactly what Bill C-348 would do. It would cut through the government red tape and make the process more efficient. Having one application that includes the information needed to assess eligibility and a consent mechanism that allows various government programs to process the appropriate benefits I think makes a lot of sense.

In my constituency office we are doing that almost every day. In Saskatchewan, when persons are receiving the Canada pension plan disability benefits, they are also eligible for the equivalent provincial government program. Every now and then we need to remind our provincial counterparts of this policy, but generally it works well. It is often simply a matter of one government or one department speaking directly to another department to improve service for Canadians. This bill is not an either-or proposition. I believe the government can pursue the work to implement important accessibility legislation and support my colleague's bill. Both would have a positive impact and improve the lives of Canadians living with a disability.

By streamlining the process by having only one application, various government departments would be able to speak to other government departments and assess eligibility for benefits. This is both efficient and effective, which should be one of the big outcomes we strive for when administering government programs and benefits. I believe when it comes right down to it, all of us can agree that individuals living with disabilities should not have to prove or demonstrate their disability to the government more than once. Not only is that more compassionate and respectful, it just makes sense.

I want the people in my community to see their government, their Parliament, as helpful and fulfilling the mandate of making life better for all Canadians. Bill C-348 as tabled by the member for Windsor—Tecumseh would do just that.

• (1800)

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, it is always an honour to rise and participate in the debate on behalf of the citizens we are elected to represent. This is an important bill and one I am very supportive of.

Sometimes I am asked by the folks back home what the point is in debating a bill that I support, which I believe is a fair question. From my perspective, I think it is always important for a member of Parliament to outline the reason he or she supports a bill. This debate can also provide an opportunity to pass on concerns or further suggestions for possible amendments down the road.

First, I will outline why I support the bill.

In 2016, I opened a shared constituency office with a B.C. provincial member of the legislative assembly in the community of Summerland, British Columbia. Some have suggested that this may be the only actively operated shared constituency office of its kind in the country. I am not certain if those claims have any validity or not; however, I do know that providing a one-stop shop, so to speak, in providing services to local citizens from both a provincial and federal standpoint has been extremely helpful for many in this community, much as this bill proposes. When we can harmonize, streamline, and by extension simply offer services to Canadians, there are benefits to those who need our help. I laud the principles that are found in the bill.

However, my shared constituency office has also shown me a further need for this bill. As we know, most provinces offer a disability program that is independent and separate from federal programs. Again, the purpose of this bill will help change that.

Given that I share this office with a provincial MLA, I also visit with and meet with some of the citizens who are struggling to obtain status for a provincial disability program. In many cases, were it not for the fact of the shared office, I might not have otherwise met with these citizens. To be candid, the struggles these citizens have in attempting to qualify for a disability program are very real. For many of these citizens, no doctor will see them. In fact, I would wager that if we contacted 20 different physicians for the sole purpose of assessing a disability status application in the area, all would say, "Sorry, we're not taking any new patients." Of course, there are reasons for that. One is that many doctors indicated that they do not have time to fill out the onerous paperwork that is required. Again, this is something that this bill in the long term could help to improve.

While I support the bill, I do have some concerns. Recently, I encountered some very troubling actions by the Canada Revenue Agency to deny parents their Canadian child benefit support payments. This is almost always targeted at single mothers. One might wonder what this has to do with the debate, but as members may know, the Canada Revenue Agency has repeatedly promised to streamline and improve the process to obtain these benefits, and from a purely administrative standpoint, there have been some improvements. However, when the Canada Revenue Agency bureaucrats can deny one's benefits solely for reasons as trivial as an ex-spouse refusing to change their forwarding address from one's residence, there is a serious problem. This is made worse when CRA basically can say, "We think you are guilty. Prove us wrong." When it does that, it sets the bar almost impossibly high to do so.

*Private Members' Business*

Members can see my point here. As much as any program can be made administratively more simple, which certainly is a good thing, if government bureaucrats still have discretionary power to arbitrarily make poor decisions that adversely impact citizens, then ultimately, we are no further ahead. Unfortunately, the only way that these things are sometimes resolved is through ministerial accountability, and we know that the current Prime Minister is not a fan of ministerial accountability. That works against the brand.

