



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, November 20, 2007**

—  
**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Tuesday, November 20, 2007

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### CONTROLLED DRUGS AND SUBSTANCES ACT

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC)** moved for leave to introduce Bill C-26, An Act to amend the Controlled Drugs and Substances Act and to make consequential amendments to other Acts.

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

\* \* \*

### DIAMOND ANNIVERSARY

**Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC):** Mr. Speaker, today Canadians join our friends throughout the Commonwealth in marking the Diamond Wedding Anniversary of Her Majesty Queen Elizabeth II and His Royal Highness the Duke of Edinburgh.

Whether we rose early to watch the festivities yesterday in London or thought about the anniversary as we read our newspaper or heard about it on the way to work, we are all united in thanksgiving and deep affection for those whom we respect so highly and have come to know so well that we often refer to them simply as “Elizabeth and Philip”.

[*Translation*]

Our Queen and her consort are part of our national family. The events in their lives have so often marked milestones in ours: the opening of the St. Lawrence Seaway; the planting of a tree at the Governor General's residence; a mini-rail tour at Expo 67; the opening of the Olympic Games in Montreal; the patriation of the Constitution; a puck drop at a hockey game in Vancouver—each of these events has been permanently tucked away into the photo album of our national consciousness.

[*English*]

However, more than Queen and Consort, Her Majesty and His Royal Highness have become in a sense our friends, familiar companions on a shared journey to the full expression of our national

identity over the past six decades, one of whose basic components is the encouragement, dignity and stability of our constitutional order at the centre of which is the Maple Crown.

[*Translation*]

The pressures this marriage has faced—media, public and family pressures—are beyond our imagination. And yet the solidity of their marriage highlights the value of an institution that has been called into question many times over. Our Queen's sense of duty and Philip's strong and innovative spirit are complementary; their marriage is a true union of spirits. We must never take for granted the sacrifices they have made by fulfilling their calls. We must never stop being amazed that they share “the love that asks no question, the love that stands the test; that lays upon the altar the dearest and the best.”

[*English*]

In this House high partisanship and deep difference often causes us to divide, disagree and dissent. That is rightly so. It is the stuff of politics.

However, on a day like this we can perhaps for a few moments think of a greater truth, the stuff of romance, of vows kept and love sustained, and commitments shared on the part of two of the most active senior citizens in the world who maintain so busy a round of duty, bringing happiness and a sense of belonging to so many that they meet.

Ten years ago I moved, and the House unanimously adopted, the following motion:

That this House, on behalf of all Canadians, convey its warm greetings and best wishes to Her Majesty Queen Elizabeth II and His Royal Highness the Duke of Edinburgh on the happy occasion of their Golden Wedding Anniversary.

[*Translation*]

On their diamond anniversary, our love for the royal family has never been more profound. Today, Canada is reiterating the bond we share with our Queen and the Duke of Edinburgh. From every corner of this country, which they have visited so often, from every corner of this country, which they have travelled from one ocean to the other, Canadians wish Elizabeth and Philip many more years of happiness together.

[*English*]

In closing, let me call to mind what the young Princess Elizabeth said following the untimely death of her father before her Coronation. She said:

*Routine Proceedings*

I declare before you all that my whole life whether it be long or short shall be devoted to your service and the service of our great imperial family to which we all belong.

But I shall not have strength to carry out this resolution alone unless you join in it with me, as I now invite you to do: I know that your support will be unfailingly given. God help me to make good my vow, and God bless all of you who are willing to share in it.

Canadians have been and we wish Her Majesty a very happy anniversary.

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

**Hon. Bryon Wilfert (Richmond Hill, Lib.):** Mr. Speaker, I am extremely grateful for the opportunity to speak today on behalf of my party and my constituents on the occasion of such great joy: the diamond wedding anniversary of Her Majesty the Queen and His Royal Highness the Duke of Edinburgh.

So often in this House we are forced to deal with matters of great consequence. We respond to issues of the economy, social justice, peace and war.

It is refreshing indeed today to stand to speak of something so fundamental, so inspiring and, in this day and age, so rare as two people linked together for a lifetime, bound by love and duty to each other, to tradition and to their country.

Still, because of this couple in question, one must agree that it is a matter of great consequence. Our Queen and Prince Philip are part of our history.

As my friend across the chamber so ably reminded us, the royal couple has left an indelible mark on the post-war history of our nation. In Canada, great matters of state, commerce, sport and culture, seem to demand obviously great attention.

This, in large part, is because of who we are as a nation: a proud member of the Commonwealth and the inheritor of a parliamentary system, and so many other civil institutions that have served us so well. But it is also, in large part, because of who they are and the dedication that they have shown this country.

She has been our Queen, the Queen of Canada, since 1952. Without a doubt, no royals have seen more of this country, charmed more of its people, and met more of our prime ministers. Think about this. The first prime minister Elizabeth met in her role as monarch was Louis St. Laurent.

We hear, from time to time, of uprisings of anti-monarchy sentiment in this country. But it strikes me that more often than not those who speak harshly of the monarchy do so in a way that targets the institution not its present occupants.

People may object to the cost of the office, the pomp and the ancient traditions. But they are generally careful to target their disdain in such a way as to spare the royal couple. This is perhaps the greatest tribute one can pay to the Queen and her Consort.

In an age of instant opinions, banner headlines and tabloid journalism, Queen Elizabeth and the Duke of Edinburgh have been able to insulate themselves from the worst of it. No mean feat when they have lived their lives and have spent their marriage at the centre of 60 long whirlwind years.

Think about that as well, not only being married for 60 years but being married for 60 years under a spotlight that follows their every step; a spotlight, perhaps even more significantly, that follows the every move of their children and, now, their grandchildren, too.

Anyone who lives in the public eye must stand in awe at the patience and grace with which the two elder royals have conducted themselves. It is a spotlight, I might add, that they have not sought but that they have lived with in grace.

Her Majesty was born to play a role. The Duke of Edinburgh, 60 years ago, agreed to join her on that stage. Together, they have performed brilliantly. And on this day in particular, they deserve our thanks.

Queen Elizabeth and Prince Philip have never forgotten Canada and we, in turn, must remind ourselves never to take them for granted.

Earlier, I said the royal couple has been an important part of our history. I believe that I can safely say the same about their role in our nation's future.

On behalf of my colleagues on this side of the House, the proud members of Her Majesty's Loyal Opposition, I offer heartfelt congratulations to our Queen and her Consort, the Duke of Edinburgh, on the occasion of their 60th wedding anniversary.

• (1010)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, on behalf of the New Democratic Party I am very pleased to extend congratulations, sincere best wishes and kindest regards to Her Majesty the Queen and His Royal Highness the Duke of Edinburgh, on this, the 60th anniversary of their wedding, their diamond anniversary.

People all across Canada and throughout the Commonwealth join together in recognizing and paying tribute to a remarkable achievement of 60 years of marriage. Indeed, the whole world watched the magnificent ceremony at Westminster Abbey yesterday to mark the longest royal marriage in known history.

All weddings are public affairs but some couples more than others have to live in the full light of public life, no one more than the Queen and Prince Philip, as recent years have proved. The poet laureate of Great Britain spoke these words at the ceremony yesterday:

Love found a voice and spoke two names aloud—  
two private names, though breezed through public air—

I speak for those of us in public life who have often marvelled at the poise, the dignity, and the character demonstrated by the Queen and Prince Philip as they performed their many duties, duties that often took them to this country.

Many Canadians have enjoyed seeing our Queen celebrate a trio of milestones in recent years: her Golden Jubilee marking 50 years of her reign, her 80th birthday, and now her 60th wedding anniversary.

The Queen and Prince Philip have earned our admiration, our affection and our esteem as an example of unwavering devotion, dedication, sense of duty and integrity. They are an inspiration to the loyal subjects in Canada and the Commonwealth.

In fact, Her Majesty has been a dutiful and steadfast influence and beacon of stability in a rapidly changing world.

On behalf of the NDP and the many Canadians who feel deeply proud of their monarchy, may they continue to share with us as they enjoy many more years of health, happiness and companionship.

[*Translation*]

**The Speaker:** I would like to thank the hon. members for their comments on Her Majesty.

[*English*]

I will, of course, on behalf of the House, send a letter to Her Majesty and Prince Philip outlining the appreciation of the House for their service and enclose copies of members' statements, as would be the usual practice. I trust this is satisfactory with hon. members.

\* \* \*

•(1015)

#### MOTOR VEHICLE SAFETY ACT

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.)** moved for leave to introduce Bill C-481, An Act to amend the Motor Vehicle Safety Act (electronic stability control).

He said: Mr. Speaker, I have the honour of introducing a bill today entitled an act to amend the Motor Vehicle Safety Act, or ESC for short. I thank my seconder for the support.

If adopted, this bill would amend the Motor Vehicle Safety Act to provide that every vehicle weighing less than 4,536 kilograms sold in Canada or imported into Canada is to be equipped with an electronic stability control system. ESC is a safety technology designed to enhance a vehicle's stability, and to prevent loss of control and rollovers in all driving conditions.

According to a comprehensive 2001 Canadian government study, there were 2,778 motor vehicle deaths and 24,403 hospital admissions as a result of motor vehicle collisions. Estimates from Transport Canada in 2005 indicated that at least 255 fewer deaths would have resulted and 1,440 fewer hospital admissions as well if all of the vehicles had been equipped with ESC systems.

We need to be serious about applying modern technology to safety issues on our roads. ESC is a step in that direction.

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

\* \* \*

[*Translation*]

#### OFFICIAL LANGUAGES ACT

**Ms. Pauline Picard (Drummond, BQ)** moved for leave to introduce Bill C-482, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts.

She said: Mr. Speaker, it is my pleasure to introduce this bill, which requires the Government of Canada to undertake not to

#### Routine Proceedings

obstruct the application of the Charter of the French Language in Quebec. The bill follows up on the government's decision to recognize the Quebec nation. Language and culture are key to a nation's identity.

We are asking the government to recognize the fact that the common language in Quebec is French. This also applies to federally chartered institutions. For example, the Canada Labour Code establishes minimum wage based on provincial minimums. This bill targets the same situations.

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

\* \* \*

[*English*]

#### PETITIONS

##### ASBESTOS

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I have a petition signed by thousands of Canadians who draw to the attention of the House their point that asbestos is the greatest industrial killer the world has ever known and yet Canada continues to be one of the largest producers and exporters of asbestos in the world. The petitioners point out that Canada still allows asbestos to be used in construction materials, textile products and even children's toys. They also point out that the United States Senate recently unanimously passed a bill to ban asbestos in all its forms.

Therefore, the petitioners call upon the Government of Canada to ban asbestos, to end all government subsidies of asbestos both in Canada and abroad, and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam convention.

##### NATIONAL HISTORIC SITES

**Hon. Carol Skelton (Saskatoon—Rosetown—Biggar, CPC):** Mr. Speaker, I would like to present a petition on behalf of the people of Biggar and area about the proposed destruction of the unique and historic locomotive roundhouse in Biggar. The petitioners are asking that the roundhouse be deemed a national historic site and not become another pile of concrete, stones and rubble.

##### JUSTICE

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, I have the honour to table two petitions this morning. The first is signed by over 500 residents in my constituency of Burnaby—Douglas and other communities in the lower mainland of British Columbia.

The petitioners point out that 21 year old Amanda Wei Zhao was murdered in Burnaby, B.C. in October 2002 and that two Chinese foreign students were charged in the murder. Mr. Ang Li was charged with second degree murder and Mr. Han Zhang was charged with accessory to murder, but Mr. Li was able to return to China before the charges were laid.

*Routine Proceedings*

The petitioners note that China and Canada do not have an extradition agreement, that both sides are exerting prosecutorial jurisdiction and that the murder investigation remains stuck as a result. It has been five years since Amanda Zhao was murdered and her parents, Bao-ying Yang and Zi-Sheng Zhao, are still waiting for due process and justice to take place.

The petitioners call on the Government of Canada to work with the relevant Chinese authorities to ensure, at long last, a fair process of justice for the Zhao family and to work with the Zhao family to ensure they receive support and access to information regarding their daughter's murder investigation.

●(1020)

## CANADIAN HUMAN RIGHTS ACT

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, the second petition is signed by over 400 people from the provinces of Ontario, Quebec and Alberta. They call on the government and the House to pass Bill C-326, a private member's bill, which I in fact have tabled, to amend the Canadian Human Rights Act to include gender identity and expression as prohibited grounds for discrimination in order to fight discrimination and social exclusion of transgender, transexual and genderqueer people. I think it is particularly appropriate to table this today on the Trans Day of Remembrance.

[Translation]

## HUMAN RIGHTS

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, I have the honour to table a petition submitted by students in my riding. Nearly 600 signatures were collected.

The mining industry is growing around the world. These students are concerned that human rights, rights and obligations imposed by Canadian mining companies, are not respected abroad. They are asking the government to urge the Secretary-General of the United Nations to develop an international mechanism for obtaining prior consent, freely given with full knowledge of the situation. Consent should be a prerequisite for all exploratory projects. The proposed process should include provisions to address complaints, offer recourse and provide compensation to victims.

These students are concerned about what will happen to displaced individuals and about the fact that these human rights are being ignored in some countries.

[English]

## JUSTICE

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I have the honour to rise in the House today to present a petition like that mentioned by the member for Burnaby—Douglas, because we have worked together on this issue, and to note that it has been more than five years since 21 year old Amanda Wei Zhao was murdered in Burnaby, yet still her family in China is waiting for justice as the accused, Ang Li, returned to China before charges were laid.

There is deep concern in the community as evidenced by the over 1,000 petitions that have been signed about this case. Clearly, members of the community and ourselves call on the Government of Canada to work with relevant Chinese authorities to ensure that at

long last a process of justice begin for the Zhao family and that the government work with the family to ensure it receives support and access to information about their daughter's murder investigation. We call on the Government of Canada to monitor this and to make sure that justice is done.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, the following questions will be answered today: Nos. 12 and 43.

[Text]

Question No. 12—**Mr. Dennis Bevington:**

With regard to a national energy strategy: (a) what is the government's position on the development and implementation of a national energy strategy; and (b) are there current impediments developing and implementing a national energy strategy and, if so, what are they?

**Hon. Gary Lunn (Minister of Natural Resources, CPC):** Mr. Speaker, the response is as follows:

Government of Canada is committed to building a strong and distinctive energy advantage. We understand that energy is critically important to our Canadian way of life and long-term economic growth. Canada is the only stable, democratic country in the world with growing energy export capacity.

Our energy policy is guided by the principles of a free and competitive market, respect for the provinces' jurisdiction as the direct managers of Canada's resources and targeted initiatives to protect the health and safety of Canadians, e.g. pipeline regulation, and environmental sustainability.

We recognize that the production and use of energy, particularly fossil fuels, generate air emissions that contribute to smog and negatively affect the health of Canadians. Our challenge is to ensure that we become a clean superpower. Canada has a responsibility to produce and use energy wisely.

Initiatives under our government's ecoACTION plan are practical actions that combine economic opportunity with environmental and social sustainability. We are focused on three areas: renewable energy, energy efficiency and science and technology.

To promote renewable power, we have committed \$1.5 billion through the ecoENERGY renewable initiative to put 4,000 megawatts of clean energy on the grid. In budget 2007, we increased access to accelerate capital cost allowance for industries generating cleaner energy and provided \$2 billion over the next seven years to provide incentives to producers in the biofuel sector.

*Routine Proceedings*

To improve energy efficiency, we have launched the \$300 million ecoENERGY efficiency initiative which includes measures to encourage the construction, operation and retrofit of more energy efficient buildings and houses. We are also strengthening the energy performance standards under the Energy Efficiency Act and regulating fuel consumption in motor vehicles.

Our promotion of clean energy technology through the \$230 million ecoENERGY technology initiative is focused on accelerating the development and market readiness of technology solutions in clean energy supply. We recently added \$85 million through federal granting councils for research on key priorities on energy and the environment.

The federal energy policy will continue to serve Canadians well and to provide benefits in a number of areas, such as: maintaining and enhancing the prosperity of Canadians; providing a secure supply of energy for Canadians and Canadian industry; and producing energy in a sustainable manner consistent with our environmental objectives.

The elements that compose the federal energy policy will continue to evolve so that Canada can meet the challenges and benefit from opportunities that arise in international and domestic energy markets and accommodate new technologies and new cleaner energy sources as they become commercial. The federal energy policy is sound but not static and we will continue to look for ways to improve this approach through dialogue with Canadians, which include all levels of government, industry and other stakeholders.

Question No. 43—**Ms. Tina Keeper:**

With regard to housing conditions on First Nations: (a) since the government's shelter allowance policy was initially drafted, how much funding has been allocated to the federal riding of Churchill, as well as the province of Manitoba in general; (b) what steps has the Department of Indian and Northern Affairs taken to address the Auditor General's 2003 report that indicated the Department was not consistently applying its shelter allowance policy; (c) as per the recommendation found in section 6.88 of the 2003 Auditor General's report, has the Department of Indian and Northern Affairs Canada evaluated its interim policy of shelter allowances and approved a final policy with necessary changes resulting from the evaluation; (d) have any funding or structural changes been made to the existing shelter allowance policy since January 23, 2006, and, if so, what are they; and (e) what is the annual allocation and expenditure of the government on shelter allowance found in the government's budget tabled in March 2007?

**Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC):** Mr. Speaker, the response is as follows:

(a)\* Indian and Northern Affairs Canada's policy is to deliver the income assistance program according to provincial and territorial rates and eligibility criteria. Shelter allowance falls under the basic needs component of the income assistance program. From fiscal year 2003-2004, when the policy renewal for income assistance took effect, until fiscal year 2005-2006, approximately \$11.1 million had been reimbursed to Manitoba First Nations living on reserve. Of this amount, approximately \$3.7 million has been reimbursed to 23 First Nations living within the Churchill riding;

(b) Since 2003, Indian and Northern Affairs Canada has been reviewing its income assistance policy with respect to shelter allowance to ensure each region is applying the shelter allowance component according to provincial and territorial legislation;

(c) Indian and Northern Affairs Canada has reviewed its application of shelter allowance and is satisfied that it is consistent with provincial and territorial rates and eligibility criteria;

(d) No funding or structural changes have been made to the shelter allowance component of the income assistance program;

(e) Budget 2007, tabled on March 19, 2007, includes \$300 million for housing, \$150 million in fiscal year 2007-2008 and \$150 million in fiscal year 2008-2009, which does not include funding for shelter allowance. The 2007-2008 main estimates, tabled on February 27, 2007, include about \$652.8 million for the income assistance program. \*This would include approximately \$60 million for shelter allowance, based on the 2005-2006 expenditures of about \$59.6 million.

*\*Recipients obtain funding through a variety of arrangements including contributions, flexible transfer payments and alternative funding arrangements. In the latter case, a global amount is provided to First Nations for a range of basic services; accordingly, these figures do not include funding provided through these global arrangements. Financial data is not yet available for fiscal year 2006-2007.*

Source: Indian Affairs and Northern Development—Social Assistance On-Reserve Shelter Data.

\* \* \*

[English]

#### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Furthermore, Mr. Speaker, if Questions Nos. 35, 48 and 55 could be made orders for returns, these returns would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 35—**Mr. Bill Siksay:**

With respect to oil spills in British Columbia's coastal waters in the last five years: (a) what was the total cost of clean ups, on annual basis; (b) on annual basis, what portion of the cost of clean up was paid (i) by Environment Canada, (ii) by Canada Wildlife Service, (iii) by the responsible polluter; (c) what was the date and location of each of the spills; (d) what was the size of each of the spills; (e) what was the extent of the wildlife damage in each of these spills; (f) how many birds and mammals were rehabilitated and released; (g) how many birds and mammals were euthanized; and (h) how many dead birds and mammals were retrieved?

(Return tabled)

Question No. 48—**Hon. Anita Neville:**

How much total funding has the Department of Canadian Heritage allocated to National Aboriginal Day from 2004 through to 2007?

(Return tabled)

*Government Orders*

Question No. 55—**Mr. Alex Atamanenko:**

With respect to the 2007 Canadian Wheat Board barley plebiscite: (a) how much money has the government spent on its campaign for "marketing choice", from all federal sources since January 26, 2006, in relation to (i) advertising in daily and weekly newspapers, (ii) radio advertisements, (iii) roundtables, (iv) the Task Force on Marketing Choice; (b) how many meetings have taken place since the 2006 federal election between representatives of Western Canadian Wheat Growers Association and other agri-business corporations and government officials where "marketing choice" and the Canadian Wheat Board was a topic of discussion and (i) on what dates did these meetings take place, (ii) who presided over these meetings, (iii) who was present at these meetings; (c) which marketing, advertising, consulting and professional or independent agencies did the government consult with respect to how to frame the ballot questions for the barley plebiscite; (d) did any of these marketing, advertising, consulting and professional or independent agencies provide the government with written reports on how to frame the ballot questions for the barley plebiscite and, if so, on what dates were they provided; (e) what verbal or written instructions were given to KPMG, the accounting firm hired by the government to conduct the barley plebiscite, regarding the administration processes to be employed for any aspect of the barley plebiscite that KPMG was to be responsible for; (f) what is the government's position in regard to the use of numbered and traceable ballots in official election or plebiscite processes and in what way does this position justify using numbered and traceable ballots in the barley plebiscite; (g) at any time throughout the barley plebiscite, was the government informed or aware (i) that KPMG was contacting households by telephone seeking authorization to destroy certain ballots that had been submitted by the household which KPMG did not deem the household entitled to, (ii) that in some cases KPMG did not actually speak to the person attached to the ballot in question and accepted authorization from other household members, (iii) if the government was informed or aware of these practices, did it take measures to investigate or put a halt to these alleged informal practices and on what dates and in what form were these measures taken; (h) what is the government's position in regard to the informal destruction of ballots in plebiscites without the formal consent or presence of the person attached to a particular ballot; (i) was the government aware that many farmers thought that question 2 on the barley plebiscite ballot was to maintain the status quo and as a result voted for that option; (j) how many meetings were held with grassroots farm organizations to discuss any aspect of marketing choice and the barley plebiscite, on what dates were these meetings held, and who was present at these meetings; (k) what is the government's position in regard to whether a clear majority for victory in an election or plebiscite process should be announced by the government before, during or after that process begins and in what way does this position justify the government's refusal to announce the terms of a clear majority for victory until after the Canadian Wheat Board barley plebiscite ballots were counted; and (l) has the government ever met with the Canadian Wheat Board to determine how to limit commercial harm to farmers and the barley industry from the government's proposed regulatory changes with respect to implementing "marketing choice" for barley and, if so, who was present and on what dates did these meetings occur?

(Return tabled)

[English]

**Mr. Tom Lukiwski:** Finally, Mr. Speaker, I ask that all remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

[Translation]

**POINTS OF ORDER**

AFGHANISTAN

**Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.):** Mr. Speaker, I rise on a point of order.

I seek the unanimous consent of the House to honour the memory of the soldiers who fell in battle recently, by observing a moment of silence at 3 p.m., following question period.

• (1025)

[English]

**The Deputy Speaker:** The House has heard the request of the hon. member that there be one minute of silence after question period today with respect to the deaths of soldiers in Afghanistan. Is there unanimous consent?

**Some hon. members:** Agreed.

**GOVERNMENT ORDERS**

[English]

**IMMIGRATION AND REFUGEE PROTECTION ACT**

The House resumed from November 19 consideration of the motion that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, be read the second time and referred to a committee.

**Mr. Mario Silva (Davenport, Lib.):** Mr. Speaker, before I begin my remarks I first would like to mention that I will be splitting my time with my hon. colleague, the member for Don Valley East.

I am pleased to join my colleagues in the House in discussing a very important piece of legislation that has been brought before us for our consideration.

Most people, on hearing the name of Bill C-3, An Act to amend the Immigration and Refugee Protection Act, may think it deals with immigration policy, but in many respects this is a security bill. This proposed law of course deals with security certificates and, in particular, the issues that arise out of the February 23, 2007 Supreme Court of Canada decision.

The reality is, as has been stated a number of times by various members, that if new legislation is not passed by this House to address concerns raised in the February 2007 Supreme Court decision, then the security certificate process will effectively terminate, so this is indeed an important debate.

The security certificate process itself has been in existence for approximately 20 years. In fact, a variation can be found as far back as the 1960s, when it was utilized to remove from Canada an organized crime figure.

Since 1991 we have seen in this country the use of security certificates 28 times. Since 2001, a pivotal mark, of course, in the history of anti-terror initiatives, the Canadian government has issued six security certificates. The system most notably has been amended twice, once in 1991 and again in 2001.

The whole security certificate system does represent a contentious process that has over the years created as many critics, it seems, as supporters. Among those that have opposed the system are the Canadian Bar Association, Amnesty International and Human Rights Watch.

*Government Orders*

Internationally, Canada also has come under criticism for its security certificate system from the United Nations Committee Against Torture, the United Nations Working Group on Arbitrary Detention and the United Nations Human Rights Committee.

Notable Canadians such as former solicitor general Warren Allmand and former foreign affairs minister Flora MacDonald have also expressed opposition to the security certificate system.

At the same time, there has been support for the system both from Canadians at large and from successive Canadian governments that identified the security certificate system as an important and indispensable tool to deal with individuals who represent terror, crime or human rights threats to Canada.

It should be noted that an earlier court challenge to the security certificate system resulted in the December 10, 2004 decision by the Federal Court of Appeal that found the process constitutional. This, of course, remained the prevailing judicial ruling until June 2006, when arguments were made with respect to two individuals being held on security certificates.

The result of these June 2006 arguments before the Supreme Court of Canada was the judicial decision of February 23, 2007, which immediately changed some provisions of the security certificate system and required the government to amend the law within one year, that is, the court issued a suspended ruling with effect by February 2008.

Among the court's rulings with immediate effect was the decision to strike and effectively replace the provision that distinguished between refugee claimants or non-residents and those with permanent resident status.

The suspended ruling dealt with, of course, the fairness of the exclusionary provisions with regard to evidence being used to sustain the security certificate. This part of the Supreme Court of Canada ruling goes to the heart of the issues that the government has indicated it is trying to address with Bill C-3, which we are debating today.

We all know that the court essentially ruled that the absolute inaccessible nature of the evidence used to hold a person on a security certificate was inconsistent with sections 7, 9 and 10 of the Charter of Rights and Freedoms. The ruling is of significant consequence to Canadians.

• (1030)

The Charter of Rights and Freedoms represents for Canadians not only a document, but rather a depository of our national values and our traditions of freedom. When our highest court finds provisions of a law are incompatible with the charter, we are called to take note.

Essentially, Bill C-3 is designed to address the issue of secrecy with respect to evidence. The Supreme Court, in simple terms, found the total secrecy and inaccessibility of evidence used to hold a person under a security certificate to be egregious and in need of redress.

The bill, by creating the so-called advocate, has, as its purpose, the redress of the Supreme Court's concerns.

Under Bill C-3, the justice minister would create a list of advocates. These would be lawyers, as we understand it, with at least five years of relevant experience, have no conflict of interest and in possession of the appropriate security clearance. These advocates would have an opportunity to meet with their clients prior to reviewing the evidence using only the court summary that is not considered sensitive. Then they will have access to the evidence. Once this has taken place, they cannot reveal to their clients the contents of the evidence. They can make a judicial appeal based on their viewing of the evidence with respect to the contents but they cannot reveal its contents to their clients. This is, of course, a major departure from the traditional view of lawyer-client privilege.

The reality is that there remains a secrecy aspect of this process that still seems to challenge most conventional views of judicial fairness.

However, we need to remember that these situations are unique and rare. They apply only to non-Canadian citizens and there is judicial recourse, albeit limited in comparison to standard legal practices with which we are generally accustomed as citizens.

As a country, we are not alone in these challenges. The United Kingdom has undergone similar debates and challenges. In 2004, the House of Lords, or law lords, ruled against the system in place there that allowed for unlimited detention. The result, after much debate and angst within the political arena, was a significantly modified and much more limited system of non-traditional detention for potential terror and human rights suspects.

The question for us today as parliamentarians is not unlike that which has faced legislators in the United Kingdom and other traditional western democracies. What is the proper balance between fundamental human rights protections and the need to protect the state and its citizens from persons of risk and, in particular, non-citizens who seek to take up residence in Canada?

This is a fundamental question, a question that we will need to consider carefully over the next short period of time leading up to our vote on this matter.

We must tread carefully when we venture into the realm where fundamental legal rights need to be compromised or withheld. We must exercise caution when we make decisions that afford to our security services and the court's secrecy that we would normally consider inconsistent with the principles of our democracy and our judicial system.

However, over the coming days we as legislators will determine and finally vote upon the bill that is before us today.

Does the need for security of our state and of Canadians require the measures we are bringing forward into law? This is a question we will reflect upon as we prepare to vote on Bill C-3.

The world has changed. There are threats that would once have seemed inconceivable to us that now present themselves as real. Is Bill C-3 justified? Does the need for this kind of law outweigh the concerns?

*Government Orders*

I know all members of the House will ask, as I will, these important questions as they cast their vote in the very near future. Canadians expect no less than this from us and we must serve them well in this regard.

• (1035)

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, the security certificate provisions of the immigration act allow for the deportation of people who are alleged to have participated in very serious criminal activity in Canada, activity related to terrorism, to plotting against the national security of Canada, to espionage and to organized crime. It allows for their deportation without them ever having been charged or convicted of those very serious crimes. Here we are removing people from Canada who are alleged to have committed very serious criminal violations but have never been charged, convicted or punished for those crimes.

I wonder if the member believes that it is appropriate to remove people from Canada without holding them accountable for serious criminal activity, like terrorism or threats to national security, and then sending them to their home country or to another jurisdiction without them ever having been charged, convicted and punished for those serious criminal matters.

**Mr. Mario Silva:** Mr. Speaker, I commend my hon. colleague for his work on human rights because I know he deeply cares about human rights.

Part of what I was trying to state in this debate is that I have serious concerns, as do many people who are involved in human rights. Many organizations, from Amnesty International to others, have raised concerns and alarm bells. We want to ensure that whatever legislation we bring forward is charter compliant. We heard from the Supreme Court that there were issues of concern in the legislation that was brought before this House in years past.

One positive thing I have seen come forward from this is the role of the special advocate. It is something that the United Kingdom also has in place, and I see it as a very favourable thing.

However, I must say that there are still some concerns with this legislation but, at the same time, I think it warrants going before the committee to at least have a discussion there so we can hear from the different witnesses who come forward, specific groups that are involved in human rights, and then let us make our decision when it comes before this House at third reading.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, I understand that former legislation was struck down by the Supreme Court. If the security certificates process violates civil rights and undermines core values of our justice system, how does the bill in front of us actually deal with that aspect? Where is the accountability?

If someone is alleged to have committed serious crimes, should we not charge him or her? Is deportation not just a way of saying that this is out of sight, out of mind, it is not Canada's problem and let us just get rid of it?

That is not the most accountable way to go forward. How does this bill in front of us deal with the whole process of the justice system? Do we know whether passing this would survive the Supreme Court?

**Mr. Mario Silva:** Mr. Speaker, whether it will meet the test of the courts, specifically the Supreme Court, we still do not know. We need to have that type of information before the committee and this House.

The great thing about our parliamentary system is that we do not adopt laws in one day. It is a slow process and I know the process frustrates some people but there are some beneficial aspects that come out of it. One of them is that we can look at legislation, speak to the different stakeholders out there, the different community groups that have issues of concern, and the legal experts and then make the decisions and, if necessary, amendments at the committee. At the committee stage we have the ability to hear witnesses, make proper amendments and then come before this House for a third vote.

We also have a situation where we have a second chamber in this House. The Senate also plays a major role in terms of looking at legislation and seeing whether it is charter compliant.

• (1040)

[*Translation*]

**The Deputy Speaker:** Before resuming debate, I wish to inform the House that because of the ministerial statement, government orders will be extended by 11 minutes.

[*English*]

**Ms. Yasmin Ratansi (Don Valley East, Lib.):** Mr. Speaker, I am pleased to speak to Bill C-3, An Act to amend the Immigration and Refugee Protection Act, a bill, which, as my esteemed colleague has said, deals with issues around the security certificate.

As has been mentioned, security certificates do pose a challenge in terms of human rights. The Supreme Court of Canada ruled unanimously on February 23, 2007, that the process of determining the reasonableness of security certificates violated section 7 of the Charter of Rights and Freedoms.

The Supreme Court was very clear. The government does require a mechanism to remove individuals from Canada who pose a threat to national security. However, the system must be reformed and the court had particular concerns with respect to the secrecy of the judicial review system, which prevents individuals from knowing the case against them and, hence, impairs their ability to effectively challenge the government's case.

The Supreme Court agreed that the protection of Canada's national security and related intelligence sources does constitute a pressing and substantial objective, but it is also found that the non-disclosure of evidence at certificate hearings is a significant infringement on the rights of the accused.

In other words, the government must choose a less intrusive alternative, notably the use of special counsel to act on behalf of the named persons, while protecting Canada's national security. The Supreme Court gave Parliament one year to allow Parliament the opportunity to design a legislative remedy that protects Canadians and respects basic charter rights.

*Government Orders*

Bill C-3 would amend the Immigration and Refugee Protection Act to create a special role, the role of a special advocate. The purpose of the special advocate is to protect a person's interest in proceeding where evidence is heard in absence of the public and of the person or their counsel. This should provide better representation to the person who is detained.

We would like to see the bill be sent to committee as we want to ensure that the role of the special advocate has powers, that it is not just a puppet. Hence, the bill, with its various changes, needs to be sent through for a thorough review.

The bill proposes some changes that are positive. For example, when people are detained under a security certificate, the bill proposes that the people detained must have their detention reviewed by a judge of the Federal Court within 48 hours of the detention beginning. Any person still detained six months after the conclusion of the first review may apply for another review of the reasons for his or her continued detention.

Currently, we have five Muslim men who are subjected to security certificates in Canada. Only one man, Hassan Almrei, remains at the Kingston Immigration Holding Centre, which has been nicknamed by critics as Guantanamo north.

Mohamed Harkat, Mohammad Mahjoub, and Mahmoud Jaballah have all been released from prison but are under strict house arrest provision, as is Adil Charkaoui who successfully challenged the previous laws as unconstitutional.

The immigration security certificate procedure still allows suspected terrorists, as well as refugees and landed immigrants accused of human rights violation or serious criminality, to be detained and deported from Canada. However, many deportations have been delayed over claims that their lives will be endangered should they return to their country of origin.

Critics of the security certificate process have slammed the current bill saying that it changes little and will likely be back before the Supreme Court before long. Matthew Behrens, the coordinator of the campaign to stop secret trials in Canada, says that the legislation would continue to leave the accused in the dark. He said that it would also allow evidence to be heard that would be considered inadmissible in a court case against a Canadian citizen.

• (1045)

The bill has also faced criticism from the Canadian Council for Refugees, the International Civil Liberties Monitoring Group and the Canadian Arab Federation.

The bill which is before us is similar to current laws in Britain where special advocates attend closed door hearings. The British system has drawn complaints for the special advocates' lack of necessary cooperation and information from intelligence agencies to be effective.

These are some of the concerns and therefore, it is important that the bill be sent to committee for further review before we make any decisions.

The Supreme Court laid out several options it would consider appropriate. Both the House committee and the Senate committee, in

reviewing the previous anti-terrorism act, spent considerable time on this very issue and provided very clear recommendations on how to address the void left by the court's decision.

We welcome the decision of the Supreme Court on security certificates and praise the wisdom of the court in providing Parliament with a year to address the issue. We need to ensure that this bill, when it is presented before Parliament, has the right tools, meets the Supreme Court challenges, and the committee will do its due diligence in ensuring that the security certificates do not violate the human rights of Canadian citizens and are mindful of issues.

We live in a world where global terrorism can come to our doors in no time. It is important to protect the security of Canadians; however, we need to ensure that we are in line with the Geneva convention on human rights.

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, the way I look at this there is no doubt that anyone who plots a terrorist attack in Canada should be tried, convicted and punished, not simply deported to another country though.

Terrorism, espionage and organized crime are serious matters that should be dealt with under the Criminal Code, not the Immigration and Refugee Protection Act.

Security certificates are the wrong way to deal with the threats to our national security. The security certificates process violates civil rights and undermines core values of our justice system. That is why they were struck down by the Supreme Court in the first place.

Security certificates will not make Canadians any safer. That is why we are going to be opposing this legislation. I would ask my colleague across the way, are there not two major problems with the security certificates? First of all, it seems to me that they do not punish those people who are plotting terrorist acts. Security certificates allow for the detention and deportation of those suspected of terrorist activities, but they do not ensure suspected terrorists are charged, prosecuted or jailed for their crimes.

My second question is whether the aspects of the security certificate process, like detention without charge and the inability of the accused to know or examine evidence against them, do not undermine our justice system and our civil liberties.

**Ms. Yasmin Ratansi:** Mr. Speaker, I thank the hon. member for her concerns.

The current bill that is being proposed needs to go before committee. It has the role of a special advocate. The special advocate's job is to ensure that he or she is present and that the person who is accused of terrorism or crimes against the country is not left in the dark, that there is a special advocate available to listen and to ensure that that protection takes place.

That is why we are insisting that this bill go to committee. The committee has to do its due diligence in ensuring that the recommendations of the Supreme Court are met. The committee must do a thorough analysis.

*Government Orders*

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, I want to put a question to the hon. member about the special advocate process, because unfortunately, I tend to believe that the provisions for a special advocate that have been introduced in Bill C-3 amount to tinkering with a very fundamentally flawed bill.

Certainly the provisions that we do have in the legislation seem to be modelled on the system in Britain. In the United Kingdom a number of special advocates have withdrawn from that process because they believe that it was too significant a compromise to the principles of basic fairness in the criminal justice system there. In fact, just recently the joint human rights committee of the British parliament said that the special advocate process was Kafkaesque and amounted to a star chamber. Those are very serious criticisms of that system.

A former special advocate, Ian Macdonald, said that what he was doing as a special advocate was adding a fig leaf of respectability to a very odious process and he resigned because of that.

Given those very significant criticisms of the special advocate process that the government seems to have adopted in this legislation, why would anyone want to support a bad bill, a fundamentally flawed process that compromises basic human rights and compromises our justice system in Canada?

● (1050)

**Ms. Yasmin Ratansi:** Mr. Speaker, I am aware of the special advocate's resigning. That is why I insisted that we send the bill to committee. It is important that the committee review the role of the special advocate, and whether enough money and resources are being given to the special advocate.

Other areas in the bill provide that a person detained under the security certificate must have his or her detention reviewed by a judge of the Federal Court within 48 hours. The bill permits a challenge to the Federal Court of the reasonableness of a security certificate.

Yes, the bill is flawed, but it is important to get the bill to committee so that the committee members can do due diligence and review it thoroughly.

[*Translation*]

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, I am pleased to rise today to speak to Bill C-3, the legislative framework proposed by the Conservative government in response to the recent ruling by the Supreme Court concerning security certificates, which are used to remove people who, in the eyes of the government, present a threat to Canada or Canadians.

At present, two ministers give authorization to issue such a certificate: the Minister of Public Safety and the Minister of Citizenship and Immigration. The current security certificates procedure is set out in the Immigration and Refugee Protection Act passed in 2001. It provides that the ministers of Citizenship and Immigration and Public Safety and Emergency Preparedness can sign a security certificate attesting that a permanent resident or foreign national—and not a citizen—is inadmissible to Canada for security reasons.

Once the security certificate is signed, it goes to the Federal Court. When the court deems that the disclosure of certain evidence or testimony would be injurious to national security or the safety of any person, it holds in camera hearings without the accused's lawyer and the accused. This procedure makes it impossible to cross-examine witnesses heard behind closed doors or to verify the reliability and truthfulness of the evidence.

The judge gives the accused a summary of the information or evidence the judge examined in the accused's absence. The accused can be heard at a hearing. If the Federal Court judge deems the certificate reasonable, it automatically becomes a removal order, and the accused cannot appeal this decision. However, in January 2002, in the Suresh case, the Supreme Court held that, barring extraordinary circumstances, deportation to torture will generally violate the principles of fundamental justice.

On February 23, 2007, in the decision in *Charkaoui v. Canada (Citizenship and Immigration)*, the Supreme Court unanimously held that the security certificate procedure violated the Canadian Charter of Rights and Freedoms. Specifically, certificates violate section 7 of the charter, which reads as follows:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof, except in accordance with the principles of fundamental justice.

Because people named in certificates are deprived of their liberty yet are not entitled to a full defence, the security certificate process is unconstitutional. On the unlimited nature of the measures, the Supreme Court added:

The principles of fundamental justice and the guarantee of freedom from cruel and unusual treatment require that, where a person is detained or is subject to onerous conditions of release for an extended period under immigration law, the detention or the conditions must be accompanied by a meaningful process of ongoing review that takes into account the context and circumstances of the individual case.

Security certificates have been part of Canadian legislation since 1978 and have been used on a number of occasions. A total of 27 certificates have been issued to date, five of them since the attacks of September 11, 2001, if memory serves. The certificates issued in recent years in connection with the threats of terrorist attacks have generated interest among many legal experts in the mechanism for assessing and examining the risk an individual poses to society.

The review of the judicial process that is initiated after a security certificate has been signed gave rise to some points of contention, which led the government to revisit several elements of the certificates. Unlimited detention, when there is the risk of torture upon deportation, was sharply criticized by all parties. The Kingston Immigration Holding Centre, where individuals were being held, was referred to as Guantanamo North. The ministers responsible for authorizing the certificates have often stated, to defend their position, that the individuals were being held in a "three-walled prison", insinuating that they were free to leave the country at any time should they wish to do so.

The Standing Committee on Citizenship and Immigration inspected the detention conditions of individuals held at the Kingston Immigration Holding Centre. My colleague for Burnaby—Douglas also attended these meetings. We presented our recommendations and observations to the government. The majority of individuals detained have since been released under very strict conditions.

There is another problem with the current conditions. These make life just as difficult for the friends and family of these individuals because their lives are now governed by conditions that require them to obtain a multitude of authorizations from the court.

● (1055)

Each one of these individuals has been forced to wear an electronic bracelet so they may be tracked at all times. Recently, Mr. Charkaoui was prevented from travelling to Quebec where young members of Amnesty International were waiting for him. Mr. Harkat must ask the court's permission just to have relatives visit and dine with him.

The court ruling states that he must be accompanied at all times by a person duly identified by the court which, in my opinion, interferes with the freedom of other individuals who can no longer live a normal life because they must fulfill the conditions at all times.

Many people have asked us why we do not sentence them if we have proof that they present a threat to security and the government has enough evidence to incriminate them. They should be brought before the courts and be given a fair trial.

Bill C-3 incorporates some Bloc Québécois proposals in part or in their entirety. Among other things, we asked that there be a special advocate and the right to appeal. As far as detention is concerned, we asked for a review of indefinite detention, that a mechanism be implemented to review its relevance. We also asked that this detention be reviewed so that at a given point, a person can be released. This will prevent keeping the person detained without evidence and allow that person to be properly charged in our courts.

Nonetheless, there is nothing in the bill on other issues such as warrants to arrest a person, a foreign national, on the burden of proof required and on evidentiary evidence that may or may not have been obtained through torture.

The government never gave us an answer on the reasonable duration of detention. How long will these detention conditions be imposed?

Where will fear of the threat of sleeper terrorist cells that the government is talking about take us? When people conspire to commit criminal acts, we usually charge them and bring them before our courts.

I would like to remind hon. members that some of the people subject to security certificates have been living in these conditions for more than eight years.

We are not the only ones who are uneasy about the current process. Judges are as well.

Justice Hugessen was cited a great deal. I will read an excerpt from one of his statements.

### *Government Orders*

I can tell you because we [the judges of the Federal Court] talked about it, we hate it. We do not like this process of having to sit alone hearing only one party and looking at the materials produced by only one party and having to try to figure out for ourselves what is wrong with the case that is being presented before us and having to try for ourselves to see how the witnesses that appear before us ought to be cross-examined. If there is one thing that I learned in my practice at the Bar... it is that good cross-examination requires really careful preparation and a good knowledge of your case. And by definition judges do not have that... We do not have any knowledge except what is given to us and when it is given to us by only one party we are not well-suited to test the materials that are put before us.

The government has tabled measures that partially respond to this uneasiness of judges. My colleague from Marc-Aurèle-Fortin explained this aspect very well.

The bill still gives judges far too much discretion and does not respond to Mr. Hugessen's concerns.

A number of legal experts felt that the government should have taken the opportunity to conduct an in-depth review of the security certificate procedure, taking into account the experience of special advocates in other countries such as Australia, New Zealand and England.

Furthermore, a study on security certificates commissioned by the Canadian Center of Intelligence and Security Studies, with financial support from the Courts Administration Service, explained the weaknesses of the systems used in Canada and elsewhere in the world.

● (1100)

The Standing Committee on Citizenship and Immigration heard from Mr. Ian MacDonald, who, in 1998, was appointed special advocate to the Immigration Appeals Commission by the attorney general of the United Kingdom.

He was also assigned to deal with national security cases before and after the terrorist attacks of September 11, 2001. He publicly resigned in 2004 in protest against the indefinite detention powers without trial imposed by the British Anti-Terrorism Crime and Security Act 2001, and has since acted in control order appeals. He represents immigration clients at the European Court of Justice.

Mr. MacDonald explained why he resigned and the downsides of using special advocates. I think that the Standing Committee on Public Safety and National Security could benefit from Mr. MacDonald's comments and expertise. Furthermore, the University of Ottawa has carried out a number of studies on security certificates and the use of special advocates in the process.

With regard to the bill that is before us, I have the impression that the government has tried to do the minimum necessary to comply with the court's ruling. We have examined the bill and will make some amendments to it to address certain concerns about the security certificate procedure. However, for the time being, I believe that the government has taken a risk in doing the bare minimum. The process could have been reviewed in depth, and the government had a golden opportunity to do so.

*Government Orders*

If the House decides that this bill should be studied in committee, the Standing Committee on Public Safety and National Security will be able to make these amendments, and the Bloc Québécois will also put forward some amendments. For example, the Bloc Québécois will propose an amendment that allows counsel defending the interests of an individual facing deportation to see his client again in order to obtain additional information, once the evidence has been disclosed. Experience with the CSIS complaints process has shown that it is possible to work this way.

We would like to see the right to appeal the Federal Court decision and an end to indefinite incarceration and arrests without warrant of foreign nationals. We would also like to change the burden of proof so that certificates are upheld only if the court is convinced beyond a reasonable doubt that the individual represents a threat. We also want the bill to prevent the deportation of an individual to a country where he could face torture.

We have long denounced the security certificate mechanism. The government's position, the procedure it is proposing, has been widely criticized. Consequently, we would like a number of aspects of this bill to be corrected, and we will have the opportunity to do so in committee.

• (1105)

[*English*]

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, our Charter of Rights is meant to protect everyone in Canada. Right now we have two classes of people. The first class is Canadian citizens, who are protected. The other class is landed immigrants, who are not protected by the charter. Under the security certificates rules, it means people can be charged without knowing what the charges are against them and without knowing what the evidence is. There are secret hearings and no right to appeal. That is surely against the charter.

I do not understand why the former Liberal government introduced this process in the first place, in the nineties. With the bill in front of us, we now would have the advocate system that would not make a big difference. It has failed in the United Kingdom and other places.

What assurance do we have, if we pass the bill in the House and send it to committee, that we can improve the bill, which is so fundamentally flawed, in the various committee meetings and hearings?

[*Translation*]

**Ms. Meili Faille:** Mr. Speaker, I must agree in principle with some of the statements made by my NDP colleague. However, on this side of the House, we have done some work. We have also consulted legal experts, who have made proposals that seem reasonable to us.

When this bill is studied in committee, we will have an opportunity to debate the amendments that need to be made to the bill so that it complies with certain provisions of the charter and certain points raised by the Supreme Court.

[*English*]

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, we are debating a bill that is intended to amend the Immigration and Refugee Protection Act for the purpose of making

it more charter compliant. In fact, the government did not just dream this up. The bill has come to us as a direct result of a decision of the Supreme Court of Canada in the Charkaoui case, wherein the court identified a weakness in procedural fairness.

I think it is fair to say that many people had identified this potential problem over the years. It was never clear to all of us that the procedure which then existed would fall so short of charter compliance standards that we had to fix it. The problem was identified some years ago, and this bill attempts to make a repair, a fix, to the section in the Immigration and Refugee Protection Act to better protect those who are subject to the procedure.

I want to say a few words about the role of the Supreme Court in bringing about these kinds of changes.

This is not the first time Parliament has been asked, invited or told by the Supreme Court of Canada to do some additional homework to repair our legislation. I can recall a situation that developed about 10 years ago. It was the Feeney case, which was in front of the criminal courts. The case had to do with the ability of a police officer or peace officer to pursue an individual who was suspected of a crime. It is essentially a scenario involving hot pursuit, where the individual is seen committing the crime and then followed until the officer is able to arrest the individual and bring him or her in for either questioning or charging.

In the Feeney case, the police officer, in pursuing the individual, followed him to his residence. The individual entered his private residence and at some point the police officers followed and went in. The question that came up was whether a police officer could invade the privacy of a private residence without a warrant.

Up until then, our laws and our court jurisprudence had accepted that in a scenario of hot pursuit, a police officer could follow and enter into a private residence. In the Feeney case, the Supreme Court found that under the charter the police could not go into a private residence in that circumstance, and that the law needed repair.

I want to go through this carefully because I think this case and others are developing a kind of a protocol and jurisprudence, a kind of a dialogue with the Supreme Court, one that is necessary. It took us a long time to get here.

When the Supreme Court makes a charter interpretation of the law and it finds something non-compliant with the charter, it has the ability to strike it down immediately, or to strike it down after a certain period of time, or to read in a change to effectively legislate. The court can say that it will add these words in the statute, just like Parliament should have legislated them in the first place.

• (1110)

It does not do that very often. It does not read in very often and it perhaps does so reluctantly. In this particular case, in the Charkaoui case, that brings us this legislation, it did not read in. It gave Parliament time to repair.

*Government Orders*

In the Feeney case about 10 years ago, it struck down and gave Parliament six months to fix it. At the time it made the ruling Parliament was going into a general election. In my view at the time I thought that was pretty dumb of the Supreme Court. I am saying this with some respect. Looking back I have the benefit of 20:20 hindsight of course, but at the time the Supreme Court of Canada gave Parliament only six months to fix a piece of criminal law legislation when we were going into a general election, which would necessarily involve a break of several months. This did not give Parliament enough time.

At some point the bright lights turned on and the Department of Justice went back to the court and obtained a further extension. That was reasonable. The court was not unhappy with that. The point at the time was that this business of the court disallowing and giving Parliament three months or six months had to be done with a working knowledge of how Parliament worked. The government itself does not have the power to legislate. The government must bring the matter to Parliament and Parliament, through both Houses, makes the changes.

I was very unhappy about the Feeney situation that developed with Parliament. It has however allowed the development of a dialogue between the courts and Parliament. In this case the court gave Parliament a year and that should be enough time. In this case, if the House passes the legislation, it can deliver on what the court hoped we might deliver on. The court is doing its job. I do not criticize the courts for interpreting the law on behalf of citizens.

In this particular case the law does not invent or reinvent security certificates. It revises the procedure that is used in relation to security certificates. I know that there are those in the country who question the need for security certificates under the Immigration and Refugee Protection Act.

I have always accepted and they have been in the law here for some time, that our government, the people representing the people of Canada under the Immigration Act, need the ability to remove people from Canada. We do it all the time.

Every week there are dozens of people being removed from Canada as illegal immigrants. These are people who do not have status here, people who should not be here. They are removed simply because they do not comply with the Immigration Act or maybe they have serious criminal records.

The reasons for removal are all set out in the statute. To my way of thinking, the security certificate provisions are simply a refined component of immigration deportation procedures. It is not a special thing developed to remove whomever the government thinks it might want to remove. In fact, if I can take that other perspective, it is simply a deportation procedure on a faster track with one important difference.

The person involved has been found by the government, not simply an official in the government, not an immigration officer or not a bunch of immigration officers, and not the Canada Border Services Agency but two ministers of the Government of Canada and effectively the cabinet, to be a danger under national security and under security definitions, and must be removed.

● (1115)

We must always remember that we are not dealing with Canadians. We are dealing with non-Canadians. The security certificate provisions do not involve Canadians, only non-Canadians. The non-Canadian category includes people with no status and people who have permanent resident status but are not citizens.

I have always maintained that government needs the authority to remove people because we deport people all the time. There are perhaps two reasons why the security certificate procedure has been designed specifically for security reasons.

First, the circumstances involving security may or may not be quite pressing. As history has evolved, it would appear that the circumstances lying behind security certificates, in most of the cases they have been used, are not that pressing. The procedure has not been used all that often, a dozen or two times over the years perhaps. It is not like the person is a terrorist and about to push the button. The certificates have involved individuals who comply with the security concern definitions.