To summarize, this bill is needed and is very much a step in the right direction. I give credit to the member who sponsored it. I would also like to take a moment to say that it is always a helpful thing, as my residents have always said, to see their member stand up on issues that are important to them. It makes them feel part of this great democracy and rule of law that we have here in Canada, and so, kudos to the member.

• (1805)

When I reviewed the member's comments at second reading, I was struck by a particular statement, which I will quote directly from *Hansard*. The member stated, "I am well aware that private member's bills rarely make it into law, which is why I am determined to propose something modest and achievable." I would agree and again recognize the member for resisting the temptation to further complicate this bill.

In my view, to be successful, the bill would require considerable flexibility given that it would require different levels of government to work together from different provinces toward a common goal. I believe the member has taken an approach that will create a path to improvement and in an area where improvement is certainly needed and wanted by constituents.

I would like to thank members of Parliament in this place for taking the time to hear my comments. I believe anything that we can do to help those with disabilities navigate the complexities of government to help reap the benefits they need is an important goal that we all share. Canadians send us here to examine the best ideas and it is nice when we can, once in a while, find something to rally around on behalf of our constituents.

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Speaker, it is an honour to stand in support of a bill that would provide better government services to people that need our help.

I am going to start off with a quote from my friend and constituent, A.J. Logan, who has this quote from Robert Hensel at the bottom of every email, "We, the one's who are challenged, need to be heard. To be seen not as a disability, but as a person who has and will continue to bloom. To be seen not only as a handicap, but as a well intact human being."

That is how it should be but instead I am going to describe to members some of the experiences of people in my riding of Nanaimo—Ladysmith who are deeply frustrated by their inability to access government services and to be served in the way that they should be served.

I heard from a young veteran with PTSD about dealing with Veterans Affairs. He said, "It's like being given a jigsaw puzzle and turning off the lights." How inhumane, especially for a young man who has served our country.

My constituency office is one of many across the country being flooded with urgent requests for help from desperate constituents who cannot access basic government services. It is not because they do not qualify but because they simply cannot get through to government agencies or cannot access the necessary information or the forms that they require. Many feel as if they are being systematically stonewalled by the very agencies that supposedly exist to assist them.

My staff member Hilary Eastmure said to me, "CRA recently told me that instead of replying to my faxes within 5 days, I shouldn't expect to hear back from an agent for at least 15 days". The wait time for even our constituency office to get a reply has tripled. That is due to the "service renewal" at CRA, which has caused major backlogs for its staff as the entire system has been changed and staff have been reduced because some offices were closed or consolidated.

It sounds like things are getting worse, not better, and that was not the expectation that Canadians had of the Liberal government.

Phone lines are jammed to the point where people are not even permitted to remain on hold or leave a message. Instead, my constituents are advised to call back later, which yields the same result no matter what time of day they try to phone. Insiders readily admit that some government agency phone lines are designed to send people in circles and eventually drop their call because the system is too overloaded to handle the number of calls pouring in at any given moment.

The agencies themselves are understaffed and under-resourced. Remaining staff are working hard and they are trying hard, but they are stretched too thin and they are scrambling to cover the ever-growing backlog. Wait times are stretching from days to weeks to months to years. I have lost track of the number of refugee parents who have sat in my office. Being asked to wait years for family reunification means some parents are missing watching their children grow up. It is inhumane.

Whether it is a simple callback or a much needed refund or an anxiously awaited application approval, Canadians are waiting longer and they are suffering undue stress and financial hardship as a result.

Canadians accustomed to reliable service are quickly becoming disillusioned with our system, which is getting increasingly difficult to navigate, and this is especially apparent in the shift to online platforms. People that do not have regular access to a computer or printer, or who are not computer literate, have waited on the phone for hours. For seniors especially to be told to go online and fill out a form just sends them over the brink. They are so frustrated. These are people with disabilities, seniors, low-income Canadians, exactly the people that often require the most support from our government agencies.