The other reason for a specific procedure is that in dealing with security matters some or most of the information that will be brought forward to describe the security concern will be information that is protected, secret, confidential, classified, or whatever we want to call it. In most circumstances, it would be neither appropriate nor wise, nor allowable to present that information in an open court or public forum.

We have classified that information because it involves security matters outside the country and has been received on a secret, classified basis, and analyzed and presented. There needs to be a procedure to protect that information for the same reason we protect all classified security information. We do that routinely as a country.

We protect our classified information right through the entire range of government. If we are using classified security information in relation to an individual subjected to these procedures, then we need a special procedure that will do that. That is one of the reasons why we use the security certificate procedure.

I will just offer a hypothetical example, one that is not too bizarre. I will refer to the mythical Carlos the Jackal, who I understand is now deceased. Imagine that person had been found living in Moose Jaw under an alias and we wanted to remove him from this country, but he had not committed any offences in Canada. Would he have been a simple deportee? Would we invite him for a hearing in front of an immigration officer and then tell him to come back a week later when a decision would be made? Would we ask him if he wanted a lawyer?

We have lots of procedural fairness available to people subject to deportation proceedings. The answer with respect to my example is clear. We would probably want to remove him quickly. We would have classified national security information which could not be disclosed on the street because it would reveal some of our procedures and protocols on dealing with security matters. That is one of the reasons why we do not make these things public. However, they are real and ongoing. So, getting rid of Carlos the Jackal would require a special procedure, and that is the security certificate procedure that we have developed.

*Government Orders*

● (1120)

In that particular hypothetical case, he is not a permanent resident; he has no status in Canada; he is hiding here; and he is to be removed to his country of citizenship. This is not a rendition. This is simply a removal to his country of citizenship; and in that case, there were probably a lot of countries looking for him. Nonetheless, that is a security certificate procedure, hypothetically, as opposed to a simple deportation removal.

I heard an hon. member, I think it was the member for Trinity—Spadina, say that the security certificate procedures breach the charter. They do not. They have all along, up until now, over all the years we have had them, been found to be charter-compliant, except for the Charkaoui case and the courts spotted flaws, things that we could do better.

In the Charkaoui case, the courts have said that presenting classified information to a judge without adequate disclosure to the person subject to the proceeding was not fair. It was not charter-compliant. It just did not go as far as it could. We could make more disclosure.

And if I can revive my hypothetical, we would not give the whole file to Carlos the Jackal. We would actually find a way to make him aware of the nature of the facts on which he is being removed from Canada.

The method chosen by the statute is the appointment of a special advocate. This is not a new construct. In security matters, we have already put to use specially retained security-cleared counsel in other aspects of litigation and security work. I will just give members one example.

When an individual employee of the Government of Canada or a complainant involving the work of CSIS or an opinion on a security clearance by a department based on the work of CSIS has a complaint about that, he or she may complain to the Security Intelligence Review Committee. That committee has routinely retained security-cleared counsel to view all of the evidence and to advocate on behalf of the individual who, for security reasons, is not able to directly see all of the classified information.

The special security-cleared counsel, under the SIRC security hearing procedures, has worked quite well, in my view. It has worked since 1984. There have been no serious concerns expressed about that.

Under the security certificate procedures here, we are inserting and putting into that an analogous mechanism where there will be a special advocate who will be a lawyer and who will have the ability to, under the supervision of the presiding judge, review all of the classified information or the classified information which the judge believes is necessary to allow adequate sufficient charter-compliant disclosure to the individual subject to the hearing. That is a good mechanism. I fully support it and I am sure it will work.

The last thing I want to say is that I have a concern about section 82.2. This section would allow peace officers, when a person is released during the certificate procedure, to arrest the person if they know there has been a breach of the condition or if they anticipate a breach.

● (1125)

I am concerned about giving that authority to a peace officer, about giving to peace officers the power to arrest someone because they think there might be a breach of condition happening. I am worried about an abuse, not a fair situation or a good faith situation. I am worried about a breach. However, this issue can be looked at by the committee in terms of fairness, charter compliance and the right allocation of power.

In all other respects, I remain supportive of this legislation.

● (1130)

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, the hon. member's intervention today was a very good presentation on why we need security certificates and how the legislation is taking into consideration the concerns expressed in the past on security certificates, including those from the Supreme Court, and how it has been adapted to meet those concerns.

However, the member raises a great point, which is that this legislation does not violate the Charter of Rights and Freedoms and that this is about protecting Canadians first. It is about making sure that in regard to any concerns we have about terrorist threats in this country and criminal elements who are non-Canadians, who are not citizens or residents of this country but who happen to be here, those persons can be placed under security certificates, now under the auspices of not only having a judge issue these certificates, but having a lawyer advocate on their behalf.

I think the legislation meets the needs of the person in question who is going to be placed under a security certificate. That has been expressed by the Supreme Court. Also, it protects Canadians.

When it comes down to it, we have to take into consideration the health and well-being of Canadians. Trying to prevent as much as possible any of these terrorist elements from being in our country has to be of utmost concern to Parliament. Therefore, I am very glad to see that the hon. member is supporting Bill C-3.

I have a question for the hon. member. There are divisions in the House. Some fairly far-fetched arguments are being presented by members of the other parties, including members from his own party. I would ask that he broach this topic. How do we bring those members who are not supporting the bill to the table, especially those in the Liberal Party, to say yes, we are going to stand up for Canadians and protect Canadians, and security certificates are the right way to prevent terrorism in this country?

**Mr. Derek Lee:** Mr. Speaker, I have a funny feeling that if we just in theory dropped the term "security certificates" and took it right out of the legislation, put the procedural provisions into the deportation provisions, added a little tweak to protect the classified information and a little tweak to provide for protection of public safety, then we would not have so much objection.

What we would have is a deportation of a non-Canadian just the way we would deal with someone involving serious criminality or another basis for deportation. Then we would not have this red flag of security this, security that, security certificates, and big brother and all that stuff. We could just say, "This was a deportation for security reasons, itemized, and presided over by a judge". The procedure has to go to a judge.

*Government Orders*

The other deportation procedures do not even go to a judge. This procedure goes to a judge. It is imbued with tons of procedural fairness. Now we have even new fairness with the thumbprint of approval of the Supreme Court of Canada. I think that partially answers the member's question.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, it is with some pleasure and some concern that I enter this debate. I have a question for my hon. colleague in terms of the way this procedure manifests in his mind.

We have been looking through this bill to try to understand if there is any prohibition that would prevent the government from putting one of these security certificates on someone and then deporting the person or having the person removed to a country that performs capital punishment or torture.

Canada obviously has had some unfortunate experiences with this in the past, with Maher Arar and others. I am wondering if that prevention has been made in the bill. As the member has addressed in his comments, in regard to the balance among security, the rights of individuals and the rights of Canadians that we all enjoy, we also seek to treat people who come to this country with a similar amount of respect in trying not to deport them to torture and in insisting that we do not deport them to countries that perform capital punishment.

I am wondering if the member has identified that in the bill. Can he give the House an assurance that this has in fact been removed as a potential result of one of these security certificates being performed?

**Mr. Derek Lee:** Mr. Speaker, as I read the bill, the answer to the question is yes and no. There have been some procedural changes to ensure that the refugee claim component still exists and is dealt with under the security certificate procedure. The current law actually provides for the displacement of refugee claim procedures.

Before every removal in a refugee claim, as we know, there is the pre-removal risk assessment, the PRRA, and pre-removal risk assessments result in people not being removed to places where they will be in physical jeopardy. The court has said that we do not have to do the PRRA on the security certificate. I think that is the way the courts have interpreted it: that security certificates are so significant that we do not have to do the PRRA.

However, this brings back in through the side door the refugee procedures, so there may in fact at some point be a clash between refugee procedures and PRRA. I do know that generally Canada does not want to deport people to countries that have a death penalty. Canada avoids that. In a security removal, people are not being deported on crimes where they are subject to the death penalty. Canada is simply deporting a non-Canadian to the country of origin.

The risks may still be there. The amendments to this bill make it more sensitive to the issue the member raises, but in no case is there an absolute barrier on the removal of someone subject to a security certificate.

• (1135)

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, I have a great deal of respect, as the House does, for the manner in which the member for Scarborough—Rouge River has approached this subject.

The question I have is around the role of the special advocates. To my mind, the role of the special advocate has been introduced in order to achieve natural justice for every person who stands accused by the state of allegedly violating the laws of the land. Normally, that solicitor-client relationship is predicated on who pays the solicitor. In this case, it is the government that has created the special advocate.

I have a question. There is only one individual representing the state with respect to the role of the special advocate and adjudicating on what that relationship is, and that is the presiding judge. If information came forward that would result in a security certificate being applied to another individual, what role does the judge play in transferring and processing that case? Inasmuch as the member has already stated that the information is secret and the only person who makes the decision is the judge, what is the role that the judge plays?

I am sure the House and the public would like to know what the checks and balances are with respect to continuing in the public interest the application of the certificate.

**Mr. Derek Lee:** Mr. Speaker, as I understand the legislation, the judge involved does not represent the government. The judge does not speak for the government. The judge is in an impartial judicial appellate function. The law requires that a judge review, as in an appeal, the decision of the government to determine if it is reasonable or not. That is what the judge does.

There is a departmental advocate, so to speak, someone to carry the case for the government. That person knows everything, if the advocate has done his or her homework, about the individual. The judge can know everything and at the end of the process would know everything.

The special advocate will work on behalf of the person subject to the certificate but will be paid by the government, much in the way legal aid pays from time to time for representation in criminal courts. The fact that the government pays the special advocate does not create a barrier, as I look at it, with the individual.

However, the member raises a good point. We in this country are quite used to having that existing common law relationship of solicitor-client. I am wondering whether the fact that the government describes this position not as a lawyer or counsel but as a special advocate somehow alters the solicitor-client relationship.

That is an interesting question that I hope will come up in committee. Perhaps one or more of our law societies may choose to address just what exactly is the relationship, the obligation, of the special advocate to the person subject to the procedure.

• (1140)

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

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

*Government Orders*

**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 yeas have it.

*And five or more members having risen:*

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

*And the bells having rung:*

**The Deputy Speaker:** The government whip has requested that the vote at this particular time be deferred until the end of government orders today and that is what will happen.

\* \* \*

### DONKIN COAL BLOCK DEVELOPMENT OPPORTUNITY ACT

**Hon. Jay Hill (for the Minister of Natural Resources)** moved that Bill C-15, An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act, be read the second time and referred to a committee.

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, I am pleased to have this opportunity to speak in support of Bill C-15.

As the minister mentioned, the bill would facilitate provincial management of the Donkin mine and provide a clear regulatory regime to government its development.

Bill C-15 presents real opportunities, not only for the people of Cape Breton but also for Canada. The passage of the bill has the real potential to usher in a new era for mining in Cape Breton and to continue the region's long history with this traditional industry.

Our government is standing up for workers and communities that rely on traditional industries. We recognize the vital role that the mining sector plays to ensure Canadian prosperity.

There is a strong mining presence in Canada from coast to coast and as far north as one can see. Canada is one of the largest mining nations in the world, producing over 60 minerals and metals. We are a world leader in the production of mining products, such as potash, uranium, aluminum and nickel. Canada ranks third in global production of diamonds in terms of value. Mining and mineral processing contributed some \$40 billion to Canada's gross domestic product in 2006.

Twenty-five coal mines were in operation in Canada at the end of 2006. Most large scale coal mines are located in western Canada, in New Brunswick and in Nova Scotia.

Of all our fossil fuels, we know that coal produces the greatest amount of carbon dioxide, a greenhouse gas that contributes heavily to global warming. As a result, we are more conscious than ever that we need to develop clean alternatives and clean up fossil fuels.

In the area of renewable energy, we are investing \$1.5 billion in wind, small hydro, tidal power, solar, biomass and geothermal energy.

As for coal, the energy source that Bill C-15 is related to, clean coal technologies are being developed in order to significantly lower the emissions from coal burning power plants and to reduce the environmental side effects of the coal industry as a whole.

The rapid growth of clean coal technologies is of the greatest interest to the Government of Canada. To that end, we have launched the ecoenergy technology initiative, a \$230 million investment in the research, development and demonstration of clean energy technologies. A major component of this initiative is the development of the science and technology that will make our conventional energy sources cleaner.

The very first investment this government made under this initiative was in clean technology. Earlier this month, my colleague, the Minister of Natural Resources, announced an \$11 million investment in federal funding for a project that will make Canada a world leader in clean coal technology. This project will be a joint undertaking by the Government of Canada and industry. It will support research in developing a coal gasification power plant that will turn sub-bituminous coal into synthetic gas and hydrogen.

It is a significant process with important implications. By converting coal into synthetic gas and by capturing and sequestering the resulting carbon dioxide, we can create electricity that is cleaner than that produced by the best natural gas facility operating today.

Through Natural Resources Canada's CANMET Energy Technology Centre, the government has been investing in the development of viable technology for near zero emission clean fossil fuel such as oxyfuel combustion. This centre has also developed a clean coal technology road map which outlines a vision for the development and implementation of clean coal technologies.

This technology will thus not only help us to reduce emissions of greenhouse gases, but also reduce air pollution. It will reduce greenhouse emissions to almost zero. Consequently, this clean coal technology will help Canada and countries around the globe reduce greenhouse gases and pollution.

We must recognize that coal will continue to play an important role in our future and in the world's future. At the world level, coal accounts for about 25% of energy consumption and is used to produce 40% of the world's electricity supply. It will continue to be an important component of the energy mix in the foreseeable future. Therefore, we must do everything we can to clean up this resource and ensure it is used in a way that minimizes greenhouse gas emissions and pollution.

●(1145)

The history of coal mining in Cape Breton is well-known to members of this House and to all Canadians. Most of this mining was done under the sea, with the greatest subsea extension out from shore being almost four miles. It is very similar to some of the mining that I know took place in Nanaimo and on Vancouver Island which was also underneath the seabed.

*Government Orders*

The Donkin block is part of what is known as the Sydney coalfield, a resource that has made an enormous contribution to the Canadian economy. Total coal production for Nova Scotia between 1863 and the year 2000 was some 455 million tonnes, of which 72% was produced from the Sydney coalfield. This coalfield contains the largest coal resource in eastern Canada with 12 major seams. Donkin represents the most eastern extension of the Sydney coalfield that is accessible from the north coast of Cape Breton. It is the last primary block of unmined coal that can be mined from the coast.

The developer of the Donkin mine, as selected by the Nova Scotia government, is the Xstrata Donkin Mine Development Alliance. It expects to complete a feasibility study next year and production could start shortly thereafter. The coal that will be produced by the Donkin coal block development is a most valuable resource and one that will contribute to the economic well-being of Cape Bretoners and Canadians as a whole.

For the Cape Breton region, the Donkin mine will mean an additional 275 jobs directly, and indirectly, the project could generate another 700 jobs. Nationally, about 370,000 Canadians are employed in the mining and mineral processing industry. Canada's 1,200-plus exploration and mining companies operate in over 100 countries globally and hold over 8,700 mineral projects around the world, of which almost 50% are located outside of Canada.

A major challenge the mining sector faces in Canada is that our current regulatory regime is not keeping pace. Companies have expressed, time and time again, a complete frustration with our regulatory system, how it is too slow, too unpredictable and designed without efficiency.

Our government has recognized that we need to improve our system to adequately respond to our environmental priorities, which is why we have invested \$150 million in increasing capacity in federal departments and in establishing a major projects management office. This new office will ensure that regulatory reviews are carried out with greater efficiency, transparency and coordination across departments.

Mr. Speaker, I would like to split my time with the member for Cypress Hills—Grasslands, if that is so amenable to you.

The benefits of mining in Canada are clear: \$40 billion to our gross domestic product and 370,000 Canadian employed. Clear, too, is the benefit of facilitating a return of the mining industry to Cape Breton, a community that wants this development and a province that wants to move ahead.

Therefore, I call upon all my colleagues, both on this side of the House and on the opposite side, to support Bill C-15 and to move this project forward.

• (1150)

**The Deputy Speaker:** I should bring to the attention of the hon. member that because this is the first round there is a requirement for unanimous consent if the hon. member wants to split his time. I will consider that the hon. member has sought the unanimous consent of the House to split his time with the hon. member for Cypress Hills—Grasslands. Is there unanimous consent?

**Some hon. members:** Agreed.

**The Deputy Speaker:** Everybody is in an agreeable mood today. We hope that lasts.

Questions and comments.

The hon. member for Cypress Hills—Grasslands.

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, we appreciate the spirit of cooperation that exists in the House. I am sure that is due to you being in the chair.

I am pleased today to introduce Bill C-15, An Act respecting the exploitation of the Donkin coal block. This bill demonstrates once again that our government is committed to building a stronger, safer and better Canada.

We are committed to encouraging economic development in all regions of this country and to create job opportunities for all Canadians, regardless of where they live. For the people of Cape Breton, Bill C-15 would help to create that opportunity for economic development.

I will begin by explaining the resource, the Donkin coal block, that the legislation deals with. The Donkin coal block is a large, economically promising coal vein located off Cape Breton Island. In fact, it is the last major undeveloped subsea coal resource in the Cape Breton region.

It has been described as the largest undeveloped coal resource in all of eastern Canada. Both the province and the federal government have obligations regulating the development of the Donkin coal resource block, including labour, health and safety matters.

The immediate objectives of the bill are to facilitate the provincial management of the mine by Nova Scotia and to provide a clear regulatory regime to govern its development. This legislation would also allow both levels of government to retain their current positions with respect to regulatory jurisdiction.

Beyond these immediate objectives, however, a larger purpose is being served. The legislation would provide Cape Breton with an opportunity to advance its own economic development. It does so by facilitating a return to Cape Breton's time honoured industrial tradition of mining coal.

Some very clear benefits will follow the development of the Donkin mine. To begin with, mining will once again bring good jobs to this traditional mining region of Canada. The development of the Donkin mine is forecast to create 275 direct and up to 700 indirect jobs.

Development of the mine could also mean hundreds of millions of dollars to the provincial economy in salaries, equipment and goods and services. Three hundred million dollars is expected to be spent in start-up investments alone and coal royalties will be in the range of up to \$5 million annually.

Finally, the development of the Donkin will help stabilize the tax base of this community for many years. If it gets to the development stage, we expect to see at least 10 years of operations.

*Government Orders*

Coal was first mined in Cape Breton 322 years ago. The island was settled because of coal and coal mining was its livelihood for hundreds of years. Most of this mining was done under the bottom of the sea with the greatest subsea extension out from shore being almost four miles.

In the mid-1980s, the Cape Breton Development Corporation, DEVCO, spent \$80 million to dig two exploratory tunnels from the shore out to the face of the Donkin block. However, the mine was never brought into production. The tunnels were sealed and flooded to avoid pumping costs. DEVCO closed its last Cape Breton mine in 2001.

Since the closure of the last mine on Cape Breton, energy prices, including coal prices, have dramatically increased. This and newer technology, such as clean coal technology and carbon capture and storage, have renewed interest in coal as an energy source and renewed interest in the Donkin project.

There are numerous advantages to the Donkin site. For example, the Donkin block is located in a proven mining district with a long history of safe and successful extraction. The block appears to have sufficient size, potential and access to domestic and international markets for industry to stand on its own financially. The passage of Bill C-15 will help to determine whether this is so. Nearby there is a local workforce with extensive underground coal mining experience, a workforce that welcomes the return of coal mining jobs.

The block is near a railway connection and two deepwater ports equipped to export coal to an international market.

Finally, the Donkin site has a valuable asset in the two exploratory tunnels which are already driven to the face.

Nova Scotia announced a call for proposals to develop the Donkin coal block in 2004. A year later, a company by the name of Xstrata was announced as the winning bidder. The Xstrata Donkin Coal Mine Development Alliance began to evaluate the potential of bringing the Donkin mine back into production. It was at this point at which a considerable challenge arose. It was clear that if Xstrata or any company decided to proceed with development there would be confusion and uncertainty over regulatory jurisdiction because both the Governments of Canada and Nova Scotia have ownership claims to the offshore.

• (1155)

It was also clear that Xstrata Donkin Coal Development Alliance would soon face major decisions on whether to proceed with development or not. Because regulatory matters affect cost and planning, Xstrata was in need of certainty over the applicable regulatory regime before its decision could be properly made.

Both the governments of Canada and Nova Scotia shared an interest, as they do today, in seeing further economic opportunity in Cape Breton. Therefore, both governments sat down together to find a solution that would provide Xstrata with a clear regulatory regime that would permit development to proceed, if that decision was made, and to do all this without jeopardizing either government's claim to jurisdiction.

The bill before us today is that solution. Essentially the bill permits existing provincial laws regarding matters such as labour

standards, labour relations, resource development and occupational health and safety to be incorporated into federal law. The administration of these laws is then delegated to the province of Nova Scotia. This will permit a clear and single regulatory system to be established for Donkin Coal Development. It will also permit both levels of government to retain their current positions with respect to regulatory jurisdiction while facilitating the economic development of Cape Breton Island. This is a solution that works for everyone.

The bill also provides that all Donkin coal and coal bed methane royalties will be collected by Nova Scotia and remitted to the Receiver General for Canada. A remittance in that same amount will then be turned back over to the province. In other words, the province will receive the benefit of all royalties if the mine goes ahead.

The components of this bill may appear complex, but their intent is quite simple. The bill provides Cape Breton, and Nova Scotia, with greater opportunity for economic development. It permits the development of the Donkin mine to proceed under an appropriately designed regulatory regime and it facilitates provincial management of the endeavour.

It is important to emphasize that Bill C-15 does not guarantee the development of the Donkin mine. It guarantees that the decision to proceed or not to proceed will be free from any uncertainty regarding regulatory matters.

I would emphasize that Bill C-15 is an outstanding example of cooperation. It is an example of cooperation between governments to fulfill a common interest in seeing the development of the Donkin mine.

By introducing this legislation, the government is demonstrating its commitment to the economic development of the Cape Breton community and to Nova Scotia as a whole.

Bill C-15 applies directly to the development of the Donkin mine, but our government has also taken national initiatives to support the mining sector. Since coming to office 21 months ago, our government has taken consistent action to reduce the tax burden on Canadian businesses, including those in the mining sector.

Our mining sector presents extraordinary opportunities across Canada and our government will help seize those opportunities by providing a single window for major projects approval. The major projects management office provides a single point of entry into the federal government for the approval of proposed projects. This is going to improve our ability to apply our world class environmental standards while increasing regulatory efficiency.

Before I finish, I would like to acknowledge the hard work of my colleagues, the hon. member for Central Nova and the hon. member for South Shore—St. Margaret's and the support they have given in moving this file forward.

I would now ask all hon. members to support the opportunity that the legislation represents.

*Government Orders*

•(1200)

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, under the terms of this bill, the federal government is transferring responsibility with respect to the administration of occupational health and safety to the province of Nova Scotia.

We are all reminded of the terrible tragedy and the events that occurred around the Westray mine disaster. Is the member and the government totally satisfied that under the terms and conditions and the process by which this transfer has taken place to the province of Nova Scotia, those provisions of the occupational health and safety act will be entrenched in the province? Is the federal government satisfied that the province will carry out the intent and spirit of the occupational health and safety legislation in order that that kind of tragedy would never occur again?

**Mr. David Anderson:** Mr. Speaker, there has been a lot of work done between the government of Nova Scotia and the federal government on exactly these issues.

There were a number of provincial acts and federal acts that were brought into agreement so that the provincial government could administer them. HRSD and labour program officials undertook a comparison of provincial and federal regulations with regard to coal mining regulations. The changes have been made to bring Nova Scotia's regulations into line with federal law so that they can be incorporated into federal law and then they will be applying that law.

We think that the due diligence has been done on these issues and that the regulatory system that is going to be in place is going to be a good one for the mine, for Nova Scotia and for the country of Canada as well.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, I would like to thank my colleagues across the way from Cypress Hills—Grasslands and Wellington—Halton Hills for their comments on this legislation.

It is good to see this legislation finally come forward. Negotiations between the province and the federal government have been ongoing for a number of years. I think back to the last election and my Conservative opponent at the time said that the foot dragging on the part of the then Liberal government was going to negate a great opportunity to develop the Donkin mine site. He also said that when his party was elected as government, this issue would immediately come forward. Two years later, it is finally coming forward.

It is necessary that this take place. It is certainly what we were working toward back then. There were long, arduous and protracted negotiations between the two levels of government, but the legislation is here today, and it is a positive thing for the people of Cape Breton, for the people of Nova Scotia, and for the people of Canada as a whole.

As my colleagues have indicated through their comments, the history of coal mining in Cape Breton dates back over 300 years. Coal was discovered in Cow Bay, which is now Port Morien. That coal was shipped to Louisbourg and provided heat for the Fortress of Louisbourg during the years of development.

Coal has been mined in Cape Breton for numerous years. It fired up the engines of our navy's boats in both world wars. It has contributed to industry in central and western Canada. Cape Breton

coal has powered much of what Canada is as a country. We have a proud and rich tradition of coal mining in Cape Breton.

What we support in Cape Breton is submarine mining and underground mining. There is a great deal of opposition and concern around surface mining. We cannot confuse the two. We want to make that clear. The legislation before us today is about underground mining.

Work started on the Donkin project back in 1970. I will share quickly a story with my colleagues across the way. As a young university student during a summer in the late 1970s, I and three friends took up a contract to help clear the land on the Donkin site. We were paid a certain amount for every acre that we cleared and the pulp that we felled and the brush that we burned. It was during that summer that I realized I was not going to make my living as a woodsman in the woods of Cape Breton. However, it was a great opportunity.

Shortly thereafter, because of the situation with OPEC, Devco pursued the Donkin opportunity. It drilled two tunnels three and a half miles out in the ocean and about 200 metres down. Things changed and the price of coal altered quite a bit on the world market, and the project was shelved and the mines were flooded. Currently, the world price for coal is at an all-time high. It is now about \$95 a tonne.

We on this side of the House are very committed to long term, sustainable energy opportunities. Cape Breton is seeing an increase in sustainable energy initiatives, such as Cape Breton Power's incorporating windmills in many places where coal mines used to exist. They are making a contribution to the overall energy package for the people of Nova Scotia, but there still remains a high demand for energy. As has been indicated, 40% of the world's energy still comes from fossil fuels. We cannot be intimidated by that and dismiss coal as a source of energy.

•(1205)

In some of the investments that have been made, it is important that we as the nation of Canada get out in front on some of this clean coal technology. We have certainly done that to date and continue to do it. I had the great opportunity to see the NRC facility in Bells Corners and some of the work it has undertaken with clean coal technology. It is truly impressive.

We have seen the demand outside our borders, such as in China, and that is only going to increase.

It should be Canadian technology that leads the way in solving the CO<sub>2</sub> problems. We have seen the investment that has been made at the CANMET site in CO<sub>2</sub> sequestration by capturing and sequestering the CO<sub>2</sub> in the ground. The technology has come so far so fast. As a nation we have to continue to invest in that type of technology so that we can continue to decrease our carbon footprint.

In essence, the province of Nova Scotia through this legislation will be the regulator. There will be federal regulations for the site, but they will be applied by the province of Nova Scotia. That will look at resource development, labour standards, occupational health and labour issues. All of those things will be administered by the province of Nova Scotia under this legislation.

*Government Orders*

As had been mentioned by the previous speaker, Xstrata is currently developing the Donkin site. Xstrata is an international player in the minerals exploitation community. It has the fiscal and technical capabilities of taking on a project of this size. It is a very large, complex mining project under sea considering the dangers of undersea mining. It is the world's largest producer and exporter of thermal coal. It is one of the top five producers of coking and metallurgical coal.

Xstrata has 43,000 employees worldwide. It has operations in Australia, Germany, Norway and South Africa. It is a tremendous player in the coal market. It has an excellent record on health and safety and environmental issues. It is very excited about this Donkin project.

I had the opportunity to speak with Darren Nicholls, the project manager. He shared with me the fact that he could not see this project going any better. The company is very pleased with the way it has gone to date. The company is very supportive of this piece of legislation. It may want to tweak things a bit, which can be done within the regulations, but the company is supportive of this legislation.

It has done a good job since it has come to Cape Breton in getting involved in the community. I was very impressed with that. This past year I had the opportunity to go to Donkin. The Donkin development association just finished a project. It opened a passive park area adjacent to a school, Veterans Memorial Park. Xstrata played a fairly significant role. It worked with the councillor, Kevin Saccary, and a community group of volunteers and developed a park, very much supported by the community. Xstrata stood shoulder to shoulder with community members and helped deliver on this. That is an indication the company cares about the community and is willing to invest in it.

● (1210)

As I had said, the federal position was that federal laws were applicable in this situation and there was an obligation to enforce them. However, it is very pleased that the province of Nova Scotia, wanting to exploit this resource, is entering into an agreement that would address labour relations, labour standards and occupational health concerns.

As well, it has been indicated before that pieces of infrastructure are there now. Rail spurs are there now as well as a deepwater port. However, that comes to another part of what will be necessary with the opening of Donkin mine.

We have a very active port in Sydney, with a coal mixing area. Provincial Energy currently mixes coal at the Sydney harbour site. However, there is a dredging problem. We hope the government will see the merit and the importance, through the Atlantic gateway initiative it is putting forward, of dredging the Sydney harbour.

Currently there is about 45 feet of clearance. Right now it is shipping partial loads with some of its coal transfer. In order to take full boats, we hope the government will be able to invest in Sydney harbour, look at the dredging project put forward by the community and the harbour authority and assist with that. It is more of a bump in the midst of Sydney harbour, but it would go a great way in unlocking the full potential of that harbour.

This initiative would have tremendous benefits for the people of Cape Breton, in Glace Bay and broader areas. We have a rich coal mining tradition. A good friend of mine, Billy Delaney, said that Glace Bay was a child of industry and without it we would be an orphan.

We have come a long way, too. In the late 1990s our unemployment rate was on either side of 25%. Now we are currently down around 12% or 13%. There is still a fair amount of seasonal employment. A lot of guys working out west who are coming home and the money is coming back home. That is not the ideal situation. We still need that anchor industry. Our community understands fully that this is a tremendous opportunity, and we look forward to it. There will be 275 jobs. We know that jobs within the mining sector usually pay 3:1 or 4:1 in other job developments. Therefore, we think that will be a shot in the arm.

I know that some of those guys who are working out west now are looking forward to coming back and resuming mining careers. We have young people who are very interested in getting started in the mining industry. I know the industry will get 275 guys who will make that mine hum and it will be nothing but successful.

We anticipate in the order of \$300 million in startup costs for an initiative of this size. As well, the coal royalties will be paid to the federal government and then they will be fully remitted back to the province. We anticipate approximately \$5 million annually in coal royalties that will stem from the Donkin project.

Darren Nicholls and the Xstrata people are extremely excited about the legislation coming forward and this opportunity.

I had the opportunity to speak with District 26 United Mine Workers president, Bobby Burchell, just recently. The union is pleased with this as well. It was consulted earlier on this project, back in April and May. No major concerns have been expressed, but the union believes it can address whatever the concerns might be, through the regulations.

Again, it is an important day for the people of Cape Breton—Canso. It is an important day for this broader community. We have been through a lot as a community. We are seeing our economy transition. Things are okay.

● (1215)

During the briefing, the comment was made that it would bring much needed jobs to an economically depressed area of the country, which was kind of interesting. We are past that now. I think the members of the House, who have been to Cape Breton, can see that. I have a colleague from Nova Scotia who can see that. We are not Mississauga or Kelowna yet, but things are going okay. However, this will be a tremendous shot in the arm as we continue. While this is a retooling of the economy, it is the old game coming back that will make a contribution.

*Government Orders*

Some of the estimates put forward today in the speeches have probably been somewhat conservative, that the mine might operate for 10 years. There is probably potential for even greater operation past 10 years, and some of them have been up to 25 years. They may be ambitious, but nonetheless, with the legislation there is very little we can find that would prove to be any problem whatsoever.

My colleague was asked a question about the Westray incident. I believe the province of Nova Scotia has learned a great deal through the Westray experience. Through consultations, the federal government has clearly outlined its expectations. The province of Nova Scotia will be required to and will administer those regulations to the best of its ability.

It is without reservation that I will work with my party to support the legislation to ensure it goes forward. We hope it will provide a tremendous opportunity for the people of Cape Breton.

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, as I mentioned before, the hon. member for Central Nova and the member for South Shore—St. Margaret's have worked hard on the bill. I know this has been important as well to the member for Cape Breton—Canso. I thank him and I appreciate the efforts he has put into informing his colleagues of the importance of the bill and getting them on side. We look forward to working with the other parties as well to pass the bill as quickly as possible.

Could the hon. member address the issue of the urgency to pass the legislation and maybe talk a bit about the importance of some of the coming deadlines for Xstrata, so people can understand it is important that the bill be passed as quickly as possible?

• (1220)

**Mr. Rodger Cuzner:** Mr. Speaker, I know Xstrata has been patient as have the people who have worked on this file. It is always a concern. It was brought up that the project may fall apart if this were not in place. They are saying now that we should get this done and off the table so we know with what we are dealing. They say that the parameters should be set so as we go into this everybody will be on the same page.

The province of Nova Scotia is in the process of putting forward its legislation. It may be done on a parallel track.

I will do everything on this side of the House. I will work with my colleagues and hopefully we can fast track this. If so, everybody wins.

[*Translation*]

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Mr. Speaker, I would like to thank my colleague for his speech and his passion. It is clear that this issue is close to his heart, and his arguments were masterful. He seems pleased that Nova Scotia and the federal government have come to an agreement, made some compromises and harmonized their laws and regulations so that the mine can finally be operated.

I have a question for my colleague. The federal government has demonstrated its openness. Is my colleague prepared to support the Bloc Québécois when it asks the federal government to respect the Charter of the French Language, which means adapting the Official Languages Act and the Canada Labour Code in order to apply

Quebec's Bill 101 so that all federal institutions and workers can work in Quebec's official language?

Given that Nova Scotia has benefited from the federal government's openness and flexibility, I would like to know whether the member thinks that the government will be open to respecting Quebec's Charter of the French Language within the Official Languages Act and the Canada Labour Code.

[*English*]

**Mr. Rodger Cuzner:** Mr. Speaker, I agree that having the provincial and the federal governments come together for some kind of an agreement is somewhat monumental. In the period of time that it has taken we have to exhibit patience. I wish the Bloc all the best in seeing this through to fruition.

What I have commented on today is the fact that our opposition party will support the government on this legislation. We are very pleased that the federal government has worked with the province of Nova Scotia to see this through. We think it will provide a great opportunity for the people of our area. We think it will provide a safe and productive workplace for at least 250 people from my community. On this one, it is an example that there are those opportunities where the federal and provincial governments can work together.

In this case, we will support the government, and we applaud it.

[*Translation*]

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Mr. Speaker, I am pleased to speak to Bill C-15, An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act.

I would like to begin by telling the House that the Bloc Québécois supports Bill C-15 in principle. My colleague from Nova Scotia can count on the Bloc's support. Members of the Standing Committee on Natural Resources will study this bill seriously and thoroughly.

The Bloc Québécois believes that the federal government should do more for regional economic development. It should stop undermining the efforts that provincial governments—particularly the Government of Quebec, since I am a member from Quebec—want to make by respecting the priorities set by the provinces.

For members of the Bloc Québécois, creating and maintaining jobs in the regions, as well as providing assistance to workers in difficulty, such as those in the forestry or fishing sectors, is just as important in Quebec as it is elsewhere. In our view, this Conservative government is washing its hands of the whole issue, by refusing to propose any support programs for older workers—we mean real income support for older workers—or change the employment insurance criteria, and by renouncing its earlier ideas concerning the creation of an independent employment insurance fund.

*Government Orders*

In short, all too often, the federal government listens to reason and develops legislation and policies to promote this regional development. Fortunately for Nova Scotia, that is what it is doing with the Donkin coal mine project.

Furthermore, the efforts of the elected representatives of that riding cannot be overlooked. According to my colleague, they fought to convince the government that enough time had been wasted and it was time to act. Thus, it has been a happy ending for Nova Scotia and it appears that everyone is finally happy with the agreement.

The Bloc Québécois' position is that, since Bill C-15 is the result of an agreement between the federal government and the Government of Nova Scotia and has to do with a specific case, that is, the Donkin coal mine, and since there are no direct repercussions for Quebec, the Bloc Québécois does not intend to oppose it. We will work hard in committee, as I was saying, to push the bill through as quickly as possible.

A word of caution, however: being in favour of the principle of the bill does not mean that we have absolutely no problem with the spirit of the bill. I alluded to this a little earlier when I asked my question. We deplore the fact that the federal government is prepared to incorporate provincial legislation by reference when it comes to creating 275 jobs, but that it is not willing to do so, far from it, when it is a question of the language of work, for instance. I will come back to this.

Lastly, with its trademark rigour and hard work, the Bloc Québécois will examine the provisions of Bill C-15 that raise questions. This is the case, for instance, when it comes to the sharing of royalties and the exclusion of royalties on coal-bed methane from the Canada-Nova Scotia offshore petroleum resources accord.

In the matter of offshore revenues, this Conservative government is acting against the interests of Quebec because the equalization formula does not take into account all revenue from natural resources and therefore penalizes Quebecers.

For the time being, I would prefer to focus on the main objective of Bill C-15. I would like to point out, and it is truly important to say so, that this bill is the result of an agreement between the federal government and the Government of Nova Scotia, which seeks primarily to settle a jurisdictional matter. These two governments both claim to have jurisdiction over the Donkin coal block. Many discussions have taken place to establish who has jurisdiction over the management and exploitation of the Donkin coal block.

To settle this issue, Nova Scotia and the federal government arrived at an agreement: establish a single set of regulations governing resource development and labour issues, including industrial relations, occupational health and safety and labour standards

• (1225)

The regime proposed by this bill may be divided into three parts.

It provides a legal regime to facilitate the exploitation of the Donkin coal block. It gives the Governor in Council the authority to incorporate Nova Scotia laws into federal law by regulation, and gives Nova Scotia the power to enforce those laws.

Bill C-15 further governs the royalties from the exploitation of the Donkin coal block, through a system similar to the existing one for petroleum royalties.

It also amends the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act to exclude coal bed methane associated with a coal mine.

I would like to point out to this House that coal bed methane is the natural gas found in most coal seams. It is considered to be the cleanest burning fossil fuel and one of the purest forms of natural gas, often so pure that it only requires slight processing and can be delivered directly by pipelines.

The first of these three items, the legal reference regime, is dealt with in clauses 13 and 15, which are the core of Bill C-15.

Clause 13 states that the Governor in Council may make regulations excluding from the application of the Canada Labour Code any employment in connection with the operation of the Donkin coal block.

Furthermore, it allows the Governor in Council to make regulations to incorporate by reference any act of the Province of Nova Scotia to make it applicable to the Donkin mine workers.

Clause 15 states that an authority designated by the province, and not federal institutions, is responsible for applying the regulations incorporated by reference.

Bill C-15 allows the federal government to exempt workers of the Donkin mine from its own legislation in favour of Nova Scotia's legislation.

For the second point, clauses 9 to 12 of Bill C-15 address the issue of royalties specifically. They establish a system similar to the one that already exists for oil royalties, namely that the royalties on coal and coal bed methane are to be collected by the Receiver General of Canada and a portion will be remitted to the province in accordance with the terms of an agreement to be reached between them.

Third, the purpose of clause 16 is to amend the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act in order to exclude coal bed methane associated with the development or operation of a coal mine from the definition of natural gas and therefore exclude it from the accord.

Let us now come back to the offshore revenues I was talking about earlier. Budget 2007 announced an equalization reform that unduly favoured the provinces receiving revenues from natural resources and blatantly ignored some of Quebec's basic requests.

What is more, on October 10, 2007, the Prime Minister of Canada and the Premier of Nova Scotia announced an agreement between that province and the federal government on equalization reform.

*Government Orders*

The federal government announced it would relax the application standards of the equalization formula. Budget 2007 allowed Nova Scotia to choose between two equalization formulas. It could either use the old formula and continue to receive 100% compensation for offshore development, or it could choose the new equalization formula whereby basic equalization payments increase but compensation for offshore development decreases. Nova Scotia could choose to stick with the old calculation method, but once it used the new equalization calculation it could no longer go back to the old formula.

The announcement on October 10 changed all that. Nova Scotia can now choose the formula that is most advantageous to it at the beginning of each fiscal year, until the expiry of the Atlantic accords in 2020.

• (1230)

In order to enjoy the benefits of future offshore projects, Nova Scotia had chosen to retain the old equalization formula. If it had adopted the new formula, it would have received additional equalization payments estimated by the provincial government at \$289 million for 2008-09. The new formula will therefore let Nova Scotia keep additional amounts calculated under the new formula and it can return to the old formula if the development of new offshore platforms makes the old formula more advantageous.

The reason that this is to Nova Scotia's benefit is that, in our opinion, it is still being done at Quebec's expense: the equalization formula still does not take all natural resource revenues into account.

So that formula does not reflect what Quebec is calling for. It contains loopholes that favour the fossil fuel producing provinces by allowing them to exempt natural resource revenues from the equalization formula.

Quebec is calling for the equalization formula to be reformed to reflect a 10-province standard, 100% of natural resource revenues and the real value of property taxes. That is the only formula that will result in equalization achieving its objective, which is to provide the receiving provinces with a per capita fiscal capacity equivalent to the Canadian average. It seems that the Conservative government is not worried about that, though.

Let us come back to the language of work. It must be noted that when it comes to creating 275 jobs, something we applaud, the federal government is prepared to incorporate the laws of Nova Scotia by reference. But the government does not want to consider incorporating compliance with the language of work provisions of Quebec's Bill 101 by reference.

And yet this is the government that boasts about recognizing that Quebecers form a nation. To date, that recognition has not been supported by any actions or consequences, although what it means is that the House of Commons recognizes the attributes of the Quebec nation, and in particular its language and culture, by definition.

In fact, when the House of Commons recognized the Quebec nation last fall, the Bloc Québécois emphatically pointed out that that recognition had to have consequences, that there could not simply be purely symbolic recognition.

The official language of Quebec is French, everywhere in Quebec, except in matters relating to the federal government, for which there are two official languages.

That is the first concrete action that must be taken: to recognize that in fact Quebecers form a francophone nation in America. If the Canadian parties are consistent in that recognition, they will have to understand that the Quebec nation and the French language are inseparably connected. Recognizing one means recognizing the other.

The Quebec nation has developed a tool for ensuring that French is the common public language: the Charter of the French Language or Bill 101. We often forget, though, that insofar as Ottawa is concerned, Bill 101 does not exist. As a result, areas under federal jurisdiction are exempted, including within Quebec. For example, banks, telecommunication firms, interprovincial transportation companies such as CN and CP, ports and airports are exempt from Bill 101.

The Bloc Québécois wants the federal government, therefore, to recognize and abide by the Charter of the French Language in Quebec in the Official Languages Act and comply with the spirit of the Charter in regard to the language of signage and of work in related legislation.

Contrary to what the Conservatives have suggested, the Bloc Québécois is obviously not asking the federal government to interfere in linguistic issues in Quebec. All we want is for the federal government to comply with the Charter of the French Language. The Official Languages Act and the Canada Labour Code are both federal.

The Canada Labour Code already requires the federal government to adjust to provincial legislation when setting minimum wages. In Bill C-15, the Conservative government agrees to exempt workers from its legislation in deference to the laws of Nova Scotia. If it is possible to adjust the federal legislation in both these cases, how can they justify refusing to adjust the federal legislation on language?

Federal or federally regulated companies are not affected by the Charter of the French Language, particularly insofar as the language of work is concerned. Some of these companies choose to abide by it, but it is all entirely voluntary.

• (1235)

The Bloc Québécois wants the Canada Labour Code to contain a provision, therefore, that "any federal work, undertaking or business carrying on activities in Quebec is subject to the requirements of the Charter of the French Language". This would comply with the request voiced in 2001 in the Larose report.

This amendment would eliminate the legal void that enables federal companies to flout the Charter of the French Language when it comes to the language of work. It is important, though, to note that many federal companies decide on their own to abide by the francization programs of the Office de la langue française.

*Government Orders*

Nevertheless, some federal companies fail to comply with Bill 101 and do so with impunity. Since 2000, some 147 files have been closed at the Office de la langue française because it could not do anything in view of the fact that the companies were under federal jurisdiction. These figures refer only to files that were opened in response to complaints. If no one complains, no file is opened. We can conclude, therefore, that the number of delinquent firms was probably higher.

This was a long aside to explain why we are happy that Nova Scotia and the federal government have managed to reach an agreement by negotiating an accord to abide by the provincial legislation and that the federal government demonstrated a real openness in this case. We are asking for much the same thing.

In conclusion, I would like to reiterate the position of the Bloc Québécois: since Bill C-15 is the result of an agreement between the federal government and Nova Scotia, and it deals with a particular situation, the Bloc will not oppose it and will agree in principle.

However, I will not forget this precedent. And I will make sure that I remind the Canadian government about this type of legislative adjustment it offers to some provinces but not others. I pledge to remind the government of this precedent when we debate this issue in the House of Commons.

• (1240)

[English]

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, I have the pleasure to sit on the natural resources committee with the member for Beauharnois—Salaberry. Her speech is in keeping with the hard work that she does on that committee.

I was drawn particularly to the part of her speech that deals with coal fed methane. She had indicated that as a result of the CO<sub>2</sub> capture and sequestration approaches through the gasification process of clean coal that there was a tremendous opportunity, at a scale I would think, that clean coal could be part of a national energy framework or strategy.

Is the member satisfied that the committee in its deliberations is taking into account the opportunities with respect to clean coal, especially with the research work that is being done at CANMET at Bells Corners? Is she satisfied that the committee has taken the opportunities of clean coal and coal fed methane as part of a national strategy? Would she have any suggestions if she is not satisfied as to how we could have the committee focus in on the opportunities that she has outlined in her comments?

[Translation]

**Mrs. Claude DeBellefeuille:** Mr. Speaker, I would like to thank my colleague from the Standing Committee on Natural Resources for his question. Many committee members are concerned about the issue of natural gas and coal bed methane. And it is a subject we would like to debate in committee in the coming weeks, looking first at the International Energy Agency's assessment of natural gas energy projections.

Last week, this agency issued a report, which assessed projections of Canada's energy needs. In this report, natural gas is examined as an attractive fuel. However, we must still take a hard look at how fossil fuels are being used because it must be said, and I think my

colleague will agree with me, that they are the main emitter of greenhouse gases. We must find solutions, either by capturing them or storing them.

I think—and my colleague will agree—that research and development for these technologies currently lacks support to produce results in the near future that could be used more quickly, for example, by those operating coal mines.

**Ms. Nicole Demers (Laval, BQ):** Mr. Speaker, I thank my colleague for her presentation, which has given us an understanding of what is involved in this bill, which some of us initially found a bit unclear.

Having listened to what she had to say, I would like to know one thing. Clause 13 provides that the Governor in Council may make regulations excluding any employment in connection with the operation of the Donkin coal block from the application of the Canada Labour Code.

Does that mean that employees working at the Donkin coal mine will not be subject to the Canada Labour Code and will therefore have the same working conditions as all workers in Nova Scotia? Consequently, if anti-scab legislation were in effect in Nova Scotia, could these employees also benefit from it, unlike other employees governed by the Canada Labour Code, who cannot benefit from such legislation?

• (1245)

**Mrs. Claude DeBellefeuille:** Mr. Speaker, I thank my colleague for her question. I believe she has a good understanding of the legislative arrangements negotiated between Nova Scotia and the federal government. What this clause means is that workers in the Donkin mine will be covered by the laws of Nova Scotia and not by the Canada Labour Code.

In fact, this is a successful outcome. This agreement was many years in the making, and local elected representatives took great pains to make the federal government understand how important the agreement is to their community, to economic development, to job creation in these sectors and to their image.

I want to say—and I am sure my colleague understands why I am stressing this—that we in the Bloc Québécois hope that the Conservative government will be just as open to amending the Canada Labour Code and the Official Languages Act in order to recognize the Charter of the French Language and our Bill 101.

To that end, the Bloc Québécois hopes to receive the support of the opposition members and the Conservative government, of course.

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, we can learn a number of things from this bill. First of all, it shows that sometimes, jurisdiction over natural resources can overlap.

For example, there is a mine in northwestern Quebec, the Siscoe mine, that had to shut down a few years ago because of plans to dig under Lac Siscoe. Apparently, there was water getting in and so on. A practical difficulty arose, and the mine operators had to deal with it alone. We have some important lessons to learn from that.

*Government Orders*

I would like to congratulate my colleague on her excellent speech. Now I would like her to comment further on similarities between the exceptions that could apply to this mine, and the French language situation she mentioned.

Earlier, it was made clear that the purpose of the bill the Bloc introduced this morning was to make the federal government comply with Bill 101. To illustrate the proposal, our colleague mentioned the Larose commission, which issued very clear recommendations for Quebec in that respect.

Can my colleague expand on the recommendations that the Government of Quebec is hesitating to act on, but that deserve to be acted on?

**Mrs. Claude DeBellefeuille:** Mr. Speaker, I want to thank the hon. member for his question. As an answer to my colleague's question I will cite the Larose report of the major commission in Quebec that studied the issue of language in 2001:

The francization of the workplace in Quebec also concerns the workplace of the federal government and workplaces under federal jurisdiction. That is why the Government of Canada should take the necessary measures to ensure that these workplaces respect language legislation when they are in Quebec.

I believe this quote from the Larose commission report in Quebec is quite simple.

We are glad that Nova Scotia was able to reach an agreement with the federal government and that it could apply its own legislation to operate the Donkin mine and enjoy all the positive economic effects.

Once again, I call on the government and all the parties here in the House of Commons to take concrete action. To recognize the nation of Quebec is to recognize its official language and federal legislation can be adapted accordingly. In this case I am referring to the Official Languages Act and the Canada Labour Code.

• (1250)

**The Acting Speaker (Mr. Andrew Scheer):** We have enough time for one, last, very short question. The hon. member for Jeanne-Le Ber.

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ):** Mr. Speaker, I will ask my question as quickly as possible. We have talked a little bit about equalization and the Atlantic accord in this bill. It strikes me as odd that the federal government has decided to exclude certain types of revenues from the equalization calculation.

The basic purpose of this calculation is to ensure that all the provinces have the same fiscal capacity. The capacity of the provinces is calculated and money is given to the provinces that do not have enough. At the end of the day, we are in a rather absurd situation where only the Bloc Québécois is currently defending the very essence of equalization, which is to ensure equal revenues for all the provinces. Is that not ironic?

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Beauharnois—Salaberry has 30 seconds to reply.

**Mrs. Claude DeBellefeuille:** Mr. Speaker, I would like to remind the members that Quebec has been demanding an overhaul of the equalization formula to take into account a 10-province standard, which means 100% of natural resource revenue based on the true value of property taxes. The Bloc Québécois is bringing that demand to the debate here in the House of Commons.

[English]

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, it is a pleasure to rise and speak on Bill C-15, the Donkin Coal Block Development Opportunity Act. This is an act that is extremely important to the province of Nova Scotia and certainly to the island of Cape Breton.

Before I begin my remarks, I have a brief comment on the comments by my Bloc colleague. I think this act is an example of how the federal government and provincial governments, in this case the province of Nova Scotia, can work cooperatively for the better good of both. This act is not trying to drive divisions between areas.

The member for the Bloc is a member of the natural resources committee. She would be well aware that Nova Scotia's mining regulations, in particular the underground regulatory regime for coal mines and underground mines, are some of the best in the world because of the disaster that occurred at the Westray mine during the explosion there and the loss of those miners, which is still certainly in the minds of all Nova Scotians today. The laws have been improved because of that disaster and the regulatory regime that exists there has some of the best regulations in Canada.

To be clear, what is going to happen here is a single regulator in terms of resource development and labour matters. That regulator will be the Province of Nova Scotia. It will be facilitated by incorporating the provincial legislation into federal law and delegating to the province responsibility to administer these new federal laws. I want to be clear on how that will happen.

As I have mentioned, this legislation is about cooperation. It is not about driving wedges. It is not about causing a schematic shift across the country to pit one province against another province or one part of the country or one region of the country against another. This is a good, practical solution to an ongoing jurisdictional discussion between the Province of Nova Scotia and the Government of Canada.

Bill C-15 is an excellent example of what can be accomplished when we sit down and are committed to finding solutions. We are not committed to trying to find a way to pick a fight and cause an ongoing schism in the federation. We are committed to actually finding a solution.

The Government of Canada and the Government of Nova Scotia have worked cooperatively to ensure that Cape Breton benefits from this economic opportunity. As the Minister of Natural Resources has mentioned, Donkin is the last major undeveloped or underdeveloped coal resource off Cape Breton Island. This resource is not underground on Cape Breton Island. This resource is underground offshore Cape Breton Island. We need to be very clear about where this resource lies.