*Private Members' Business*

Here is a quote from an email received from Freeman Dryden in Nanaimo, “We have been stymied by either lack of confirmations or the reception of refusal letters requesting all sorts of duplicate or impossible-to-find information. We have been made to fill out innumerable forms, both on paper and online, and, to date, have had absolutely no contact with real people, nor any confirmation of the services we carefully applied for.... Surely, there is some way to cut through this nightmare bureaucratic jungle.”

• (1810)

We must do better. We must restore Canadians' faith in the systems set up to support them in their time of need. We must invest in those front-line government agencies and the workers to improve accessibility, service delivery, and accountability.

Federal legislation addresses the issue of disability across a number of different policy areas. For example, legislation that touches on disability has been enacted at the federal level in relation to employment, employment equity, skills training, education, income assistance, tax, health, transportation, housing, as well as recreation and culture—many different ways. The Canada pension plan disability, the disability tax credit, registered disability savings program, veterans disability pensions, and the opportunities fund all operate as stand-alone programs with distinct and separate application processes. This reality makes it cumbersome for people living with disabilities to access the federal supports that they may be entitled to, and they have paid for them already in many cases.

I heard in detail about this from another man in our riding, Terry Wiens. He has had polio and he is facing extraordinary costs associated with his disability. He writes:

I recently had to buy a new RoHo Hybrid cushion for my wheelchair (\$820) as well as a hospital bed (\$1800 mattress not included) so decided to make a one-time withdrawal of \$10,000 from my RIF.

What I didn't realize was the ripple effects of that decision. That raised my annual income enough to eliminate me from the Guaranteed Income Security (all \$18/month worth). I have no doubt that next year I will qualify again but in the meantime we are penalized for our independence. You can't really compare the income of an individual that is facing costs that the average person never sees. To add insult to injury losing that GIS also cost me my Premium Medical Services subsidy (another \$420/year cost), my opportunity for a subsidized assisted living apartment (GIS qualification is required for the subsidized program), a cut back to my current rental subsidy and doubling (from \$450 to \$900 yearly) of my Pharmacare deductible. It is not the \$18/month payment but the status of qualifying for GIS that is important.

I thank Terry Wiens of Nanaimo. It is a really long letter and it is powerfully written, and it is maddening.

In that context, my New Democrat colleague from Windsor—Tecumseh has proposed Bill C-348. It is so simple, straightforward, and so humane to say we are not going to make everyone applying for these programs prove again and again that they actually face a disability. We are going to have navigators that help these people understand and work through the programs, the same way that veterans are asking for the same kind of navigation services, the same way that veterans affairs in Australia has put in place ages ago.

For people to be supported by a strong social safety net, to be supported by a good government, and to be able to access the programs they have paid into, Bill C-348 is specifically designed to crack the nut on this problem. We believe that people living with disability should not have to demonstrate or prove their disability to the government more than once. Anything more is unnecessarily

punitive and disrespectful. It will cost the government nothing to fix this problem, so let us please vote together for Bill C-348, for humanity, for justice, and for the respect that people living with disabilities in our communities deserve.

• (1815)

**The Deputy Speaker:** Resuming debate. Accordingly, I invite the hon. member for Windsor—Tecumseh for her closing five-minute right of reply.

**Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP):** Mr. Speaker, I had to write down my reply because I knew if I was reactionary, I would choke up and would not use my time wisely.

It is very intriguing to hear so many people having the same insights. Members can imagine how gutted I was to hear the government's response in our first hour of debate, officially letting me know that my private member's bill would not be supported. Sadly, Canadians have another opportunity to be cynical of the government with that letdown.

The intent of the bill is to allow a person living with a disability access to all four federal programs with one application, one process, one doctor's note. However, we want to see this rolled out. It takes a bureaucratic role as well, which I mentioned in my introductory speech. Of course this is practical.

The government's replies during debate have frankly been disturbing. We heard the parliamentary secretary to the Minister of Infrastructure and Communities congratulate me on being so determined to ensure that all Canadians, no matter their circumstances, have easy access to government programs and services. However, he summed it up that it would not be supported because it was not a practical solution.

I am well aware of the feedback given at consultations nationwide, in town halls and constituency offices, and at round tables and forums. That is why I am here. Simplifying access to federal programs for persons living with disabilities is why Bill C-348 was created. It is a shame that these constituents have not been heard in their ridings of the governing party.