*Government Orders*

This legislation presents an excellent opportunity not only for the people of Cape Breton and Nova Scotians, but we expect that when the Donkin mine is open and in full operation it could create up to 275 jobs. This is extremely important to the province of Nova Scotia and the island of Cape Breton in particular. Indirectly, the project could generate 700 jobs. This is very good news for an area which in the past few decades has seen the decline of its coal and steel industries. The salaries, the equipment purchases and the sales of goods and services associated with Donkin could provide hundreds of millions of dollars to the economies of Cape Breton and Nova Scotia.

I will give members a bit of history on the development of the Donkin mine and coal in Cape Breton. Certainly, the region was settled because of coal, and coal mining has been the main livelihood for more than the past 100 years. On an historical note, it is interesting that when Nicholas Denys settled on Cape Breton Island in the late 1600s and had his trading post set up somewhere in the Sydney River area, it is thought now, he wrote in his diary of open seams of coal in the Sydney area on Cape Breton Island.

● (1255)

Certainly when Louisbourg was settled by the French, one of the reasons was the proximity of coal in the Cape Breton area. That was surface coal. The Donkin mine, of course, is under the ocean and offshore of the coal producing area.

The significance of coal is still evident today in the communities and the culture of Cape Breton. Miners who worked in the subsea mines have a long history. Many Cape Bretoners today can trace miners in their families going back more than 100 years. Cape Bretoners are proud of this mining heritage and they have never forgotten it.

In the early years, the work sustained many families, but it certainly was not an easy life. It was extremely dangerous and extremely hard work. Today, mining is still dangerous and hard work, but it is a very different profession compared to what existed 100 years ago. Mining provides good jobs and builds strong communities.

In the case of Donkin, it is important to note that this development is not starting from square one. A lot of the work at Donkin has already been done.

Exploration of Donkin began in 1977 with the original wells being drilled by ship. Eleven holes were drilled during a three year period and several seams of coal were detected. The Cape Breton Development Corporation of those days spent \$80 million on two exploratory tunnels in the mid-1980s. At the time, the coal was deemed too expensive to extract, the tunnels were sealed and flooded, and the development did not proceed, but the coal is still there and the tunnels still exist.

As we can see, Cape Bretoners have lived both with the anticipation and with the disappointment of not seeing Donkin developed. Today I am happy to say that the pendulum has swung back to that feeling of optimism on Cape Breton Island.

As we all know, today's energy situation is very different from the recent past. Energy prices, including coal prices, have risen dramatically and new clean technologies are being developed,

resulting in a new interest in coal as an energy source. Another factor favouring Donkin today is that the coal deposit may be of sufficient size and potential to be a source for international markets. We know that there is a very hot market for coal.

Nearby on Cape Breton Island, and certainly in Nova Scotia, there is a local workforce with extensive underground coal mining experience. These are some of the best workers in the world when it comes to mining and extracting coal. It is a workforce that welcomes the return of coal mining jobs. Local businesses certainly would welcome this development too.

Cape Breton also has two local coal-fired power stations capable of using Donkin coal. The rail infrastructure is in place to ship coal by train to two more power plants elsewhere in Nova Scotia.

Let us not forget the potential of Sydney Harbour, which sits ready to ship coal to international markets. The member for Cape Breton—Canso mentioned that in his speech. Some preliminary work may need to be done to assist the Sydney Harbour authority to move some of the larger ships in and out of the harbour, but that is all part of the infrastructure requirements that would be needed to fully develop the Donkin coal mine.

These are just some of the positive factors supporting this initiative. As we have heard, this is the last major coal deposit off Cape Breton Island. If it gets to the development stage, and I certainly believe it will, we expect to see at least 10 years of operations in the Donkin mine. In addition to providing much needed jobs, the development of Donkin would help stabilize the tax base of this community for many years.

This agreement signals a small revival of coal in Nova Scotia. It is not a return to the old days when coal was king in Cape Breton, but Donkin has the potential to provide a viable industry to Nova Scotia and help the province meet its energy needs.

The people of Cape Breton are anxious to see this development proceed. Certainly the Province of Nova Scotia is anxious to see it proceed and the Government of Canada is anxious to see it proceed. Coal mining will once again bring good jobs to this important region.

● (1300)

It should be clear from my comments that there the benefits of the initiatives I have outlined are manifold. There are jobs and opportunities available. There are infrastructure jobs and there are dollars that will be helpful to the local community.

Clearly, there is broad support out there for this piece of legislation and for the Donkin mine and the Donkin coal seams to be developed. In fact, the federal government went so far as to carry out consultations with all interested stakeholders last spring, and I can report that there is very strong support indeed.

The community of Cape Breton is excited about this opportunity. The labour unions and groups representing the rights of workers, including the Nova Scotia Federation of Labour, have expressed support, and the employer and the offshore board have expressed support.

*Government Orders*

The Governments of Canada and the Province of Nova Scotia have a shared interest in seeing this further economic opportunity for Cape Breton. That is why they have worked closely together on this issue. I believe both levels of government deserve credit for their efforts to reach an agreement that will allow development of the Donkin coal seams. This bill provides a clear regulatory regime to permit the Donkin development if Xstrata decides to proceed with production.

There has been a fair amount of discussion here about existing provincial and federal laws, but existing provincial laws regarding matters such as labour standards, labour relationships, resource development and occupational health and safety will be incorporated into federal law as part of the agreement between the Government of Canada and the Government of Nova Scotia.

Again, this can happen when organizations work in a cooperative manner for the better good of both the Province of Nova Scotia and the Government of Canada. Nova Scotia will administer these laws so that a single and clear regulatory system can be established for the Donkin project.

In conclusion, let me say that this legislation allows both levels of government to retain their current positions, with nothing changing, with respect to ownership and regulatory jurisdiction, while facilitating the economic development of Cape Breton and certainly Nova Scotia.

By introducing this legislation, the Government of Canada is demonstrating its commitment to the economic development of the Cape Breton community and to Nova Scotia as a whole. This bill, I believe, is an outstanding example of cooperation between governments to facilitate a common interest in seeing the Donkin mine project proceed.

I would like to recognize the work of the Minister of Natural Resources, his parliamentary secretary and my colleagues on this side of the House, as well as the work done by my colleagues on the other side of the House.

I think there is pretty well unanimous support for this piece of legislation. There is some discussion and that is why we are in this place. We are here to look at the various areas of bills that we feel are projecting the common good and also to recognize what we see as flaws. I am happy to say, from what I have heard from members on the other side, that they recognize this as a cooperative and very positive piece of legislation for the province of Nova Scotia that will certainly benefit the regional economy of Cape Breton Island.

Before closing, I would like to say that coal was king in Cape Breton Island for many years, but it was also important to the entire province of Nova Scotia, certainly in the New Glasgow area. Earlier I mentioned the Westray explosion and the unfortunate circumstances that surrounded it. Coal was mined throughout Nova Scotia, in Springhill as well, and not just in Cape Breton. As well, there is still a very skilled workforce capable of underground mining, one that any employer would be lucky to hire.

I wish Xstrata, the company that will be primarily involved in Donkin, the best of luck. If the Province of Nova Scotia and the federal government can continue to work in a cooperative manner, I think this can be an example for other provinces.

●(1305)

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, I thank my colleague from South Shore—St. Margaret's for his comments on this important topic today.

I missed the first couple of minutes of his intervention, but I believe he did speak somewhat about land based coal deposits in Nova Scotia. Being a member from Nova Scotia, I know he is very much aware of the sensitivity around the land based coal deposits. In fact, there is opposition to any type of surface mining, strip mining operation, in the Cape Breton area particularly, Point Aconi, Boularderie and the Port Morien area.

If the hon. member had identified this early in his presentation and if he could clarify with the people who are paying attention to the legislation, that this legislation in no way impacts on land based deposits. It is specifically for those resources under the ocean, from the high water mark out, and that it will in no way encourage strip mining.

The federal jurisdiction does not even apply to the land based deposits. I would like him to comment that in no way would the legislation have any impact on those land based deposits.

**Mr. Gerald Keddy:** Mr. Speaker, my colleague from Cape Breton—Canso is absolutely correct.

The project we are talking about, the Donkin coal seams, is under the ocean. It is not land based. Even though it is underground, it is certainly not within the jurisdiction of Nova Scotia and Cape Breton Island.

We have always considered the coal seams an offshore jurisdiction. That is why this unique piece of legislation has been put in place because quite frankly, Nova Scotia was claiming jurisdiction for the Donkin coal seams along with the federal government. This was a cooperative way of getting beyond that.

I would like to make this point, and in no way am I trying to step on provincial jurisdiction here in Point Aconi or the Prince Colliery or any of the other mines that still have some potential in Cape Breton Island. Let us be clear, these are for undersea resources. They are not for land based resources.

The other debate is a Nova Scotia provincial debate. The other debate about open pit mining is strictly in the purview of provincial jurisdiction.

However, I would ask people who are listening to this discussion to take a look at some of the examples in Nova Scotia where there has been a cleanup of a lot of these old mine sites, and they have been open pit.

The Trenton-New Glasgow area is a prime example of that where a local company came in, Chisholm's, I believe was the company name, and it did have an open pit mine. It certainly was dusty and caused a problem for a few years. However, it did an extremely good job and reclaimed a bunch of old mine sites that were frankly a personal hazard for all the local children in the area who were playing in some of these mines. Some of these mines went back 150 years. It is not as simple as one versus the other.

*Government Orders*

To the member's first and original question, there are two totally different jurisdictions and two totally different subjects.

• (1310)

[*Translation*]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, earlier, my colleague from Beauharnois—Salaberry—our party's natural resources critic—said that the Bloc Québécois supports the bill in principle, but that naturally, we will have to study the contentious provisions in Bill C-15, just as we do for all bills. As she said, that is the case with respect to revenue sharing and the exclusion of revenue from coal bed methane in the Canada-Nova Scotia accord on offshore oil. I would like the member to comment on offshore revenue since he is, if I am not mistaken, a member from the Maritimes.

It appears that the Conservative government is acting against Quebec's interests because the equalization formula does not take into account all non-renewable natural resource revenue, and therefore penalizes Quebecers.

I would like to know if he thinks that the equalization formula should include offshore resources. We know that the Conservative government had some problems with this issue after the former Liberal prime minister's government made some promises and signed an agreement with provinces that have natural resources. We know that Mr. Williams, Premier of Newfoundland, was very angry when the Conservatives failed to keep their election promise. The former premier of Saskatchewan decided to sue the federal government because of that. This is a very serious problem. One Conservative member even became an independent because of it.

I would like to know what the member thinks of this, and whether he thinks that the equalization formula should include offshore revenue.

[*English*]

**Mr. Gerald Keddy:** Mr. Speaker, I mentioned earlier and I appreciate the fact that the Bloc members are supporting the principle of this piece of legislation, but we always see that constant and reoccurring habit of trying to drive those wedges. We are much better off when we all work cooperatively. I certainly appreciate his comparing this agreement to the offshore agreement.

Part of the argument that Nova Scotia put forward on the Donkin coal mine, and certainly on the methane, is that it is offshore, so it should be covered under the same agreement with offshore oil and gas. Methane gas and coal bed methane being drilled from jackups on the ocean, or from drill ships, or semi-submersibles, whatever it is drilled with, I concur, should be treated the same as other offshore resources.

Of course, the member should know the original agreement signed on the offshore has been available to Nova Scotia under our government since the beginning. It is part of what is on the table. He mentioned Premier Williams of Newfoundland and Labrador. He has been on the table for Newfoundland and Labrador as well.

It is up to the provinces to decide if they would choose to take that agreement or if they would choose to take the new equalization formula which offers 50% of their natural resources. Certainly, members should also be aware that the way the offshore accords

were written the moment a province becomes a have province, it would lose the benefits of the offshore accords which would have given it 100% of its natural resources.

In the case of Newfoundland and Labrador in particular, that will probably be sooner rather than later. We are expecting it will become a have province and especially with the escalating value of its energy resources, Newfoundland and Labrador will probably become a have province in 2009. Therefore, it would lose the benefit of the original accord it signed anyway.

The new agreement is much better for the province of Newfoundland and Labrador in particular than the old equalization formula because under the new formula it would continue to receive 50% of its natural resources like any other province.

Again in closing, part of this and the reason why I took the time to explain that to my colleague from the Bloc is the fact that the Government of Canada, on this piece of legislation, Bill C-15, has worked in a cooperative manner in a positive way for a positive outcome both for the province of Nova Scotia and the federal government. It shows what we can do when we work together.

• (1315)

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, I think that the bill we are debating today on the Donkin coal block is really a good example of what this government can get done. Where the previous Liberal government always failed, we are able to get things done.

I want the member for South Shore—St. Margaret's and Parliamentary Secretary to the Minister of the Atlantic Canada Opportunities Agency, who has worked so hard on this project, to talk about how our government is working so well with the province of Nova Scotia and other provinces in getting the job done.

**The Acting Speaker (Mr. Andrew Scheer):** The hon. parliamentary secretary has about 20 seconds left.

**Mr. Gerald Keddy:** Mr. Speaker, 20 seconds to say that the province of Nova Scotia and the federal government have a very good, lasting and strong relationship. We have that relationship because we have looked at some difficult issues and instead of simply saying we are going to throw down the gauntlet and fight over those difficult issues, we worked hard.

We worked through the negotiations and we succeeded where everyone else thought that we could not for the benefit of both the province of Nova Scotia and the federal government.

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, I am pleased to be sharing my time this afternoon with the hon. member for Charlottetown to speak to Bill C-15, the Donkin coal block development opportunity act.

*Government Orders*

I note that my colleagues across the way have decided to introduce a new element to this particular debate, that of the Atlantic accord and the offshore developments. It is their choice. It would not be mine if I were them because of course that is not a stellar success story on behalf of the Conservative government right now at this point in time and that they would be wanting to talk about that.

I will say this. There is an incredible success story to be told and that is through the persistence of colleagues of mine, the member for Cape Breton—Canso as well as his colleague, the member for Sydney—Victoria, both from Cape Breton representing the needs and the aspirations of the people of Cape Breton and Nova Scotia for quite some time.

I want to congratulate him and the members for Cape Breton—Canso and Sydney—Victoria for keeping the pressure on this, and for bringing the views of the people of Cape Breton forward.

This is going to result in over 275 jobs for the people and miners of Cape Breton. It will mean that men and women who are currently working in other parts of the country and other parts of the world will be working at home now. It also means incredible new economic opportunities.

Cape Breton Island is really the Celtic tiger in so many ways. It has diversified its economy. It has gotten into the high tech sector. It has become involved in communications, manufacturing, software development, and has made huge strides in the development of its tourism sector. It deserves our congratulations and our support.

It is members like the Liberal member for Cape Breton—Canso as well as his colleague, the member for Sydney—Victoria, that really I salute here today because they took the voice of the people who they represent and they translated it here on the floor of the House of Commons.

Bill C-15, to develop the Donkin resources, is simply a matter that the member for Cape Breton—Canso really kept the pressure up. He kept an eye on making sure that the legislation was drafted to meet the needs of the people whom he represented and brought those jobs home.

However, the members opposite on the Conservative side are actually wanting to raise the whole spectrum of the Atlantic accord. Just this morning, for the fourth consecutive time, there was to be a briefing by the Department of Finance for those interested in the amendments that were forced upon the people of Nova Scotia in their Atlantic accord agreement.

That is not what they asked for in these amendments. It is not what they were promised. Everyone in the House and everyone in the province of Nova Scotia, in Atlantic Canada and throughout this entire country knows that the promise that was given to the people of Atlantic Canada was 100% exclusion of all non-renewable natural resources for the equalization formula with no caps.

That however was not what was translated and provided by the Conservative government once it took office. That commitment was given on January 3 in an open letter to the Premier of Newfoundland and Labrador, followed by an open letter to the Council of the Federation under then Premier Ralph Klein, as chairman of all 10 provinces and 3 territories, that there would be 100% exclusion of all

non-renewable natural resources for the equalization formula with no caps. The statement was also given, “no excuses”.

We seem to be surrounded now by excuses, by fine print and by a cap. That quite frankly I think causes the people of Nova Scotia still some great concern, especially when there was to be a briefing just this morning.

For the fourth consecutive time a briefing was scheduled for all interested parliamentarians from both sides of the House. That briefing was offered by the federal Department of Finance back in October of this year, so that we could actually learn firsthand the nature of the side, side, side deal between the Prime Minister and the Premier of Nova Scotia.

It was cancelled once, it was cancelled twice, it was cancelled a third time, and this morning, 14 minutes before the meeting was scheduled to occur, it was cancelled for the fourth time, even to the point where a member of the Department of Finance was actually showing up for the meeting. Because there was no BlackBerry in the—

• (1320)

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Selkirk—Interlake on a point of order.

**Mr. James Bezan:** Mr. Speaker, we are discussing Bill C-15, the Donkin coal mine and it seems that the hon. member has gone completely off on a tangent talking about something unrelated. Let us get down to the topic. Let us have a debate on Bill C-15 and talk about things that are relevant.

**The Acting Speaker (Mr. Andrew Scheer):** I would ask all hon. members to remember when they are speaking to a particular bill that they stick to pertinent facts and details about the bill itself.

**Hon. Gerry Byrne:** Mr. Speaker, I would encourage all hon. members to get to understand and know the bill that they are discussing. Bill C-15 specifically provides an exclusion to the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act. If I am speaking about the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act, it is because it is included in this particular bill. When I do that, I am speaking about the substance of the bill. So I thank you, Mr. Speaker, for reminding members of the government that when they introduce a bill, they should get to understand the bill that they are introducing before raising points of order or objections.

That is very important. There is a matter of trust that has to be brought forward to the people of Nova Scotia. Exactly what will the bill result in for them? How will this translate, because a side deal of which nobody understands the content, as in the original Atlantic accord and the changes to the equalization act, does not do anything to instill confidence in the people of Nova Scotia. But what does is when members stand up and represent their constituents, like the member from Cape Breton and the member for Sydney—Victoria. They are keeping their eyes on this sort of stuff. They are making sure that their constituents and the people of Nova Scotia, and indeed all of Atlantic Canada, are fully aware of the consequences of this. This bill is going to be supported by the Liberal Party of Canada and this caucus because of the hard work that came forward by members of our caucus to make sure that the work got done.

*Government Orders*

There will be 275 new jobs as a result, should the private company, Xstrata, decide to go full force and develop the mine, which we are all extremely confident that it will. There will be significant resource revenues that come into the province of Nova Scotia. I note that one element of this bill requires that all royalty payments should go to the Receiver General for Canada first and then flow to the government of Nova Scotia second. That, quite frankly, causes me some concern, because we know the track record of this particular government. It could decide to block that particular flow of royalty revenues if the government happens to have a future disagreement with the province of Nova Scotia.

However, I have confidence that this mine will proceed because of the hard work of all interested members of Parliament, those who actually got to know the bill and the context of it, who supported it and are adding to this. But one thing has to be clear. There is a matter of confidence and trust that if people say that they will do something, they should do it. There was an absolute guarantee given to all 10 premiers and 3 territorial leaders of this country. It was broadcast to the entire country in the middle of the election campaign back in 2006 that there would be 100% exclusion of non-renewable resource revenues from the equalization formula with absolutely no caps involved.

What do we have? We do not know for a fact because we cannot actually get a copy of the briefing materials from the Minister of Finance or the Department of Finance as to exactly how he intends to amend the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act because of course they have scheduled four separate briefings and on four separate occasions they have cancelled those briefings. But one day, we will have that particular piece of legislation, I am confident, tabled in the House and we will be able to see with the rest of Canadians what exactly is entailed in this.

What we do know is that a letter was put forward by the current Prime Minister, then the leader of the opposition, stating there would be 100% exclusion of non-renewable natural resources from the equalization formula and no caps. We now know from the Parliamentary Secretary to the Minister of Finance, the former minister of national revenue and others who clearly stated in the House that that is not the intention of the current Conservative government, that it intends to impose a cap and that it is requiring an either take it or leave it position by the provinces that are so affected. They accept certain elements and abandon others because they cannot have both.

Quite frankly, it would have been very helpful to the electorate in Atlantic Canada in the last election campaign if they had known that little detail.

I thank the member from Cape Breton and the member for Sydney—Victoria for keeping their eyes on this file and making sure it happens for the people of Cape Breton and Nova Scotia.

• (1325)

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, the member is a former minister of the Atlantic Canada Opportunities Agency and understands very well the plight of the people of Cape Breton.

He recognizes, I am sure, that there has been a sea change in Cape Breton. Employment is increasing. Over the last 10 years there have been some great improvements, but there have been some very difficult times with the closing of the mines. Now we have a bill here that makes it possible for a mine to reopen, operated by the private sector. It gives an opportunity to have a good regulatory system that brings the feds and the province together. That is good news.

Would he not, like me, like to see good news like that continue to extend with good cooperation between the federal and provincial governments? He raised the fact, and I raise it again, of honouring past commitments, such as the Canada-Nova Scotia accord and the Newfoundland-Canada accord.

We have seen today where the minister at the very last minute backed out of a briefing, where he was going to explain why the figures that we have been able to see, between what the feds are telling us and what we know to be true, are completely different on the Canada-Nova Scotia side deal.

Does he know from his vast experience in Parliament any other reason than completely trying to hide, why a minister of the Crown would put off these meetings so many times, and again today cancel it at the very last minute?

**Hon. Gerry Byrne:** Mr. Speaker, I would like to thank my colleague for the excellent question, because it does provide a context to this.

The people of Cape Breton, as the hon. member rightfully pointed out, as throughout Nova Scotia, have really adapted to a new economy. They have developed new manufacturing expertise. They have delved into and succeeded in information technology. They have developed a strong and robust tourism sector. They are exporting their products, their goods and their services to the entire world.

The initiative of Nova Scotians is to be admired. It is a role model for the rest of the country. I for one look at the successes of the people of Nova Scotia with some amount of admiration, reflecting on the fact that I have had some involvement with it with my hon. colleague, who is as well a former minister of the Atlantic Canada Opportunities Agency.

The people of Nova Scotia know that they need a cooperative relationship with their federal government in order to succeed, to be able to harness those resources. Without that cooperative relationship, we have no success.

This particular bill does provide a glimmer of hope that there is that sort of basis of trust and support to be able to do that by streamlining those regulatory regimes. But I can also say that this mine provides 275 jobs to the coal sector. Just imagine if there was complete and full disclosure on exactly what the environment of the offshore oil and gas would be for Nova Scotia if we understood what rules would be imposed by the Conservative government.

The hon. member quite rightfully points out the fact that there is an impasse in one of the strongest growth resource sectors that we have in this country. The people of Nova Scotia are being denied a benefit from that.

*Government Orders*

He is quite right that as of this morning, for the fourth consecutive time the Minister of Finance and his departmental officials refused to meet, after scheduling an appointment to brief caucus members and those interested parliamentarians on the specifics of those particular changes that they imposed which were contrary to their election promises. For the fourth consecutive time that particular briefing was cancelled.

That is an affront to the people of Nova Scotia. It is an affront to the parliamentarians in this House and in the other place who wanted and needed to attend that briefing in order to be fully informed of a deal that was stated to be signed, sealed and delivered. It does not exist. Perhaps the reason the budget implementation act has not yet been tabled in this House is that the Conservatives do not yet know exactly how they are going to word the budget implementation act, because they do not know the context of their own deal.

● (1330)

**Hon. Shawn Murphy (Charlottetown, Lib.):** Mr. Speaker, like the previous member, I am very pleased to rise in the House to speak to Bill C-15, the Donkin coal block development opportunity act.

This basically involves a jurisdictional issue involving a provincial mine. It is good legislation. I certainly will be supporting it when it comes to a vote.

I would classify the mine as a provincial mine. It is a mine that is not being developed fresh. A lot of the infrastructure is there, although when the infrastructure was established, it was determined at the time that it was too expensive to take the coal out of the mine, the coal which is a proven resource.

The mine is located six or seven miles subsea. As such, it would be under the jurisdiction of the Government of Canada. However, the entry to the mine and all other aspects of the mine would be provincial issues. We can see the chaos and confusion that would result, because at certain points in time workers would be doing activities in certain locations that would be under the jurisdiction of the Province of Nova Scotia and then if they moved on into the mine pit, they would be under the jurisdiction of the Government of Canada. There would be uncertainty, confusion and chaos. It is incumbent upon the Government of Canada and the Government of Nova Scotia to clarify that so that the private sector developer, along with the Government of Nova Scotia and the people who live in Cape Breton, can move forward on this particular development.

I am pleased with the legislation. I am pleased with the level of cooperation that exists between the Government of Nova Scotia and the Government of Canada on this particular issue. I am not going to get into the other issue that was discussed in the last 15 minutes.

The legislation transfers most of the jurisdictional aspects in connection with the operation of the mine to the Government of Nova Scotia. For example, occupational safety, workers compensation, labour, prosecution of offences, et cetera, will be under the ambit and at the expense of the Government of Nova Scotia. There is a detailed platform for dealing with all jurisdictional issues that has been agreed to by the Government of Canada and the Government of Nova Scotia. Basically, it is a delegation of responsibilities.

Like other speakers in this House, I want to congratulate the member for Cape Breton—Canso and the member for Sydney—

Victoria for their hard work, their dedication and their perseverance in bringing this matter forward. They are to be congratulated. Certainly the people in Cape Breton can go to bed tonight knowing full well that they are well served in this institution.

I come from the province of Prince Edward Island. We have actually had a similar experience there which worked well. That was when the fixed link was constructed, the bridge that connects the province of New Brunswick with the province of Prince Edward Island.

Again, that involved legislation and an agreement. In that case, as members can see, a lot of the site works were done either in the province of New Brunswick or in the province of Prince Edward Island and so there were jurisdictional issues involving the Government of Canada. All parties came together in a cooperative agreement and it really did not result in any issues.

Of course sales tax is one of the other issues that has to be worked out in these agreements.

As I alluded to briefly in my opening comments, this is not a new mine. It has been around for quite some time. A lot of the exploratory work has been done. The tunnels actually were done quite some years ago. After the analysis and a lot of the work was done, it was determined at that point in time that it was not economically feasible to mine the coal that was there. It was just too far out.

Again, things have changed over the last number of years. As everyone is aware, the price of coal and energy in all its elements has increased dramatically. Technology has improved substantially, not only technology involving the clean coal issues but also the extraction of the coal. Those issues have all combined together to make this particular initiative now economically feasible, as I understand, and I hope it will be moving ahead. This will be an excellent development for the island of Cape Breton.

● (1335)

We are dealing with legislation that deals with a particular mine. I know the mine is important for the Island of Cape Breton and for the province of Nova Scotia but I suspect that this situation will be repeated over and over.

Many activities are occurring in the Arctic. There are other issues. It is my recommendation that the government ought to consider some type of overarching legislation that would deal with incidents such as this where we deal with a mine or a bridge or some other installation that would have cross-jurisdictional issues involved so that the overarching framework can be dealt with through agreement.