At one point the parliamentary secretary went on to say that streamlining the application process for these programs under a single department or portal would not make it more accessible, faster, or fairer, but that it would create separation between the clients and the governing agencies providing the programs and related support measures for which the clients were applying. In other words, this would put some distance between the clients and the agencies' expertise.

*Adjournment Proceedings*

Once again, it is a shame that people have not been listening. Apparently, the parliamentary secretary would have us believe that departmental staff lack the means by which to communicate with one another or that they lack the skills to create the proper structures through which interdepartmental communication can occur.

I have toured these offices and have observed that they are all equipped with computers and telephones and indeed do communicate with the Internet and email. They even have two shared languages with which to communicate officially.

The government's excuses for not supporting the bill are not plausible. If we claim to support the bill in principle but not the bill itself, as has been expressed by the governing party, I challenge all of us to then take up this principle and make it happen with the anticipated accessibility rights legislation that was announced for next year. Really, right now, with Bill C-348, we have a chance to tell the bureaucracy to work out a plan to achieve this goal, and we will support it in the process to that end.

People who have to book Handi-Transit two weeks in advance do find it onerous to apply separately for each program at the federal level. That is the reality. It is hard to imagine representatives would not have any knowledge of this problem and would vote against this bill. I can only give Canadians a heads up to watch how this vote plays out.

I sincerely hope this master application process that I have introduced is only being turned down because it will be included in some sweeping legislation introduced with the new accessibility bill. Canadians have to remain strong and vigilant on removing the barriers persons living with disabilities face. I am privileged to, again and again, bring forward the practical solutions that maximize the resources we have today.

Canada is capable of doing better with what we have now, if we are willing.

• (1820)

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Deputy Speaker:** Pursuant to Standing Order 93, the recorded division stands deferred until Wednesday, January 31, 2018, that is tomorrow, immediately before the time provided for private members' business.

**ADJOURNMENT PROCEEDINGS**

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

[*English*]

## INDIGENOUS AFFAIRS

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Speaker, last month I had the opportunity to ask the Prime Minister directly why he is excluding the Native Women's Association of Canada from his government's provincial-territorial meetings, and he said, "That is simply not true." However, in December 2016, the Native Women's Association of Canada and the Congress of Aboriginal Peoples were left out of a meeting with the Prime Minister advancing reconciliation.

On this conversation about reconciliation, there was not a single indigenous woman at the table. In the press conference after the meeting, the Prime Minister confirmed that their exclusion was deliberate. He said, "My answer is that we always have to make choices about who to include in different venues and at different points." He later told the National Observer that "in any given meeting we have to make choices and we made those choices." He has chosen again and again, despite the Prime Minister's commitment to a true nation-to-nation relationship and despite his commitment to feminism, to exclude the Native Women's Association. They were excluded from the first ministers meetings in October 2017, December 2016, March 2016, and again not invited to participate in the reconciliation meeting I just cited, in December 2016.

I would like to know from the representative of the Prime Minister what his evidence is that he has been inviting the Native Women's Association of Canada to these high-level meetings, these reconciliation meetings, these first ministers meetings, because he told me that I am saying something that is not true. "That is simply not true" is what he said to me.

The Prime Minister really is in bad company on this. The mandate letter he gave to the Minister of Crown-Indigenous Relations and Northern Affairs indicated the government is committed to continue to develop and lead a whole-of-government strategy to include indigenous representatives in meaningful ways in Canada's federal-provincial-territorial dialogues. I will submit that if the Prime Minister continues to leave out indigenous women from these conversations, he is not fulfilling his commitment.

The United Nations Committee on the Elimination of Discrimination Against Women indicated its concern that indigenous women's organizations are not included in Canada's countrywide nation-to-nation relationship on equal footing with other indigenous people's organizations. That report is more than a year old, and it still is not being honoured. UN CEDAW recommended that Canada ensure indigenous women's organizations are included in the countrywide nation-to-nation relationship in all cases in which issues of relevance to women apply.

*Adjournment Proceedings*

The United Nations Declaration on the Rights of Indigenous Peoples asks the government to commit to article 18, in which indigenous people “have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures”. The Liberal government says it is going to agree to my colleague from Abitibi—Baie-James—Nunavik—Eeyou's bill, but its actions do not line up with its words.

I would like to hear from the government's representative why it is continuing to shut out NWAC.

● (1825)

**Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Crown-Indigenous Relations and Northern Affairs, Lib.):** Mr. Speaker, I am pleased to rise today to answer the question been posed by the hon. member for Nanaimo—Ladysmith. I acknowledge as well that I stand here this evening on the traditional territory of the Algonquin people, a very proud people.

The Government of Canada is committed to a renewed relationship with indigenous people based on the recognition of rights, respect, co-operation, and partnership.

For over 40 years, the Native Women's Association of Canada has played a vital role in empowering indigenous women and girls, and it continues to do so today. Its goal is to enhance, promote, and foster a greater social, cultural, and economic well-being for indigenous women from coast to coast to coast.

The Government of Canada has created permanent bilateral mechanisms with the Assembly of First Nations, the first nations, the Inuit Tapiriit Kanatami, the four Inuit Nunangat regions, and the Métis National Council and its governing members to identify joint priorities, co-develop policies, and monitor progress. This does not mean that NWAC does not have a voice or is being excluded. Nor does it mean that others in our indigenous communities do not have a voice. The Government of Canada has committed to working and meeting regularly with the national indigenous organizations. We are the first to do this, and we will continue to engage in a robust bilateral discussion with all five on issues of importance to their members.

Our government has shown, through our actions and our continual engagement with the Native Women's Association of Canada over the course of the past year, the importance that we have placed on this organization's contribution and perspective. We recognize the critical role NWAC plays in furthering the journey of reconciliation, and we look forward to walking this path together.

True reconciliation cannot be achieved without the full inclusion of all indigenous people. Canada remains committed to including the distinct perspectives of indigenous women in all programs, policies, and all legislation. Canada will continue to work with indigenous women's organizations and other indigenous groups across the country to ensure that all voices, those of our youth, of our elders, and of our women, are all heard. When indigenous women and girls thrive, our nation is stronger and benefits from the talent and knowledge they contribute. Our government knows this and remains committed to working with the Native Women's Association of Canada, its strong leadership and board, and other indigenous women's organizations across Canada.

I thank the member today for posing the statement, as it gives us an opportunity to reinforce our commitment to consulting and working with indigenous women in Canada, especially NWAC, and also for the opportunity to point out that we are the first government to establish bilateral tables with the leading government bodies for first nations, Inuit, and Métis in Canada.

● (1830)

**Ms. Sheila Malcolmson:** Mr. Speaker, the member has continued to state the government's commitment, but has failed to explain why its actions do not align with those statements.

Last year, at the United Nations' May session to celebrate UNDRIP, NWAC, the Native Women's Association of Canada, asked to be included. It was not. It was barred from the delegation. It could not even attend the side events.

Last year in December, a president of NWAC, Francyne Joe, said, “[The Prime Minister]...states he's a feminist, he states indigenous relations are high priorities for his government, and yet he's specifically excluding a national indigenous group that has been recognized by the courts. Why?”

The Prime Minister has not answered my letter on this. Again, why is the government shutting the Native Women's Association out of its highest level government meetings?

**Ms. Yvonne Jones:** First, Mr. Speaker, the Government of Canada has created bilateral tables with lead indigenous governments in Canada, being the Assembly of First Nations, ITK, and the Métis National Council. They are the lead umbrella organizations for their governments, for Inuit, Métis, and first nations people in Canada.

We recognize the Native Women's Association of Canada plays an invaluable role as an advocate for indigenous women. That is why the Government of Canada seeks to not only acknowledge NWAC as a valued partner but also recognize NWAC's vision, support, and guidance to so many indigenous women in Canada. We look to NWAC as a partner in leading the empowerment of indigenous women in all aspects of Canadian society.

Moving forward, the Government of Canada will continue to work in partnership with NWAC and other indigenous organizations to ensure that all indigenous voices are heard, including those of women. Together, we can create positive change and ensure that indigenous women are treated with the same respect as all other women in Canada, the respect they deserve, as well as being given the opportunity to provide input to the Government of Canada.