The agreement would need to come to Parliament and a parliamentary committee but I am not sure we would need to deal with it through legislation in each and every instance. We might be dealing with a mine or a project that is not as big as the Donkin coal mine and it would be a shame if the expense and the delay would have to be involved in getting legislation through both the provincial legislature, the Parliament of Canada and, of course, the Senate of Canada. That is just a suggestion I would make as we go forward.

*Government Orders*

In researching this particular issue, it is clear to me that the major stakeholders on this particular project are very much behind this legislation and this initiative. The Province of Nova Scotia and the people who live in Cape Breton, the municipality of Cape Breton, the trade unions, including the Nova Scotia Federation of Labour, all seem to be very supportive of this particular legislation. That is one of the reasons why I support the legislation 100%.

There has been some discussion about environmental concerns and that needs to be dealt with. I hope and I believe it will be dealt with by the Province of Nova Scotia and that all the legislation that it has on its books will be vigorously enforced as this project goes forward.

Another issue that has been raised in the debate is that this is a wedge issue between different provinces and different regions of the country. I do not see it that way at all. I see it as a positive development where one province or one jurisdiction has made an agreement with another jurisdiction and, in each case, it required legislation. This is the legislation that has to deal with the Government of Canada. I do not see it, in any way at all, as different jurisdictions. It is a cooperative initiative.

I consider this legislation to be positive. I congratulate the people who were involved in bringing it forward to the House. I want to tell the House that I will be supporting the bill when it comes to a vote.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, I am very pleased with the tone of the debate here today and the fact that we have support in principle from all parties. I would like to see Bill C-15 fast-tracked and ushered on through.

I know that my colleague with his legal background is very aware of the history of coal mining in Nova Scotia and Cape Breton. However, the Province of Nova Scotia would be taking on full responsibility for all matters around labour relations and occupational health and safety. We are very much aware of the Westray tragedy. It was an incredible tragedy for the people of Nova Scotia and the entire coal mining community. I had hoped that we had learned from that experience.

Is the member confident that with the regulations there, that the federal government will be able to keep the Province of Nova Scotia's feet to the fire and ensure that matters of labour relations and occupational health and safety are carried out? Is there enough clout on the part of the federal government to ensure that this operation is played out in a safe and practical manner and that looks after the best interests of those who are working with this operation? Does the member believe those safeguards are within this legislation?

• (1340)

**Hon. Shawn Murphy:** Mr. Speaker, the quick answer is yes. The regulations are there. There is no question about that.

Several years ago, I read a lot of the material that arose as a result of the inquiry dealing with the Westray matter. I would point out that the regulations were there then too but they were not enforced at the time. There was a very lax enforcement structure to deal with occupational safety issues. The people who were supposed to be acting on behalf of the people of Nova Scotia and on behalf of the miners who worked in the Westray mines were not, in my opinion, doing their job.

The regulations were there but they were not being enforced and we all know the final consequence, which was a tremendous tragedy in Atlantic Canada. It is etched in the minds of all people living in that region. I would hope and I would think that the people who enforce the legislation bear those scars as they proceed on this particular project.

I am confident that the regulations will be enforced.

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, the member spoke about this as being a one-off bill. He said that he would prefer an overarching bill that would help deal with a situation where a project crosses jurisdictions. He mentioned the Confederation Bridge project, which has been a great asset for Atlantic Canada and certainly a great asset for his home community of Prince Edward Island.

A few years ago, I remember dealing with the Canada offshore development and the concerns that the developers had in that instance about the regulatory time. The time it takes to get approval in Canada, if there are more hurdles in Canada, is two to three times as long as anywhere else internationally without having any additional safeguards.

For those reasons, would it not be good to have discussions on labour regulations and environmental regulations and the arguments about provincial and federal jurisdiction and having to answer to both? I would ask the member if he cares to comment further.

**Hon. Shawn Murphy:** Mr. Speaker, yes, that could be. I know where the member is coming from but I just thought this was a consideration. We could be dealing with overarching legislation.

The people who are developing the projects off Nova Scotia and off Newfoundland are extremely annoyed, I think would be the word, about the amount of regulation that they need to go through provincially, sometimes two provinces, and federally. That should be streamlined. However, I find the issues somewhat separate.

**Mr. Bradley Trost (Saskatoon—Humboldt, CPC):** Mr. Speaker, it is a pleasure today to address this bill for a couple of reasons.

First, what a lot of people who may be watching or later reading in *Hansard* do not know is that today is a day with special emphasis on mining issues on the Hill. It is partially coincidental, though not totally, that today we are dealing with the Donkin coal block development opportunity act, a piece of legislation that is specifically meant to assist in the growth of a particular project in Cape Breton, just off the coast of Nova Scotia. It is very important for that specific reason.

While we are talking about the overall general theme of mining today on the Hill, with people from the industry, workers, et cetera, we also have the privilege of dealing specifically with a bill that would help build this industry in a particular location for a specific town.

The second reason I am particularly pleased to speak to this bill is because of my personal professional background. Prior to being elected to the House of Commons in June 2004, I had previously worked as a mining and exploration geophysicist, having obtained my geophysics degree and graduating previously from the University of Saskatchewan.

I had the privilege of working in all three of Canada's northern territories, the wonderful territories of Yukon, Northwest Territories and Nunavut. I also spent some time working in the provinces of Saskatchewan and Manitoba. My final project before I was elected was in a place called Salluit in the most northern town of the province of Quebec where I worked on a nickel sulfide project.

It is a great pleasure for me to speak to a piece of legislation that is in some way related to my previous profession. People need to understand that mining is important for Canada. It is important for Canada historically and in the present.

While the fur trade was probably the first industry that really flourished in Canada from coast to coast and pushed inland the exploration, mining was not far behind. Some who have read their history books may remember that some of the explorers who came to Canada came specifically to look for mineral deposits, gold, diamonds and copper.

In fact, one of the more amusing stories in Canadian history is how some of the early explorers from France became very excited when they thought they had discovered massive diamond deposits in Quebec. They filled up many barrels of these diamonds and returned home. However, after a little investigation, they were not quite sophisticated enough to tell the difference between quartz and diamonds.

Historically, mining has been very important to Canada. We export somewhere in the neighbourhood of 77 different products. We are internationally known for our uranium deposits, potash, nickel and coal. We have seen the rising price of coal impact on our dollar. This is an industry which impacts every region of the country, be it oil and gas, hard rock mining or whatever.

We have particular expertise in this country for the development of our laws, geological infrastructure, the Geological Survey of Canada, the well done mapping programs and the organization and stability of our programs. That is one of the reasons why, not only in Canada but around the world, Canadian mine engineers, geoscientists and all others are recognized as experts in this field. That is just an introduction.

Today we are dealing with a particular piece of legislation that deals with a specific situation off the coast of Nova Scotia, which makes it an important bill for Cape Breton and, indeed, for all of Nova Scotia. This legislation deals directly with the prosperity and jobs in the region of Cape Breton. I am pleased to stand and support this bill.

• (1345)

The development of the Donkin undersea coal resource located off Cape Breton Island has the potential to bring significant economic benefits to the Cape Breton region and to all of Nova Scotia.

Both the province of Nova Scotia and the Government of Canada contend that they have legal obligations regarding matters such as regulating resource development, labour matters, occupation, health, safety, et cetera. In December 2005, Nova Scotia announced Xstrata Donkin Mine Development Alliance was successful in its bid to explore and develop the Donkin coal block resource. After more than one year of exploration, Xstrata will make its final decision on the development, in August 2008.

### *Government Orders*

Neither the federal government nor the provincial government wish to see issues of jurisdiction hamper the prospects of this project. We do not want red tape to kill jobs with people of Cape Breton. However, for the commercial operation of the mine to proceed, an effective regulatory regime is needed. The bill is about that. What we need is a clear understanding among all parties affected, proponents and possible employees and the community at large as to what the rules of operation are going to be on this project.

The federal government sees it as necessary to find a way around this impasse. I believe it is important to understand the process that brought us to this point of view. In my view the legislation is an example of good will and commitment by both levels of government, provincial and federal. Consequently both levels of government have put the question of jurisdiction aside to collaborate on a mechanism permitting the development of a safe and efficient mine.

Representatives of the federal government and the Nova Scotia government worked together for a year to develop the proposed legislation. Starting in March, federal and provincial officials agreed on an approach to develop an appropriate regulatory regime to develop the Donkin coal block. The agreement involves the incorporation of provincial statutes by reference into federal law of laws related to coal and coal bed methane resource management, labour relations, labour standards and occupational health and safety.

Prior to this, Nova Scotia agreed to amend its occupational health and safety laws to ensure that subsea coal miners would have the same level of protection that they have under federal legislation.

Also under the agreement, administration of the new federal laws will be delegated to a provincial government official or authority. This helps us to move forward to clear the path, to move forward for the development of the Donkin site if the private sector decides if the mine is a viable, profitable operation. Again, to be clear for everyone who is listening, the legislation only enables and takes away the red tape so that the private sector can have its own initiative to grow and develop these necessary jobs.

Public meetings were held this past April to discuss the regulatory framework. These sessions resulted in assurances that labour, community and industry groups understood and supported the proposed regulatory regime. The outcome is this bill, the Donkin coal block development opportunity act, introduced in this Parliament by the hon. Minister of Natural Resources.

Dealing with the issues of health and safety, we know there are dangers faced by coal miners and we know safety is paramount for them. Throughout history worldwide, I think of some particularly tragic incidences in Canadian history. We do not want any dangers or loss of life to happen again to our miners. Bill C-15 would clarify the occupational health and safety regulations that would apply to the Donkin resource. By eliminating confusion over who would protect these workers, we hope to protect each and every worker better.

*Statements by Members*

The proposed legislation will permit the incorporation into federal laws of existing provincial laws regarding such matters as labour standards, labour relations, occupational health and safety and coal and coal gas resource management. The administration and enforcement of these laws would then be delegated back to the province of Nova Scotia. This provides a clear and stable regulatory system, the Donkin coal development. It also permits both levels of government to retain their positions with respect to ownership and regulatory jurisdiction.

• (1350)

As well, the bill would ensure that coal and coal bed methane royalties associated with exploitation of the offshore portion of Donkin could be collected by Nova Scotia and then remitted to the Government of Canada. In turn, a remittance of an equal amount would then be made by Canada to the province of Nova Scotia. It is my understanding that is being done to be in compliance with other previous acts and legislation even though to the untrained ear it sounds somewhat cumbersome.

As all members can see, the immediate objectives of the bill are to facilitate provincial management of the Donkin coal block and provide a clear regulatory regime to govern its development

Moving on from health and safety issues, we need to talk about the economic advantage. We know not all areas of the country are equally advantaged with various economic assets and so forth. Cape Breton is one of those areas that, in spite of the ingenuity its people, has had on few more challenges, so these jobs and this growth is very important for this area.

The legislation provides Cape Breton with an opportunity to advance its own economic development to let the people of Cape Breton continue to be masters of their own house. Nowadays, clean coal burning technology exists and we have an opportunity to employ hundreds of experienced people from the coal mining industry.

By facilitating a return to Cape Breton's time honoured tradition of mining coal and by creating up to 275 direct jobs and 700 indirect jobs, the Donkin enterprise will give us another chance to revive the coal mining industry in Cape Breton.

The legislation for the Donkin mine would ensure that local people, who know the resource, would be there to inspect these mines and inspect them in a timely manner. As well, the project could generate hundreds of millions of dollars for the provincial economy in salaries, equipment purchases and so on, all very good things for the economy of Nova Scotia and Cape Breton.

Finally, as far as the specifics of the bill, the Donkin coal block development opportunity act is an outstanding example of federal-provincial cooperation. We are pleased to see that similar legislation already passed in the Nova Scotia legislature. It is now up to us, as federal members of Parliament, to do the same thing.

While that sums up the specifics about the bill, let me also add a few other things.

As I said when I started out talking about the broader issues of mining, mining is a part of Canada's heritage. We see this very clearly in Cape Breton. I am not all together perfectly acquainted

with Cape Breton, being a prairie boy who has worked across it. However, the image I have of it has to do with coal mining. When we think of the interior of British Columbia, we think about the mining and the resources. We go to places in Canadian geography, names we know of but many of us have not been to, places like Flin Flon, Trail, B.C. and areas farther north. We see the new diamond mines in the north. Mining is a part of who we are as Canadians.

We are very proud of our high tech and knowledge based economy, but we also need to understand that this high tech knowledge based economy interacts with our natural resources economy and our mining economy. Canadians are world-class leaders when it comes to geological sciences to geophysics.

We look at the work of the University of Toronto in developing things, projects that were started in the second world war for military applications for mining and mining for the military. These things have developed because of the mining infrastructure and the knowledge that we have in Canada.

It is important that we continue to develop and build this industry. It provides jobs from coast to coast. It will continue to provide economic development. It is one of those core elements that we need. We need agriculture and food to live. We need elements to provide shelter. For our industrial and manufacturing production, we ultimately need minerals.

• (1355)

That is how I would like the people of Canada and those listening today to view the bill, not specific legislation on its own, standing for one area, but as a symbol, something to speak to the whole broader issue to develop our act.

I am very glad the members for Cape Breton have supported it. I am not quite sure I credit—

**The Acting Speaker (Mr. Andrew Scheer):** Order, please. I am afraid I will have to cut off the hon. member for Saskatoon—Humboldt at this point. He will have approximately five minutes to finish his remarks when the bill is debated again.

We now move to statements by members. The hon. member for Nanaimo—Alberni.

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## STATEMENTS BY MEMBERS

• (1400)

[*English*]

### FOREIGN AFFAIRS

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Mr. Speaker, on July 12, 2006, the terrorist organization Hezbollah crossed the border of Israel in an unprovoked attack, killing eight soldiers and kidnapping Eldad Regev and Ehud Goldwasser.

Today the families of the missing soldiers met with the members of the Canada-Israel Interparliamentary Group and the Canada-Israel Committee as part of an international campaign concerning the plight of their missing soldiers.

*Statements by Members*

More than 16 months after the kidnapping, Hezbollah continues to behave unacceptably. The safe return of these soldiers to their families is long overdue. We must all stand together and make it clear that this act is out of step with international norms. It is incidents like this that mark Hezbollah as a terrorist organization.

I know that all members of this House will want to see the immediate release of Eldad Regev and Ehud Goldwasser.

\* \* \*

**POVERTY**

**Mr. Mario Silva (Davenport, Lib.):** Mr. Speaker, Canada's economy may be doing well, but across the country there are millions of Canadians who live in poverty. This is especially true for women and children, as has been reported across the country today.

Single female seniors are particularly challenged. One report provides the example of a single female senior who, having worked all her life to raise her three children, has had to give up her car, buy second-hand clothes and live on combined benefits of \$16,000 per year.

The United Nations agency for children, UNICEF, reports that in Canada “our children are suffering from unacceptable rates of poverty”.

The levels of poverty in this country, especially for women and children, are totally unacceptable.

The Leader of the Opposition has recently outlined real and meaningful plans to deal with the issue of poverty in Canada, but from the government we hear nothing. That is an absolute shame. Canadians deserve better.

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[*Translation*]

**JOLIETTE ART MUSEUM**

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, 40 years ago, Father Corbeil, lawyer Jacques Dugas, the Joliette town clerk at the time, Jacques Desormiers, and Serge Joyal founded the Musée d'art de Joliette. The museum's collection began in the 1940s and now contains more than 8,000 works, including paintings, sculptures and works on paper, as well as a large collection of religious art with several works from the French middle ages.

The pride of Lanaudière and a Joliette institution, the art museum adds to the cultural fabric of the region and makes an invaluable contribution to the region's identity as well as Quebec's. The museum relies on unfailing support from friends such as René Malo, a filmmaker, who generously donated \$100,000 from his family foundation, as well as the town of Joliette, which supports its museum year after year. I would also like to congratulate the current executive director, Gaétane Verna, the president, Yvan Guibault, as well as all their predecessors and the volunteers who have helped make this institution a real treasure.

On behalf of the Bloc Québécois, I would like to wish the Musée d'art de Joliette continued success.

[*English*]

**TRANS DAY OF REMEMBRANCE**

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, today is Trans Day of Remembrance, when people in communities across Canada and around the world gather to remember the victims of trans-phobic violence and to dedicate themselves to working to end all forms of discrimination against transgender and transsexual people.

The government and this House could take an important step toward ensuring the full equality of transgender and transsexual Canadians by including gender identity and expression as a prohibited ground of discrimination in the Canadian Human Rights Act. Other actions are needed to end discrimination in the workplace, in housing, in health care, in the justice system and in the provision of identity documents.

The theme of this year's Trans Day of Remembrance is “Claiming our history, claiming our pride, contributing to our community”.

Transgender and transsexual people are members of our families and they are our neighbours and our co-workers. Canada is richer for their life experiences and the many ways in which they contribute to our understanding of our humanity and the meaning of equality.

New Democrats are honoured to stand in solidarity with them on this day and in this struggle.

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**MINING DAY**

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, today is Mining Day on the Hill.

The mining sector is one of Canada's greatest assets and sources of wealth. It is a key economic driver for some 1,200 communities, mostly in rural and remote areas of our great country. The mining and mineral processing industries generate more than 369,000 jobs and contribute some 4% of the GDP.

Our government stated in the Speech from the Throne that the “mining and resource sectors present extraordinary opportunities across Canada”.

New projects will provide many employment opportunities, including partnerships with aboriginal people to provide skills and training necessary to take advantage of these prospects.

The Mining Association of Canada has committed to further strengthening this relationship with a draft framework on mining and aboriginal peoples as part of its “Towards Sustainable Mining” initiative. Our government will do its part through initiatives such as the major projects management office and the northern regulatory improvement initiative, and through corporate tax reductions.

I would like to welcome representatives from the mining sector to the nation's capital as they participate in Mining Day on the Hill today and say happy Mining Day to them.

*Statements by Members*

●(1405)

**FOREIGN AFFAIRS**

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, I rise today to acknowledge the presence in Ottawa of Zvi Regev, Shlomo Goldwasser and Omri Avni. They are members of the families of Eldad Regev and Ehud Goldwasser, the Israeli soldiers who were kidnapped by Hezbollah last summer.

On July 12, 2006, in an unprovoked attack, the terrorist organization Hezbollah crossed the border between Israel and Lebanon, killing eight Israelis and kidnapping Eldad Regev and Ehud Goldwasser. This event exacerbated last summer's Lebanese war.

In spite of United Nations Security Council resolution 1701, the fate of both Regev and Goldwasser is still unknown.

I call on the Government of Canada and on all my colleagues in the House to do whatever they can to make sure the soldiers are returned to their loved ones. It is a question of justice, a question of human rights and a question of basic humanity.

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**QUEEN ELIZABETH II AND PRINCE PHILIP**

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Speaker, today marks the diamond anniversary of the wedding of Her Majesty the Queen to the Duke of Edinburgh.

It was 60 years ago today that Princess Elizabeth and Prince Philip pledged eternal love and loyalty to each other in the presence of many of the great figures of the 20th century, and with the blessings of many others, ranging from Mahatma Gandhi to the millions of Canadians who had to wait days to see newsreels of the event.

Their marriage is the longest for any reigning king or queen in the history of our monarchy and gives us cause, as the Archbishop of Canterbury has observed, "to celebrate the relationship between monarch and people of which that marriage is a symbol".

The royal couple's devotion to each other has been as constant as their devotion to their dominions and to the Commonwealth. I have no doubt that in time their love match will become as much the stuff of legend as that of Queen Victoria and Prince Albert.

On this happy day, I say God save the Queen and long may she reign with Prince Philip by her side.

\* \* \*

[Translation]

**MINING INDUSTRY**

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, the French-speaking Canadian section of Amnesty International is campaigning this fall against the abuses by certain Canadian mining companies that have mining operations abroad. I would like to commend the efforts of students at Cité-des-Jeunes, Vaudreuil-Dorion, Chêne-Bleu, and Pincourt secondary schools in my riding of Vaudreuil-Soulanges, who are actively participating in this campaign by collecting signatures on a petition.

Since last week, Amnesty International has collected 11,141 signatures, including those collected by the students in my riding, asking that Canadian mining companies respect the rights of the inhabitants of poor countries where they operate.

Canada is an important player in global expansion. The Canadian mining industry, we should note, supports these efforts. Canada must demonstrate leadership in this area. Let us follow the lead of these students in demanding the respect for human rights by our mining companies working abroad.

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[English]

**YOUTH CRIMINAL JUSTICE ACT**

**Mr. Rick Casson (Lethbridge, CPC):** Mr. Speaker, yesterday the Minister of Justice tabled legislation that seeks to establish new measures to protect Canadian communities from young offenders who pose a risk to public safety.

We must do everything we can to prevent at risk young people from falling into the trap of becoming criminal offenders early in life. This new legislation will provide law enforcement and judicial institutions the tools they need to prosecute and hold young offenders accountable.

We fully recognize the importance of rehabilitation, which begins with offenders taking responsibility for their own actions, and the bill promotes such rehabilitation.

In addition to providing meaningful deterrents to the commission of crimes, the new legislation also seeks to establish justice reforms that would teach at risk youth the importance of being accountable for their actions and that there are indeed consequences when they choose crime over the law.

Through this new legislation, Canada's government is fulfilling a commitment that it made to Canadians, a commitment for safer communities and a safer Canada.

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**SUNSET COUNTRY MÉTIS**

**Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.):** Mr. Speaker, I am privileged to rise and honour the Sunset Country Métis people.

These children of the fur trade carry a proud history in Canadian society, filling many key roles with wisdom, tenacity and quiet confidence as they helped to build the Rainy River district.

From their example, we have learned respect for the environment, a sharing of the harvest, and a caring for others.

I ask members to please join me in thanking the Sunset Country Métis people for their valuable contribution to the prosperity and development of Canada.

I am honoured to call many of them friends and also honoured to be able to represent such great communities in Parliament.

*Statements by Members*

[Translation]

**THE ENVIRONMENT**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, the Bloc member for Rosemont—La Petite-Patrie is criticizing our government with regard to climate change. Yet since 1990 the Bloc Québécois has been unable to meet the challenges of climate change, because it cannot implement any measures to do so.

The Parti Québécois farm team is lecturing us today, yet 10 years ago the Bloc could not even convince its head office to make a commitment to comply with the Kyoto protocol.

On February 12, 2007, the Conservative government transferred \$350 million to Quebec so that it could implement its own plan. That is \$350 million more than the Bloc has ever been able to get for environmental initiatives in Quebec.

In short, in just 371 days in power, the Conservative government has done more for climate change in Quebec than the Bloc has in 17 years in Ottawa.

Deceit has its limits. The Bloc's record on climate change is a failure.

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● (1410)

[English]

**NATIONAL CHILD DAY**

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, today is National Child Day, a day to celebrate the rights of children.

Sixteen years ago, Canada signed on to the United Nations Convention on the Rights of the Child, yet for 16 years Canada has had no one to monitor the well-being of children. It has had no target or action plan to fight child poverty or obesity. It has had no national child care plan.

In fact, it has had no plan for kids at all.

To make matters worse, Conservatives are doing nothing while foreign corporations are trying to buy up child care centres right across Canada. Big box child care centres have a lower quality and higher fees. Worst of all, they make 40% of their revenues from public dollars.

However, there is an answer. The NDP's early learning and child care act returns to Parliament today. I urge all members to vote yes to higher quality, affordable and non-profit child care and yes to Bill C-303.

Our children deserve the best possible head start in life. Let us stand up and be counted and support our children and their working families.

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**JUVENILE DIABETES RESEARCH FOUNDATION**

**Mr. Lloyd St. Amand (Brant, Lib.):** Mr. Speaker, I would like to pay tribute to Stephanie Hermans from Brantford.

In August of this year, Stephanie swam across Lake Ontario, a distance of 30 miles. Many persons attempt the swim, but only one in three succeeds.

Stephanie succeeded in magnificent fashion, completing the swim in only 18 hours. More impressive is the fact that her swim was all about helping others. She raised \$7,500 for the Juvenile Diabetes Research Foundation.

Stephanie's twin sister Sarah, who suffers from Type 1 diabetes, was present for Stephanie's swim, as were other justifiably proud family members.

Stephanie is a credit to her family, a credit to her community and a credit to her country. As Winston Churchill said, "We make a living by what we get, but we make a life by what we give".

I would like to thank Stephanie for what she has given to others.

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[Translation]

**UNIVERSAL CHILDREN'S DAY**

**Mrs. Maria Mourani (Ahuntsic, BQ):** Mr. Speaker, as part of Universal Children's Day, Initiative 1, 2, 3 GO! Ahuntsic, RePère, the Bureau de coordination des services de garde d'Ahuntsic, the Pacific Path Institute and Centres Jeunesse have brought back a children's advocacy exhibition by an Ahuntsic artist. In 1997, this internationally renowned artist received an honourable mention from the Commission des droits de la personne et des droits de la jeunesse du Québec. November 20 marks the day the United Nations General Assembly adopted the Declaration of the Rights of the Child in 1959, and the Convention on the Rights of the Child in 1989.

The advocacy exhibition by Thérèse André entitled "Tendresse-tendresse" will give my community an opportunity to reflect, in the hope that one day all the children of the world, including ours, will be free from violence, poverty and exploitation.

There are far too many children suffering. Governments must heed the call and take action.

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[English]

**NATIONAL CHILD DAY**

**Mrs. Susan Kadis (Thornhill, Lib.):** Mr. Speaker, this year's theme for National Child Day is "The Right to be Active". Promoting physical activity is essential to children's health. A quarter of Canadian children are either overweight or obese.

One estimate suggests that obesity currently costs the health care system \$1.6 billion annually. Without immediate action, we are sacrificing the quality of life of our children and putting them at serious risk for preventable chronic diseases such as diabetes or even death.

Regrettably, the Conservative government's response to the health committee report, "Healthy Weights for Healthy Kids", shows clearly that it lacks the resolve to develop a comprehensive national plan to fight childhood obesity.

### Oral Questions

The federal government must provide immediate leadership to ensure that the growing trend of increasing childhood obesity is reversed.

In recognition of National Child Day, I call on the government to adopt the recommendations to combat childhood obesity put forward recently by the Standing Committee on Health.

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### NATIONAL CHILD DAY

**Mrs. Lynne Yelich (Blackstrap, CPC):** Mr. Speaker, today is National Child Day and children and families are a priority of this government. That is why this government has provided all parents with choice in child care by implementing the universal child care benefit. I do not understand why the Liberal leader has said he would take it away.