*Adjournment Proceedings*

## AIR TRANSPORTATION

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, it is a pleasure to rise again on an issue that is very important for Canadian consumers and travellers, which is the call for an airline passenger bill of rights. I asked this question, and the right hon. Prime Minister answered it, basically saying he was proud of the work of the Minister of Transport. Unfortunately, there is not much work to talk about with regard to an airline passenger bills of rights because it was lumped together with three other bills in the House of Commons as part of a general package. Worse than that is the fact that there are no specifics in the passenger rights bill being presented. I know the Prime Minister may not have to worry about these things because he flies in the government's plane, the Aga Khan's plane, or those of other friends and acquaintances, but the reality is that most of us who travel as general passengers face a number of obstacles, for which we want and expect a set of rules.

Europe has a robust system that is understandable, and the United States has a system that is understandable, and most important, there is clear language that defines what takes place. The government has passed a bill that does not talk about the specifics of the rules of the game with regard to cancellations, which could be due to delays related to mechanical difficulties or rerouting or could be caused for appropriate reasons, such as bad weather. There are a number of issues with regard to remuneration for meals and accommodations. All people want is to know what their rights are and to have a say.

Europe has a very specific way of doing this. The same is true with the United States. There are issues of delay and tarmac rights. There has been a series of unfortunate incidents on airplanes not only in Canada but internationally that got a great deal of attention in the media. Hearings have taken place in the United States to protect consumers. In the U.S. there have been very overt and public cases where people have been dragged off of planes and injured, whereas in Canada there have been a number of situations where passengers have languished for hours, with feces in the aisle because people are not allowed to go to the washroom or the washroom has not been emptied. The rerouted plane has to sit in a holding pattern, with people having very few rights. In fact, people have resorted to calling 911 just to get water or some sort of attention.

The minister in this case has tabled a bill in which he is leaving this all to regulations and back-door lobbying by the airline industry. There was no attempt in the legislation to specifically identify what the parameters or compensation would be or have at least a participatory element for the public and for Parliament. Quite frankly, it is a way of not doing the job.

Similarly, the Minister of Transport has taken a hands-off approach with regard to auto recall. We will see that in Bill S-2 when it is next debated. Even today in the House, when members asked for leadership with regard to environmental property of which the minister is the custodian, he basically passed the buck again. He is not interested in the details, in sharing information, or in setting standards.

The Prime Minister answered this question saying he was proud of the work, but there has not been any work. In fact, leaving the decisions for bureaucrats in back rooms and through back doors to

be lobbied by the industry and others is not a way for democracy to run. All the minister has to do is try.

● (1835)

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Transport, Lib.):** Mr. Speaker, it is my pleasure to provide an update to the hon. member and to the House on the status of Bill C-49 and our efforts to create and implement a world-leading air passenger rights regime in Canada for Canadians.

When Canadians purchase a plane ticket, they expect the airline to meet its end of the deal and treat them with respect, fairness, and consistency. That is why our government has introduced legislation for the establishment of new regulations to strengthen Canada's air passenger rights. The Minister of Transport has even challenged airlines to immediately respect the clear intent of this legislation so we can finally move toward greater passenger rights.

The Senate Standing Committee on Transport and Communications is currently reviewing Bill C-49, and we look forward to hearing the views of the Senate on this proposed legislation.

It is important to note that, should the bill receive royal assent, it would be the Canadian Transportation Agency, in coordination with Transport Canada, that would begin to develop the air passenger rights regulations, not the airlines, as suggested by the hon. member.

Some concern has been expressed about having the proposed air passenger rights regime enshrined in regulations, as opposed to legislation. Let me address those concerns.

The existence of these rights in the regulations would not diminish their power. Air passenger rights would cover a number of issues, including denied boarding and tarmac delays, and would establish clear standards of treatment and levels of compensation in some instances, with specific penalties against air carriers that do not comply.

Utilizing the regulatory process for air passenger rights would ensure that Canadians and industry stakeholders have a voice at the table during the development process. We have always said that the most important voice in this process is that of the Canadian public, and the regulatory process would ensure that this voice is heard and that a balanced and effective air passenger rights regime is developed.

As well, the regulatory process would make it easier to make future changes and modifications, as opposed to the time-consuming process of changing legislation. Other jurisdictions, such as the United States and the European Union, have also taken the regulatory approach for these very same reasons.

As Bill C-49 continues to move forward in the other place, we will continue to listen to Canadians as we work to develop a world-leading air passenger rights regime that will be the envy of travellers throughout the world.



*Adjournment Proceedings*

• (1840)

**Mr. Brian Masse:** Mr. Speaker, the rebuttal for that is quite easy. The legislation has passed and is now in the Senate, and then we will wait for the Canadian Transportation Agency and other bureaucrats to come back at some future date to protect Canadians. It is just a joke.

The reality is that there could be thresholds and minimum and maximum penalties. That is often done in regulations. It is often done in legislation. It is a very common practice. To suggest otherwise is fraudulent and is also a distraction from the actual issue here, which is that the government is not doing the work necessary to protect airline passengers. It could simply pass that in legislation. Having those thresholds and targets would at least provide parameters. They can also be easily changed in this chamber if the government actually wants to do the work.

This is a pattern of behaviour coming out of the Department of Transport, the minister, and the parliamentary secretary, where they do not want to do the hard work necessary to protect people and to be accountable, leaving it to the Senate and whatever the senators are going to do with it. If they change it, it comes back here; if they do not change it, it is basically a toothless tiger.

It is actually going to be brought forward by clandestine meetings by the industry, which will meet with the agency. We know that the agency has a history of not following through with complaints, or with investigations that have had many people complaining about them in the first place.

We need to take this seriously, and that requires the action of parliamentarians. That is what we were elected to do. That is what people expect. That is what we should be doing right here, right now.

**Mrs. Karen McCrimmon:** Mr. Speaker, Bill C-49 is presently before the Senate Standing Committee on Transport and Communications. The Senate will debate the merits of this proposed legislation, and we look forward to hearing its views on our efforts to establish a world-leading approach to air passenger rights.

The intent has always been to have air passenger rights enshrined in regulations, as is done in the United States and the European Union. Undertaking a regulatory approach would also ensure that Canadians are consulted before and during the regulatory development phase. These passenger rights are for all Canadians, and this approach would ensure that their voice is being heard.

[*Translation*]

## PUBLIC SERVICES AND PROCUREMENT

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, on October 4, 2017, I asked the Prime Minister when this government was going to finally do its job and ensure that the Phoenix pay system worked properly.

The government, through the Prime Minister, described the situation as unacceptable. However, nearly five months later, the situation is just as disastrous and there is no improvement in sight. It is shameful.

Allow me to reiterate that this new pay system was meant to modernize the old system from the 1970s, and was supposed to be more efficient. It is more of a failure. At the time, the government

boasted about being able to save \$688 million with this new system, but the reality is far different. The Phoenix pay system could end up costing taxpayers more than \$1 billion, and it simply does not work.

If the government thought it was saving taxpayers money, then it failed. Let us not forget that thousands of public servants are suffering because of this government's failure. One in 10 public servants have experienced various problems ever since the Phoenix pay system came on line.

This government's mistake has had real consequences for public servants, causing some to lose their health benefits and others to lose their home.

In my riding, hundreds of public servants and retirees have been and still are the victims of the Phoenix pay system. I would like to commend one of those public servants from Saint-Hyacinthe—Bagot for his resilience in the face of this fiasco. He told us how he had to mortgage his house so that he could deal with the many financial problems that this new pay system created for him. This is just one of many examples across the country. I must therefore ask this government, for the umpteenth time, to deal with this problem in an appropriate manner.

Last week, the Public Service Alliance of Canada called on the President of the Treasury Board to issue a remission order to protect federal public servants who have been subject to overpayment errors by Phoenix. This would provide them with an exemption from repaying the gross amount, which is more than what they received. I completely agree. It is shameful that public servants should have to pay back more than what they received.

It is absolutely ridiculous, when you think about it. The minister has the power to resolve the situation and that is what we are asking him to do. This government is asking public servants to repay the gross amount of overpayments. Its argument is that it will give them back the difference when they file their income tax return. Come on.