This government created a new \$2,000 child tax credit and provided an additional \$250 million to the provinces, which has helped them announce the creation of more than 32,000 spaces.

This government is spending \$5.6 billion this year alone on early learning and child care. This is the single largest child care investment in Canadian history, three times more than the previous Liberal government ever spent.

After 13 years of countless broken promises, even the former deputy leader of the Liberal Party, Sheila Copps, had to admit that her government did not create a single child care space.

It is fitting that this year's theme is "The Right to be Active", because getting active is what this government has done after more than 13 years of Liberal inaction.

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## ORAL QUESTIONS

• (1415)

[English]

### AFGHANISTAN

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, yesterday I asked the Prime Minister why he misled the House last April about torture in Afghanistan but he refused to answer. Let me try again.

Why did the Prime Minister tell the House on April 30 that there was no evidence to support these allegations when Federal Court documents now prove that last April they did have evidence of torture?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we have said repeatedly that there has been no evidence of any abuse involving the transfer of Canadian prisoners until one case recently in the past two weeks.

We do have a process in place with the Afghan government to monitor this and to ensure there is an investigation, and those are the facts.

Frankly, unless the Leader of the Opposition has some concrete evidence of allegations to make against Canadian soldiers, he should either make them, show that evidence or he should apologize.

[Translation]

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, the facts speak for themselves, against the government but for our soldiers.

The Minister of National Defence himself admitted last Sunday that the government had concealed the truth about torture. Absurdly, he tried to justify this cover-up by citing national security.

Does the Prime Minister agree with his Minister of National Defence that torture should be concealed in the name of national security?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is strange to say "for our soldiers" when he is accusing them of knowing about allegations of torture.

The truth is that our soldiers and military personnel always respect their international obligations. There is an agreement in place with the government of Afghanistan. When there is evidence of such allegations, an investigation is carried out, as is the case right now. If the leader of the Liberal Party would like to make any allegations against our soldiers, he should produce some evidence or apologize to our soldiers.

[English]

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, the Prime Minister is pathetic. Court documents show that he misled the House. Court documents told the truth, not the Prime Minister. Court documents show that the government is transferring Afghan children in a system of abuse and torture. Court documents show that the government knew that last June and it is continuing to transfer children.

Today, Universal Children's Day, will the Prime Minister commit to stopping the transfer of children?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, Canadian Forces in Afghanistan transfer juvenile prisoners separately, according to international agreement. There has not been any evidence of abuse against such juveniles who have been transferred.

The Leader of the Opposition makes these allegations when Canadian heroes are being brought back to this country for burial. He has not a shred of proof and he should apologize to the military for those accusations.

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, yesterday the Minister of National Defence claimed that juvenile detainees were held separately from prisoners in Afghanistan.

However, there are two problems here. First, his own officials say that the separation of juveniles from the general prison population "remains an issue in Afghanistan". Second, international conventions say that we should not be transferring child soldiers in the first place.

*Oral Questions*

Would the Prime Minister confirm today that no juvenile detainees transferred by Canadian soldiers have been harmed or tortured and can he account for every last one of them?

• (1420)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I just said that there was no evidence to support such allegations. The government has been clear on that.

Canadian soldiers and Canadian officials are very conscious of our responsibilities under international law.

The Leader of the Opposition made a contrary accusation, fabricated an allegation and, if he is not prepared to apologize, his deputy leader should apologize for him.

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, I will make no such apology. I am doing my job and it is time the government did its job.

[*Translation*]

International conventions require us to help child soldiers, not detain them.

Why are they transferred to a system in which the government cannot guarantee their safety?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, clearly, it is the Liberal Party's job to cook up these allegations against Canadian soldiers. Our job here is to defend and protect our Canadian soldiers, as they themselves are defending our interests.

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#### GUARANTEED INCOME SUPPLEMENT

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, a few years ago, the Bloc Québécois launched a major campaign to inform seniors of the guaranteed income supplement program. At the time, 68,000 Quebec seniors were entitled to the guaranteed income supplement but were not receiving it. Today, 40,000 Quebec seniors continue to go without these benefits. The Bloc has continued its awareness campaign and is demanding full, retroactive payment of these benefits, which the government has refused despite the \$11 billion surplus forecast for this year.

Why does the Prime Minister refuse to help seniors by making fully retroactive payments of the guaranteed income supplement when he has the means to do so?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as a result of this government's actions, seniors only have to apply once for the guaranteed income supplement and no longer have to fill out an application year after year. We also have dynamic information campaigns aimed at contacting seniors and informing them of the benefits to which they are entitled. That is what this government is doing.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, when this Prime Minister and his party were in opposition they voted in favour of the Bloc Québécois motion calling not just for retroactivity but for full retroactivity. Now that they are in power they are refusing.

Does the Prime Minister realize that he has reached the heights of hypocrisy by refusing to keep the promise made when in opposition?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government has kept its election promises. Seniors have benefited from these initiatives.

I find it strange, nonetheless, because if the Bloc Québécois were to achieve its objectives, Quebecers would not enjoy any of the benefits of federal programs.

**Mr. Raymond Gravel (Repentigny, BQ):** Mr. Speaker, just to make it to the poverty line seniors need an additional \$110, not the current \$18. The government should be embarrassed to refuse this indexation when it was so quick to allocate over \$14 billion in surplus to the debt.

What is the government waiting for to show some compassion and dig into its own pockets to truly index this program for seniors who desperately need it?

• (1425)

[*English*]

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, the fact is this government has put in place a minister dedicated solely to seniors' issues. We put in place a National Seniors Council. We are fighting elder abuse. We have expanded the new horizon program. We have improved benefits for seniors. We have reduced their taxes. We have done more in 21 months than the previous government did in 13 years.

[*Translation*]

**Mr. Raymond Gravel (Repentigny, BQ):** Mr. Speaker, instead of treating the oil companies to tax cuts, the government could index the guaranteed income supplement in order to help seniors who truly need it. Tax credits will only help the oil companies increase their already obscene profits. Shell alone will save \$59 million; Imperial Oil, \$107 million; and Talisman Energy, \$80 million.

Will the government acknowledge that in its last economic statement, it chose to help oil companies over seniors who are living below the poverty line? The government should be ashamed of itself.

[*English*]

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, the member is obviously not paying attention.

This government has moved aggressively to improve benefits for seniors. We have put in place a National Seniors Council so it could reflect the views of seniors across this country and ensure we had that important input.

The member speaks of taxes. Under the leadership of the finance minister, we reduced income taxes so that 385,000 low income Canadians, many of them seniors, will no longer pay any income tax at all.

*Oral Questions**[Translation]***MUNICIPAL INFRASTRUCTURE**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, years of Liberal negligence have created a massive municipal infrastructure deficit. The mini-budget did nothing to remedy the situation. Taxes and service fees are on the rise across the country.

For example, in Sudbury, user fees were increased by 8%.

*[English]*

In North Bay, service fees are up. In Owen Sound and all over the place, sewer and water fees are up. Ice rental fees in Chatham are up 25%.

Will the Prime Minister fix his Liberal supported mini-budget blunder and start investing in our cities and communities so we can start to get—

**The Speaker:** The right hon. Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, since coming to office, this government has announced record amounts of spending and record new programs for dealing with infrastructure in Canada. In fact, they amount to an additional \$33 billion over the next seven years. This covers everything from national down to certain types of municipal and local infrastructure.

The NDP voted against all of those initiatives but this party voted for them.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, they make announcements but there is no delivery. Where is the money?

The fact is that the government chose a \$14 billion corporate tax cut instead of investing in cities and communities. It is homeowners that are having to pay the price.

In Waterloo, Toronto, Victoria, Oshawa, Mississauga, Gatineau and Vancouver property taxes are way up to pay for infrastructure. Homeowners in Edmonton and Abbotsford are facing double-digit tax increases. In Brampton, it could go as high as 30%.

Why should homeowners pay while corporations get big tax cuts and their cities fall apart?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, our government has brought in tax reductions for all Canadians, individual Canadians, Canadian families, and Canadian businesses. The only thing they all have in common is that the NDP voted against every one of them.

The NDP also voted against the infrastructure program. The NDP says “where is the government?” I will give an example. The billion dollar FLOW project to aid public transit infrastructure in the greater Toronto area, that is where we were. Where was the leader of the NDP when we announced that?

\* \* \*

**JUSTICE CANADA**

**Hon. Karen Redman (Kitchener Centre, Lib.):** Mr. Speaker, we know that in 2006 the justice department started to take another look at whether the \$2.1 million payment to Brian Mulroney should be set aside but mysteriously the whole process just stopped.

Now the justice minister refuses to answer questions and threatens those who ask questions.

Why all the secrecy from the justice minister? Who stopped the justice department from discharging its duty to Canadians?

• (1430)

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I want to be absolutely clear. I did not shut down anything in the justice department.

I think this would be a good opportunity for the member for Brampton—Springdale to get up on her feet and apologize and withdraw the remarks that she made about me.

**Hon. Karen Redman (Kitchener Centre, Lib.):** Mr. Speaker, justice department officials wanted to review the Mulroney settlement in light of new evidence that his story had changed, but that was before the cabinet shuffle.

After the cabinet shuffle, when the former Mulroney caucus member became justice minister, there was no more talk of a review.

Will the government confirm that based on this new information it now has relaunched this review and, if not, why not?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, the allegations by the hon. member are completely false. They are a fabrication.

I invite her to make those comments outside the House. It is one thing to slander an individual in the House of Commons. I say that she and each of them should have the guts to say it outside this place.

*[Translation]*

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, there is no doubt that the Minister of Justice is caught in a conflict of interest. He knows nothing about the review by his own department and refuses to be fully briefed on these files. He is doing absolutely nothing to help Canadian taxpayers recover the \$2 million from Brian Mulroney's pockets.

Will the Minister of Justice agree to step down while his former boss is being investigated?

*[English]*

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, my responsibilities are very clear and they are related to me as Minister of Justice and Attorney General of Canada. If they have any allegations to make, anything of that kind, they should do it outside the House.

*Oral Questions*

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, the Minister of Justice is proving that accountability means absolutely nothing to the Conservative government. The minister has done everything in his power to do nothing within his power, and it is the Canadian taxpayer who is paying the price.

If the minister is unwilling to stand up for Canadians, will he get out of the way and let someone else do his job for him, someone who is prepared to stop the cover-ups and get to the bottom of this scandal?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I am always willing to accept good advice, but the very last group of people I would get advice from are members of the Liberal Party of Canada.

About a week ago, the Liberals were advising us to release private tax information of a Canadian citizen. Members can appreciate that I, and I think everybody in the country, should be pretty skeptical about any suggestions or advice coming from the Liberal Party.

\* \* \*

[Translation]

**MANUFACTURING INDUSTRY**

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, yesterday, the Premier of Quebec said: "The federal government has the financial ability to provide immediate assistance to the hardest-hit companies".

Despite a surplus of \$11 billion, the government failed to allocate one single dollar in its last economic statement to help the embattled manufacturing sector. Instead it offered tax cuts to a manufacturing industry that is not making a profit and that therefore pays no taxes.

When will the Minister of Industry wake up and actually do something to help the manufacturing industry?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, in the budget this year, the federal government brought in an accelerated capital cost allowance, recommended unanimously by the industry committee of the House, a 100% reduction in capital cost allowance over the course of two years, a very important incentive for Canadian business. We are seeing an acceleration of investment in machinery and equipment.

Then, in the fall economic statement, we brought in historic corporate tax and business reductions, including for manufacturers in Canada. I invite the province of Quebec and other provinces to emulate the federal government's actions.

[Translation]

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, my question was for the Minister of Industry. I wonder whether there is one in the House.

The Premier of Quebec also noted the absence of measures for workers, so he asked the federal government to use part of its \$11 billion surplus to bring in transitional measures like those proposed by the Bloc Québécois and those put forward by the Quebec government for the forestry industry. Those are real solutions.

What is the government waiting for to implement them?

• (1435)

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, we disagree. We understand the importance of the products produced by the manufacturing sector. We reacted positively to the committee's 22 recommendations on the manufacturing sector. We will help companies innovate, prosper and create jobs.

\* \* \*

**FORESTRY INDUSTRY**

**Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ):** Mr. Speaker, since April 2005, the forestry industry has lost 21,000 jobs in Quebec alone. The forestry crisis is creating new victims every week. For instance, Norbon has been forced to close indefinitely two of its plants in my region, one in Val-d'Or, the other in La Sarre.

Does the government realize that its laissez-faire policy is sucking the life out of all the regions of Quebec? Will it immediately implement programs to help the workers and communities affected by this crisis?

[English]

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, any time a mill is shut down, the government moves immediately to contact both the company and the union through Service Canada.

I point this out for the member. Since we put in place the targeted initiative for older workers, out of 40 projects operating across the country, 20 of them are operating in Quebec precisely because we see the tremendous potential of these workers. We want to help them transition into jobs and that is exactly what they are doing in Quebec and around the country today.

\* \* \*

[Translation]

**MANUFACTURING INDUSTRY**

**Mr. Guy André (Berthier—Maskinongé, BQ):** Mr. Speaker, since January 2006, 65,000 manufacturing jobs have been lost in Quebec. The Minister of Foreign Affairs and member for Beauce is advocating a laissez-faire policy, inspired by his friends at the Montreal Economic Institute. This policy is so effective that 150 jobs have recently been lost in the minister's own riding. Baronet, a furniture manufacturer, must close. He should be ashamed that he is not defending the interests of the people in his constituency.

When will the government decide to take action, follow the recommendations in the report of the Standing Committee on Industry, Science and Technology and put in place real measures to support and help the manufacturing industry?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I thank the member for his question.

In recent weeks, manufacturers and exporters in Quebec have said this:

*Oral Questions*

The reduction of federal corporate tax rates is an important measure that will enable Canada to maintain the level of private investment and attract foreign investment. We are therefore preserving our long-term global competitiveness...we congratulate the Minister of Finance on recognizing the—

**The Speaker:** The hon. member for Beauséjour.

\* \* \*

[English]

**AIRBUS**

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, the justice minister claims he was never briefed on allegations related to Mr. Schreiber. Yet on two occasions he wrote to Mr. Schreiber to turn down his requests because he claimed there was no new information.

How would he know?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, the Prime Minister has set a process in place by which there will be a full public inquiry. The House should listen and have a look at what Professor Johnston has to say when he reports to the Prime Minister.

[Translation]

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, last week, the minister ordered that Mr. Schreiber be kept in Canada for another two weeks.

If the Prime Minister believed that Mr. Schreiber's allegations were baseless, he never should have called for a public inquiry.

Since it was Mr. Schreiber's sworn statement that set everything in motion, will the government guarantee that Mr. Schreiber will remain in Canada long enough to testify under oath before the public inquiry?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, as justice minister and attorney general, I am seized of this matter of extradition. Therefore, it would not be appropriate to comment further.

• (1440)

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, we all know that Mr. Schreiber sent many letters to the Prime Minister, including at least two outlining serious allegations since June 2006. The Prime Minister continues to say that only senior public servants saw these letters, as well as a few from PMO.

Will the Prime Minister finally shed some light on this? Will he table in the House the official correspondence routing records, what staff saw these records and on what date?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, the Prime Minister has set in place a course of action that I think most Canadians would appreciate is reasonable. He asked a very eminent Canadian, Dr. Johnston, to have a look at this and set the parameters for a public inquiry. We should await his report.

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, if the Conservatives have nothing to hide, what is the problem?

The Prime Minister's Office claims that these troubling allegations stayed in the Privy Council Office. Are Canadians supposed to

believe that PCO did not warn the Prime Minister to keep his distance from Mr. Mulroney while they were repeatedly arranging meetings between the two men?

The Prime Minister praised Mr. Mulroney in a speech just last April, after these allegations were sent to his office. When the Prime Minister said that Mr. Mulroney would be remembered as Canada's greenest prime minister, was he talking about the money?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, members will remember that about a week ago the Liberals were screaming for a public inquiry. When they were given a public inquiry, they first could not figure out that they got what they had asked for. Now I am not quite sure what they want.

However, we have indicated that a full public inquiry with respect to these issues is the appropriate way to go.

\* \* \*

**JUSTICE**

**Mr. Ed Fast (Abbotsford, CPC):** Mr. Speaker, this morning the Minister of Justice tabled a bill that includes a mandatory prison sentence for criminals who profit from vulnerable drug addicts in our country. The proposed legislation also provides an exemption whereby a drug treatment court can suspend the mandatory prison sentence if the offender completes a recommended treatment program.

Could the minister explain the significance of this bill to our national anti-drug strategy?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we advocate a balanced approach. Remember when we announced the national anti-drug strategy, we said that two-thirds of the new resources would go to prevention and treatment. At the same time, we have introduced a bill that provides mandatory jail terms for serious drug dealers, importers, those who get involved with grow operations.

In summary, we want addicts in treatment and we want dealers in jail.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, the government's refusal to ask for clemency for a Canadian on death row is immoral. By their actions, the Conservatives have sentenced a Canadian to death with no formal announcement, no notice of the new policy and no debate. Meanwhile, the government has placed the case of a Canadian in a Bulgarian prison at the top of its priority list.

Why is the minister trying to hid the government's new position on the death penalty and why is the Bulgarian case taking so much precedence over a Canadian about to be executed?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we have been very clear that we are not prepared to intervene in the case of a multiple murderer and eventually ask for that individual's repatriation back to Canada.

*Oral Questions*

With respect to the law in our country, we are very clear. We have a busy justice agenda, but this is not part of it.

**Mr. Paul Dewar (Ottawa Centre, NDP):** That was not my question, Mr. Speaker. It was about government policy. The Conservatives are changing Canada's position on the death penalty by stealth. When we contrast the government's actions in the case of Canadians on death row with its actions on behalf of a millionaire in jail, the Conservative position is perplexing and downright illogical.

Could the minister explain how he assigns priority to clemency and transfer cases and what makes the case of Mr. Kapoustin worthy of government lobbying, but not the case of a Canadian about to be killed?

•(1445)

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we examine each case on its merits. As I indicated to the House, in the case of the individual who was the multiple murderer, we are not prepared to intervene. However, we take our responsibility seriously and we look into all these matters very carefully.

\* \* \*

**GOVERNMENT APPOINTMENTS**

**Mr. Mark Holland (Ajax—Pickering, Lib.):** Mr. Speaker, given the following, that reports alleging a federal inducement was offered to Ottawa mayoralty candidate Terry Kilrea in exchange for his exiting the mayor's race, that these reports included sworn OPP statements that allege Conservative Party operatives, including John Reynolds and the Minister of the Environment, were aware of this offer in the form of a Parole Board appointment and further, that the OPP have reason to suspect a meeting took place between the minister and Mr. O'Brien around the time of these events in question, would the minister like to clarify his or any of the government's past statements on this matter for the public record?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, the public record could not be more clear. No patronage position was ever offered, none was ever considered and none will be offered. Only the Liberal Party considers it is scandal when that happens.

However, I did find it very interesting that the member, and I will not get into his understanding of jurisdiction, is up to that old Liberal habit of trying to tell the RCMP who to investigate.

**Mr. Mark Holland (Ajax—Pickering, Lib.):** Mr. Speaker, I am talking about inconsistencies in statements that have been given to the OPP and statements made by the government.

The reality is Mr. O'Brien once pledged to help raise more than a half a million dollars to oust his leader, the now public safety minister, a leader who was replaced by the Prime Minister.

Later the same O'Brien wanted Kilrea out of the mayor's race to better his chances of winning. He seemed certain he could deliver a federal inducement to entice this. He made the offer again and again. Why was O'Brien so certain he could get Kilrea a federal job?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, the member for Ajax—Pickering asks a good question.

Why was he so certain he could get a federal job? It is a very good question because he was president of the Laurier Club, the Liberal exclusive fundraising club.

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

**The Speaker:** Order, please. The hon. member for Sudbury has the floor. Perhaps these off the record discussions could take place elsewhere.

\* \* \*

**ROYAL CANADIAN MOUNTED POLICE**

**Hon. Diane Marleau (Sudbury, Lib.):** Mr. Speaker, Mr. Dziekanski arrived in Vancouver around 4 p.m. on October 13 but did not clear customs until well after midnight. His mother waited and she searched for six hours but no one would help her find her son. We know he got through immigration, but we do not know how.

The airport has a Polish speaking employee who was never called to help. How did Mr. Dziekanski get through immigration? How could officials ignore a man so clearly in distress and for so long?

**Hon. Stockwell Day (Minister of Public Safety, CPC):** Mr. Speaker, those are some of the questions that haunt us related to this particular tragic incident. Those were among the questions which I posed long before the Liberals actually were showing any concern on this matter.

Some time this week, I am hoping within the next couple of days, we will be receiving a report from the Canada Border Services Agency. It has had the time to do a thorough analysis of the matter, including all of the camera checks, the interviews with any individuals who may have come in contact with this gentleman. I have asked that the report come out quickly with recommendations. That will happen very soon this week.

[*Translation*]

**Hon. Diane Marleau (Sudbury, Lib.):** Mr. Speaker, for hours Mr. Dziekanski was unable to communicate with anyone at the airport. Even though the Polish embassy has a 24-hour telephone answering service to help Polish-speakers who are visiting Canada, no one at the airport called that service.

How could Mr. Dziekanski have been admitted by immigration when he was unable to communicate with anyone?

**Hon. Stockwell Day (Minister of Public Safety, CPC):** Mr. Speaker, the situation involving Mr. Dziekanski is extremely sad and tragic. I have asked the Canada Border Services Agency for a report, because we want answers. We want to know what happened.

I have been assured that we will receive the report before the end of the week. I hope to receive it tomorrow, Thursday or Friday.

*Oral Questions*

●(1450)

**AFGHANISTAN**

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, the Prime Minister claims that only one case of torture was reported. He is mistaken because he has been contradicted by Amnesty International, which has reported seven allegations of torture over the course of 32 visits, and by the defence department whose internal reports also confirm cases of torture and mistreatment.

In view of these facts, how can the Prime Minister continue to maintain that there has been only one case?

[English]

**Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, we take this very seriously, as we do all allegations, but when there is nothing behind it, we have to question the motivation of the questioner.

When there have been cases brought to our attention, we have taken action immediately. We are taking action with the Afghan government and if the hon. member suggests that Canadians are over there committing war crimes, I think that she should reconsider that.

[Translation]

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, the Minister of National Defence has confirmed that child soldiers who are captured are dealt with separately. However, he remains silent about how they are treated subsequently.

Does the minister realize that, if these children are transferred to Afghan authorities, Canada is in contravention not only of the Geneva Convention, but also the UN Convention on the Rights of the Child?

[English]

**Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, once again that is absolute nonsense. Canada is not contravening the Geneva convention. We handle juvenile prisoners very carefully. They are kept separately from adult prisoners in our facility. When they are transferred to the facility in Kandahar, they are kept separate from adult prisoners there as well.

Canadians are rebuilding Afghanistan with the help of Afghans. We are abiding by every arrangement that we have entered into, whether it is the Geneva convention or the May 2006 arrangement with the Afghan government. We are doing everything we can to help Afghanistan rebuild.

\* \* \*

**CHILD CARE**

**Ms. Ruby Dhalla (Brampton—Springdale, Lib.):** Mr. Speaker, today is National Child Day and the children of Canada are not—

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

**The Speaker:** Order, order. The hon. member for Brampton—Springdale now has the floor.

**Ms. Ruby Dhalla:** Mr. Speaker, it is National Child Day and the children of Canada are not celebrating.

They look at the Conservative government and all they see are broken promises. They see a government that has turned its back on progress and the future. They see a government that tore up the Liberal early learning and child care agreement which would have provided quality, accessible and affordable child care. They see a government that has broken its promise to create 125,000 child care spaces.

When will the government show some leadership, take action and reach out to Canada's children?

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, I have to point out that by working cooperatively with the provinces, we are now on our way to creating 32,000 new child care spaces, but one thing we will not do.

The leader of the Liberal Party has said he would tear up the universal child care benefit, which really speaks volumes about his lack of faith in the ability of parents to raise their own children. I think he should explain why he thinks so little of parents, and by the way, the member really should apologize to the Minister of Justice for what she said.

\* \* \*

**HEALTH**

**Mr. Bruce Stanton (Simcoe North, CPC):** Mr. Speaker, Canadians want action on health and the environment, but unfortunately, previous Liberal governments failed to act and for years the links between health and the environment went unheeded.

Our government has brought forward numerous practical and achievable plans to clean up Canada's air, land and water. Today is National Child Day, so I would like to ask the Minister of Health what action our government is taking to help safeguard Canada's health and environment for our children.

**Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as part of our world renowned chemicals management plan, I am announcing the launch of the maternal infant research on environmental chemicals study, a five year study that will recruit 2,000 women from 10 cities across Canada during their first trimester of pregnancy and follow them through the birth of their child, and obtain data on their exposure to chemicals.

Once again, this Conservative government is taking action on behalf of Canadians in respect to health and the environment.

\* \* \*

●(1455)

**CANADA-U.S. BORDER**

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, yesterday's softball lob from the government benches on emergency vehicles being stopped at the U.S.-Canada border is not going to cut it for Canadian families who depend upon cross-border cooperation in 911 emergencies.

It is not just one fire truck. It is not just one ambulance. These are not isolated incidents. In the past two years, 10 cardiac cases in Windsor alone have been stopped and pulled over. Why? It is because U.S. protocol says so and this government agreed to it.

Why did the minister not demand that the U.S. change this protocol, or did he not even know it was happening?

**Hon. Stockwell Day (Minister of Public Safety, CPC):** Mr. Speaker, we take action immediately on situations like this. The western hemisphere travel initiative, which was announced by the Americans, is something that we have had concern with a number of times and we have addressed many of the unintended consequences of that.

I have not only written to the secretary related to homeland security, Michael Chertoff, on this. I have talked to him specifically about the incidents related to the fire crew and also to the ambulance. I have his assurance that this is not a policy of the United States. He looked into it directly and has given me assurance that he will make that communication clear to his people that the tradition of Canadians and Americans helping each other will continue.

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, I am glad the minister finally found a phone because when we investigated where his letter was, the department of homeland security could not find it. I guess it is locked up at the border, like everything else.

What I do want to know is, why has the minister not called in the ambassador? It is not only just people and trade. It is lives that are being put at risk. Why is the ambassador of the United States not being called in for us to demand an explanation on these border practices, and have that government stop this protocol that is putting Canadians at risk for no reason?

**Hon. Stockwell Day (Minister of Public Safety, CPC):** Mr. Speaker, as I have indicated, the western hemisphere travel initiative has engendered a lot of concerns on our part. We do not like the fact that there have been some unintended consequences of this, and that is why I have not only written to the secretary of state responsible for homeland security, but I have talked to him personally.