In closing, I will summarize the situation. It is not very pretty. First, some public servants are still unable to contact the pay centre and others have not been assured that their information has actually been recorded in the pay system. Second, because of the volume of errors that will be flagged, the unions fear that the employer will not be able to make all the necessary corrections to produce accurate T4 slips for all affected public servants by the end of February 2018. Third, even those public servants who were able to report an overpayment by the deadline will not be fully compensated by a tax refund.

In light of this fiasco, I believe that it is high time for the government to assume its responsibilities once and for all. I look forward to hearing the solutions proposed by the parliamentary secretary and I hope I do not hear the same reply as last time.

• (1845)

[*English*]

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Transport, Lib.):** Mr. Speaker, our government is committed to doing whatever is necessary to ensure that public servants are paid accurately and on time.

*Adjournment Proceedings*

When the problems with the pay system first emerged, our number one priority was to address the most serious problems: those employees receiving no pay at all. This is why we hired additional staff at the Miramichi pay centre and established satellite pay offices right across the country. This also allowed us to bring down wait times for parental and disability leave, which unions had asked us to prioritize. The problems with Phoenix ran so deep that it took us time to understand what was wrong and to identify solutions to stabilize the system.

We are implementing a series of measures focused on bringing the pay system to a point of stability. These measures, developed with employees, departments, agencies, and unions, are aimed at reducing the backlog of late transactions and wait times for missing pay. These measures are also well aligned with the recommendations of the Auditor General.

Going forward, our efforts to stabilize the pay system fall into four broad areas, namely, accountable and informed decisions, improved processes and technology, increased capacity and service, and partnership and engagement.

● (1850)

[Translation]

Allow me to now briefly discuss our efforts to increase capacity and improve service.

Since the launch of Phoenix, we have more than doubled the number of compensation advisers. We have hired 300 employees to bolster the ranks at the pay centre in order to expedite the processing of transactions and reduce wait times for employees.

We are aware of the need to provide more useful support to employees, and we plan to enhance our client contact centre by hiring up to 100 recruits. Employees will then be able to obtain detailed information about their pay file directly from those working at the contact centre.

Finally, employees can consult the Pay Bulletin to obtain pertinent information and the latest news on the progress we are making.

[English]

Over the past several months, we have been focused on implementing collective agreements. More recently, we have focused additional efforts on overpayments so that employees will have accurate slips for the tax filing season. Once we have completed work in those areas, we will be shifting more resources to reducing the number of outstanding transactions in the queue.

In closing, I want to thank the dedicated employees at Public Services and Procurement Canada and across departments and

agencies who are working tirelessly to ensure that their colleagues are paid accurately and on time.

[Translation]

**Ms. Brigitte Sansoucy:** Mr. Speaker, this is truly a catastrophic situation. Behind the numbers and the statistics, there are people suffering from chronic stress and anxiety, people who wonder daily if they will finally be paid what they are owed.

This situation is not only outrageous, it is nonsensical, because the Phoenix pay system's second anniversary, a dark day indeed, is just days away. I am sure that most of my colleagues will agree with me when I say that it is not exactly a day worth celebrating.

I have lost track of how many times I have risen to criticize the government for its lack of leadership and for being so slow to respond to a problem that is affecting thousands of our fellow Canadians.

It is high time the government stepped up. Half of all public servants have been affected by the Phoenix pay system, and things have only gotten worse over the past two years. I am once again asking the government to show some leadership and take swift action to fix this situation once and for all so that this time next year, we can say that the system is working well for everyone.

[English]

**Mrs. Karen McCrimmon:** Mr. Speaker, truthfully, there is no greater priority facing the public service than providing employees with an accurate and reliable pay system. There are no shortcuts, and there are no quick fixes.

[Translation]

Our government has done many different things to stabilize the Phoenix pay system.

[English]

There is much work to be done, and we are moving forward with an integrated whole-of-government approach aimed at addressing these unacceptable issues. We also continue to work with public service unions and other stakeholders to ensure that their expertise is part of the solution.

[Translation]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:54 p.m.)





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