If my colleague was truly concerned, he might have asked me for the number of the people who could address this, rather than dialing in to a receptionist somewhere and asking if that person had a copy of my letter.

\* \* \*

#### ATLANTIC ACCORD

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, this morning the finance minister continued to hide the details of the phantom deal in the Atlantic accord by cancelling, for the fourth time, a parliamentary briefing, this one 14 minutes before it was due to begin. The political decision caught even his own finance officials off guard who were waiting and then quickly scurried away.

We are told that since the legislation was not ready and had not been tabled in the House, disclosure to anyone before going to Parliament would be a contempt of Parliament.

Would the minister admit that copies of this legislation are in fact already in the hands of Conservatives and others in the province of

Nova Scotia? Is this not a contempt of Parliament and a contempt of the people of Nova Scotia?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the legislation, the proposed bill to which the hon. member makes reference, is the fall budget implementation bill. It is a complicated bill. It is complex. It covers a large number of subjects that were reviewed in the budget this year, and additional items.

It is, as I say, complex and is still being drafted over some technical issues. Our commitment was to have the briefing as soon as the bill was tabled. We will keep the commitment.

\* \* \*

#### INTERNATIONAL AID

**Mr. Patrick Brown (Barrie, CPC):** Mr. Speaker, the situation in Bangladesh has become dire. A category four storm with winds of 240 kilometres per hour brought torrential rainfall across much of southern and central Bangladesh. According to the Bangladesh Red Crescent Society, the death toll is over 3,100 and could climb to 10,000 once all the affected areas are reached.

Could the Minister of International Cooperation update the House on what Canada is doing to help those affected.

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, let me first express condolences to the people and families who have been impacted by the disaster in Bangladesh. Canada has always responded to those less fortunate around the world.

It has been reported that the effects have been devastating. Our government responded immediately with \$250,000, and yesterday Canada committed \$3 million to support recovery and humanitarian aid. We will continue to monitor the reports received over the next days and weeks.

\* \* \*

[Translation]

#### CANADA POST

**Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.):** Mr. Speaker, the government has tabled Bill C-14 to withdraw Canada Post's exclusive privilege of delivering letters outside Canada.

Canada Post is already required to be profitable—as it should be—and it fears, and rightly so, losing a privilege and significant income in order to ensure quality service.

In rural regions like mine, Canada Post is struggling financially to strike a balance between safety issues and mail delivery.

As with local telephone service, the government is acting in favour of the companies and not the general public.

In its obsession with the free market, does the government realize that lower income for Canada Post inevitably means—

*Privilege*

• (1500)

**The Speaker:** The hon. Minister of Transport, Infrastructure and Communities.

**Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I am sorry, but I did not hear the end of the hon. member's question.

Nonetheless, I believe she is concerned about the fact that we have to continue to support Canada Post in its efforts to maintain rural service. That is something this House and the government support. We will continue to support Canada Post in its service delivery.

\* \* \*

**AFGHANISTAN**

**The Speaker:** Pursuant to order made earlier this day, I invite the honourable members to rise and observe a moment of silence in memory of the Canadian soldiers who have lost their lives in Afghanistan in the past few days.

[*A moment of silence observed*]

\* \* \*

[*English*]

**POINTS OF ORDER**

## LETTER REFERRED TO DURING ORAL QUESTIONS

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, I rise on a point of order.

In answer to my question, the Minister of Public Safety referenced a letter that I had requested from his office this morning. His office denied to send it out. Since he referenced the letter in the House, I would ask that he table it in the House of Commons.

## UNPARLIAMENTARY LANGUAGE

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, I rise on a different point of order.

During question period, the Leader of the Opposition said, and I believe I am quoting here, “the documents tell the truth, but the Prime Minister did not”.

As recently as yesterday, Mr. Speaker, you felt it necessary to give a statement regarding unparliamentary language. Obviously, the Leader of the Opposition did not get the message. Suggesting that a member of the House has lied is clearly out of order. I counted some 40 rulings listed on page 146 of Beauchesne's sixth edition supporting that position.

As is our custom, Mr. Speaker, I believe you should ask the Leader of the Opposition to withdraw those unfortunate words that he spoke.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, obviously the Leader of the Opposition is not in the House at the moment. He will clearly review *Hansard* to examine the words that were spoken.

The fact of the matter is we have on many occasions pointed out the gross inconsistencies between what the Conservative government said last spring and what court documents revealed to be true at the

time. It will be important to examine the exact record to determine where the truth lies.

**The Speaker:** The Chair had reservations at the time the remarks were made, but I noted that the word “lying” was not used. The government House leader in his remarks did point out that that word has been ruled unparliamentary many times, and it was not used.

I will examine the matter. As the House leader for the official opposition has pointed out, he will speak with the Leader of the Opposition and will review the remarks also. If the Leader of the Opposition chooses to do that, he may hear from me in due course.

I will examine the words. I did have reservations at the time.

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**PRIVILEGE**

## CANCELLATION OF BRIEFINGS ON THE ATLANTIC ACCORD

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, I rise on a question of privilege arising out of question period.

My question to the Minister of Finance was about a series of postponed, delayed, cancelled briefings on the alleged arrangement that has been made with the province of Nova Scotia and the federal government on the Atlantic accord. The chair of the Liberal caucus in Nova Scotia, the member for Cape Breton—Canso, asked a month ago for information on what was happening between the two governments.

The meeting was scheduled for 10:30 today and it was cancelled at 10:16. As I indicated in my question, finance officials were there as well waiting for this briefing. It was confirmed last night by the Parliamentary Secretary to the Minister of Finance. The reason given for its cancellation was that the legislation has to be tabled.

Our concern is that there are people in Nova Scotia and perhaps elsewhere who know what is in that legislation before parliamentarians know. I want an assurance from the Minister of Finance that nobody will see the final legislation that is going to come before the House before parliamentarians representing the people of Nova Scotia.

• (1505)

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, I do not see the privilege raised. The Minister of Finance made it quite clear that a briefing will be offered as soon as the bill is introduced in the House. I think that briefing will happen very soon.

If the parties wish to consent to the bill being introduced later today, we could return to routine proceedings and we could offer that briefing later today. I put to the House that, by way of unanimous consent, we return to routine proceedings solely for the purpose of introduction of government bills, if members are prepared to do that.

**The Speaker:** It seems to me we are getting into a bit of a debate here. It seems to me that briefings and meetings are not a concern of the House.

*Government Orders*

Is there another question of privilege? The hon. member for Dartmouth—Cole Harbour is getting up again on the same one.

**Mr. Michael Savage:** Mr. Speaker, I want to make the point that the issue of parliamentary privilege comes out of information given to us by the parliamentary secretary, who told us the reason that we could not have the briefing was that the legislation was not coming into the House.

It was the government that said that was the reason the briefing was delayed. It was not us who said that. We just wanted information on this phantom Atlantic accord about which Nova Scotians are very dubious.

**The Speaker:** I am sorry, I do not understand this is a question of privilege. The hon. member for Humber—St. Barbe—Baie Verte is rising on a question of privilege.

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, in order to ensure that privilege has not been breached in the House, would the hon. finance minister confirm to all members of the House that the draft legislation has not been seen by any eyes outside his own Department of Finance? Has the draft legislation been transmitted to members of the provincial assembly of Nova Scotia, officials from the Government of Nova Scotia or Conservative members opposite? Please confirm.

**The Speaker:** The member is putting a question to the minister and question period is over. If the member has evidence that it has been transferred and that somehow privileges of members of this House have been breached, I am sure he will raise that on a question of privilege at some future date when he has that evidence, but to ask that of the minister outside of question period, it seems to me, is not a question of privilege. The minister can answer if he wishes, but I can see we will not get an answer at this stage.

On another question, the Minister of Public Safety did not get up and respond to the question of privilege raised by the member for Windsor West. I thought the government House leader was going to respond to that. I did not hear the Minister of Public Safety read from the document, so I suspect the member for Windsor West has raised a question of privilege, but I do not think there is one there. In order for him to require that a document be tabled, the minister has to quote from the document. It is my recollection of the practice of the House not to refer to the fact that there may be a document sitting around somewhere. In the circumstances, I do not think there has been, but I will review the answer the minister gave, and if there is a question of privilege or point of order, I will come back to the member for Windsor West and to the House.

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## GOVERNMENT ORDERS

•(1510)

[English]

### DONKIN COAL BLOCK DEVELOPMENT OPPORTUNITY ACT

The House resumed consideration of the motion that Bill C-15, An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a

consequential amendment to the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act, be read the second time and referred to a committee.

**The Acting Speaker (Mr. Royal Galipeau):** When we were last dealing with Bill C-15, there were six minutes left to the hon. member for Saskatoon—Humboldt, and he has the floor.

**Mr. Bradley Trost (Saskatoon—Humboldt, CPC):** Mr. Speaker, as you noted, prior to question period I was dealing with the Donkin coal block development opportunity act. For the benefit of members who may not have been in the House at that time, I will quickly go through the essence of the bill and then move to questions and comments.

The basis of this bill is a coal mine that was previously built and flooded over. It runs under the surface of and offshore the coast of Cape Breton. For economic reasons it had previously been shut down, but for economic reasons there is now a possibility of reopening it.

Offshore jurisdiction normally falls under the federal government, but because this mine is very close to the shore and most mines are on shore, there is a bit of a jurisdictional overlap between the provincial and federal governments. The purpose of this legislation is to sort that out and make possible the development of this mine off the coast of Cape Breton.

While there are many technical points regarding health and safety, economic development, et cetera, in general it may be said that the purpose of this legislation is, for legal purposes, to expand the jurisdiction of Nova Scotia a little way offshore in a broad non-technical sense. One may think of it in a legal sense as being very similar to a mine that is on ground, shall I say, in Nova Scotia, and not under the water.

My understanding is that all members of the House support the bill. It is a very good bill as far as respecting jurisdictions and promoting the rights of the province. It is a very good bill with respect to economic development. It is very fitting that today this bill is being debated on mining day here in the House of Commons.

In summary, let me say again why this government has proposed this bill and why I believe all members should, and hopefully will, support this bill.

It helps to support economic development in a region of Canada that needs it. It is not that all regions do not need it, but this area, where coal historically was king, can very much use economic development.

It helps to continue to build our mining sector and export oriented industry. While some of the coal will be used domestically, there is a very good probability that a large percentage of the coal will be exported, possibly for metallurgical or thermal purposes. The coal has the potential to be used for both but can be used either way.

*Government Orders*

This bill is also an example of cooperation between the Nova Scotia government and the federal government. Governments can work together. We have a complex federation. We have a complex series of governments to deal with the nuances and the needs of each region, to respect the local desires and needs, and yet unify our country as one grand confederation. This bill builds on that, both pulling together across the country and developing locally. It provides for the clarity and stability that all businesses need when they are doing it.

It is a bill that is good for Canada, good for Nova Scotia, and good for Cape Breton. There may very well be 275 indirect jobs created through private sector investment and 700 direct jobs. I congratulate the people who are showing the initiative to redevelop this mine, the people of Cape Breton whose industry and initiative are pushing this forward and the members who have supported it.

I urge all hon. members to support this legislation and future similar legislation from this government.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, as parliamentarians we are all very much more aware of trying to reduce our carbon footprint. We want to be assured, though, as we go forward that the demand for energy is not going to subside any time soon and that the demand is going to remain high. It is imperative that clean coal technologies be embraced and developed. Canada has an opportunity to be a leader in that field.

Having had the opportunity to go out to the CANMET plant in Bells Corners and seeing some of the things that have been taking place at the NRCan research project, it has been very reassuring and encouraging with CO<sub>2</sub> capturing and sequestration.

My colleague is from Saskatchewan. SaskPower is very much at the fore of a number of different initiatives. I have received a number of emails from people who are concerned about the further use of coal and fossil fuels. I want to reassure people that there are steps being taken and positive things being undertaken. I know the member's province is at the forefront with SaskPower, so he may want to elaborate on some of the great victories it has had in recent years.

• (1515)

**Mr. Bradley Trost:** Mr. Speaker, I appreciate the question the hon. member raises on coal and coal issues in general.

When we answer a question on clean coal, we first need to define what is meant by the terminology because the terminology "clean coal" has changed over the years. At one time many of the concerns were the sulphate particulates, the so-called, to use the slang that is often used, the SO<sub>x</sub> and the NO<sub>x</sub> particles that are emitted.

Over the years that has evolved and become more and more of a concern. Currently, the term is being used to talk about carbon dioxide and, in particular, carbon dioxide captured or sequestration. There are several different approaches to the term. The terminology is flexible.

The coal industry across North American, and in Canada especially, has been very good at developing clean coal technologies to take away those pollutants that previously were there.

In the last few years, with the emphasis on shifting to carbon dioxide, the industry began to shift over to deal with that particular problem.

The Province of Saskatchewan along with SaskPower have been looking at developing and working with technology and is looking to partner with other thermal producers of electricity across the country. Their decision has been to not push quite as aggressively forward as they had previously been thinking with clean coal. It does not mean that they do not view it as having a potential for strong development, but it has to do with various scale sizes in Saskatchewan's economy, the potential to ramp up and to go with natural gas.

The overall future for clean coal is very good. The technology is developing. The one thing we always have to be cautious about is that particular types of coals need particular nuances for certain situations. However, various technologies are being developed by both government and private industries to absorb, sequester or merely use for other purposes the carbon dioxide that is being emitted from coal plants.

[*Translation*]

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, I am very pleased to discuss this bill, one that is so important for Nova Scotia and particularly Cape Breton Island. This bill demonstrates the entrepreneurship and courage of the people of Cape Breton, who have never lost hope regarding the issue of coal in their economy, their province, their corner of Canada.

[*English*]

If we look at the history of Nova Scotia and, in particular, Cape Breton and other parts, coal brings about the worst and most difficult stories in our history and also the best. We know of the mining disasters. We also know of the labour strife over the years, the beginnings of the industry which was a near slavery type situation for the workers in that industry.

We also know what it has brought to our province in terms of immigration into our province and developing a culture. The songs of Cape Breton alone are great cultural riches to Canada and a lot of it relates back to the growing and the beginning of the implementation and continuation of the coal industry.

Therefore, it was a very difficult day in Cape Breton in that whole economy when we had the loss of the last operating deep mine. It is a great pleasure to see the renewal of this industry and to look at the courage of the people of Cape Breton who never lost faith. The labour unions and the skilled people who worked within those mines never lost faith. They knew of the potential of Donkin. They have had great support and leadership by their members of Parliament, the member for Cape Breton—Canso and the member for Sydney—Victoria who worked ardently on bringing this to where we have it now.

One of the problems that we encounter when we deal with a project like this that is a little bit off the beaten path, slightly different than the others, is that the basic infrastructure for the mine is on land and the resource is under the sea.

*Government Orders*

If we look at the jurisdictional thing, it becomes a question of who owns it. Is it the responsibility of the Province of Nova Scotia? Is it the responsibility of the Government of Canada? We have been unable to resolve that discussion. Even at this point we have been unable to resolve that argument in ownership.

At least what we have here is an agreement among the two, that the most important thing is the communities, particularly the communities of Cape Breton in this region, and there is a possibility for economic development.

This bill brings us to an accommodation where no party abandons their jurisdiction. The federal government still claims ownership of the resource because it is the sea floor. The provincial government still maintains that it has a right and responsibility for occupational safety and environmental regulations, as do the feds. However, we have come to an agreement where the province will be the regulator and will adopt the federal law, implement federal law and be the agent that will be dealt with in all these matters with the acting companies. I think it is a very good arrangement.

I agree with the member for Charlottetown who said earlier that it would be good if we could have some overarching legislation or proposals in this country that could take care of situations like these in the future because this has kept that community in stress for a long time. For a number of years the community has wanted to redevelop that mine. A very large international company with a good reputation in that field was interested in doing it but it needed a lot of patience because it was a three or four year process and the legislation was not done. We are doing it now but we must wait for the regulations and get the work done. It would be a lot better if we could have it faster in the future.

I was dealing not so long ago on behalf of the federal government with the Province of Nova Scotia, working with the offshore oil industry that was looking at getting permits to operate on the Nova Scotian shelf. Because of those same types of disputes as to who the regulator is on occupational safety, who the regulator is on labour and who the regulator is in all the other fields, both of them claimed jurisdiction, so we ended up with two sets of regulations. The approval process ends up taking two, three or four times longer than it would in another active field in other parts of the world.

If that time could be linked to better operating conditions, then it might be understandable, but it cannot. It is not that we do a better environmental job on those or that we ensure better safety for our people. It is just the bureaucracy and the technicalities of getting those permits which are so difficult.

We have come a ways a bit and have some agreements in Nova Scotia on the offshore that we have been able to improve through the smart regulation process started in the Chrétien days.

• (1520)

We just had good results in my community. A large quarry in a beautiful, pristine community wanted take away all the basalt rock and ship it to the U.S. It did not want to destroy its communities so it tried to excavate the seashore in Nova Scotia.

However, there were federal and provincial jurisdictions. On the socio-economic side, the Province of Nova Scotia was the only one that could stop the proposal. The federal government maintained

responsibilities on the establishment of a port and on the environmental questions related to the fisheries and seawater, as well as some elements of the groundwater in the province.

The resolution we found at that point was to have a joint review panel under the Environmental Assessment Act of Canada join with the review panel of the Province of Nova Scotia to create one review panel where the laws of both apply. Dr. Bob Fournier, who chaired that panel, heard from experts and from the community and came out with a recommendation not to pursue the project, which was a great relief to the people of western Nova Scotia, although maybe not unanimously. Some people would have liked to have seen the jobs associated with it, but most people did not want to see that type of activity in their community. On that side it was the provincial regulations that prompted the provincial responsibilities.

From the federal side, Bob Fournier made some interesting points on an environmental side and the whole seacoast of Nova Scotia. That was a good area of cooperation but we want to see more between Nova Scotia and the Government of Canada. As has been pointed out in this House today, for Nova Scotia to advance there needs to be that type of cooperation with the federal government.

It was a great day when the prime minister at the time, the member for LaSalle—Émard, met with the member for Halifax and, with the Premier of Nova Scotia and the minister responsible for petroleum development, signed the Atlantic accord, the Canada-Nova Scotia agreement. It was a beautiful day because not only did it bring us some much needed money to do the economic development and those projects that we needed in Nova Scotia, but it also signalled cooperation for the future. We could set aside some jurisdictional disputes and problems and look at how we could improve the lives of people, and all of Canada benefits from that.

We must understand how disappointed Canadians were when the budget was presented in this House by the current government and, after it had specifically stated that it would support that agreement, it demolished the agreement completely. Nova Scotians know that \$1 million were lost in Nova Scotia. What probably bothered them more than that was the pretence over the summer months that the Prime Minister and the premier had resolved it and that they had come to a mutual understanding that would restore the Canada-Nova Scotia agreement.

However, I know that to be false. I know the offshore Canada-Nova Scotia agreement, as well as that with Newfoundland and Labrador, meant that those provinces would benefit from revenues from the accord above and beyond revenues of any new equalization program, any changes in equalization or any other programs of the federal government. The benefits under the accord would be above that.

*Government Orders*

The Conservatives have said in their exchange of letters, as best as I can understand it and as every analyst has told me so far, that the provinces can choose either/or in any of the given years whether they want to go by the provisions of the new equalization formula or of the old accord, which is a little better than what was put in the budget last spring but is not still the full accord.

I do not know exactly what the loss will be. I would guesstimate in the area of \$600 million for Nova Scotia but I cannot say for sure because the government will not show me the information. It will not provide it. What we have seen is an exchange of letters between the Minister of Finance of the federal government and the minister of finance of the Province of Nova Scotia. When we listen to what these people have said, specifically the Prime Minister in the press conference in the foyer when he was with the premier, he said that there would be no stacking. The Atlantic accord is stacking. That is the principle of the accord and that is why it was of such benefit for economic development for Nova Scotia.

The member for Cape Breton—Canso, on behalf of Nova Scotia Liberal members, arranged to have a briefing. The government said that it would have a briefing but that it would have to be with all Nova Scotia MPs. We agreed to that because that was understandable.

• (1525)

One briefing was arranged for a late Friday afternoon. For members from Nova Scotia, myself included, it takes an hour to get to the airport and on the flight. Then it is a two hour flight. Then it takes about three hours to get back to my riding. I had intended to leave as early as I could on Friday afternoon, but this meant I would have to go home on Saturday and I would lose the best constituency day of the week. I agreed to stay here. Then that meeting was cancelled.

I think there was no intention of having the meeting. The intent was to have us wait around here and then cancel at the last minute.

My memory does not permit me to recall the fourth meeting, but I will talk about three of them. Another meeting was arranged during the week of the November 11 break, when everyone was in their constituency. This meant that 11 MPs and a bunch of senators would have to fly back, at the taxpayer cost, to spend a couple of days in Ottawa, perhaps only one, for that briefing. I would have lost those days in my riding.

I attended the November 11 celebrations with students at a number of schools in my riding. I visited the veteran's wing at the Yarmouth hospital and spent an afternoon with the veterans. I would have had to cancel two days of those meetings to be in Ottawa for that briefing.

However, the member for Halifax West raised a point of order in the House. The minister agreed to move the meeting. The parliamentary secretary said that the meeting would be held this morning, November 20 at 10:30. Fourteen minutes before the meeting, we found out that it had been cancelled. No reason was given for this cancellation. We only saw the officials scurrying down the hall to the elevator. They had received their order from on high that there would be no briefing. What do we have? We do not receive a briefing.

Another briefing was planned, but I cannot give the details because it escapes my memory. However, four briefings were cancelled.

I do not think the federal government ever had any intention of explaining to the people of Nova Scotia the details of that supposed agreement between the premier of Nova Scotia and the Prime Minister, which would have restored all the provisions of the Atlantic accord.

This is a shame. Before the election, the Prime Minister sent a flyer to every house, saying something about the worst lie was a promise not kept. He promised to support the accord.

I remember sitting on the government side and the Prime Minister and his ministers, who were on this side at the time, asked that the budget, which included the implementation of the original accord, be divided, so they could support the accord and not vote for the full budget. Opposition members at that time were willing to support the accord, or so they would tell Nova Scotians.

The instant the Conservative government got its hands on the levers of power, we saw in the first budget a warning shot. It said that the Atlantic accord was not well accepted everywhere in the country because it was a special provision. Sure it is a special provision. There are special needs. All these museums in Ottawa, financed by the federal government, are special provisions. They are not a per capita distribution of federal funds.

When our government invested in the oil sands in Alberta, we saw there was a great economic opportunity, and oil was not at the prices that it is now. We accelerated the cost allowance program for that industry so it could become what it is today, the great economic generator of the country. This was not done on a per capita distribution of special tax incentives. It was done as a special assistance to that part of the country because it had a certain potential, a certain resource and it was good for the country.

Many people from all over the country, including from my riding, went and found good work in that area. Hopefully some day they will return to my riding, with the expertise they have gathered there, and develop businesses and give employment in the area. It was that type of an investment as was the Atlantic accord.

The Atlantic accord gave some economic development money to Nova Scotia and to Newfoundland and Labrador so they could develop their provinces. The first \$800,000 was delivered by the member for LaSalle—Émard and that went directly to pay off the capital debt of Nova Scotia, debt accumulated through the Buchanan years, with Greg Kerr as minister of finance of the day. We now were struggling with that debt. Finally, we would get some assistance.

Now what do we see? We see that promise completely reneged upon. That brings me back to the bill, which I support. I think it is a great bill.

*Government Orders*

•(1530)

The Conservatives reluctantly agreed to follow the direction brought by the member for Cape Breton—Canso, who virtually had to write it himself to ensure that the people of his province and his riding would have access to the opportunity, a chance to work hard on developing a resource that is part of their culture and tradition. He warrants the full support of the House and I hope all members will vote with the member for Cape Breton—Canso in support of the bill.

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, I want to comment on the diatribe that the member for West Nova has brought to the House today, with his rhetoric filled discussion on the Atlantic accord.

He does not realize that underneath the bill, Bill C-15, there is accommodation for the Donkin coal block, under the Atlantic accord, to allow royalty revenues to be shared with the province. We are talking about fairly significant royalties for both coal and for the methane gas that comes off of it. The coal bed methane is a 5% of value royalty, which is very significant and will be very good for the people of Cape Breton and Nova Scotia. The royalty going back to the province has a range of \$5 million per year on the coal itself, which will all come out of the consolidated revenue fund. This is very significant and important. The only reason why we should talk about the Atlantic accord is on that basis.

The reality is this government was able to take the considerations of many members of the House from Nova Scotia and Atlantic Canada, including the member from Cape Breton, whose own party was unable to get the job done. Our party was very proactive in listening to the concerns that were raised, including from the member from Cape Breton. I appreciate his concern for his constituents. However, we also know of the hard work that was done by the parliamentary secretary for ACOA, who is the MP for South Shore—St. Margaret's. He put an incredible amount of work into this as well, along with the regional minister for Nova Scotia.

We have to realize that this side of the House finally got this done. After many years of negotiations back and forth, we were able to close the deal. It is a great news story, once we get this bill passed, and hopefully we can see it move fairly quickly through the legislative process. It will address all the concerns that have been raised.

However, let us talk about the economic benefits. I ask the member for West Nova to concentrate, and I know that sometimes can be difficult. Could he talk about the issue of economic development and how important this is for Nova Scotia and Cape Breton, even though Cape Breton and Nova Scotia have such a diverse economy, things are moving ahead and they are moving toward being a have province.

•(1535)

**Hon. Robert Thibault:** Mr. Speaker, I will not fall in the trap set by the member by inviting me to talk about the Atlantic accord because that is not the purpose of the bill.

On the matter of economic development, I thank the member for raising that point because it is very important. When we look at that type of operation in the rural part of our country, it has economic spinoff. There is the opportunity for families to stay close to their

home and raise their children in their area. All the ancillary businesses that will grow will provide services not only to those families but to this business. I do not think we can overestimate the value of that, maintaining that culture and providing those opportunities.

There has been a big change in Cape Breton and it has been very difficult. That change has happened all over Nova Scotia, as well as all other rural areas in the country. We have depopulation and the movement of people toward the urban centres or toward areas like the tar sands, for example, where there is a huge opportunity. Therefore, it is very good when we can have this type of attraction that keeps people there.

However, there have been other changes also. We have seen people investing in Cape Breton in non-traditional areas, high technology, robotics type machinery, manufacturing. I have seen some very good investments by the communities themselves to further develop the natural resources. The crab industry, for example, used to be shipped to New Brunswick for canning and processing. It is now done within the island of Cape Breton, which provides new economic input.

The Prime Minister said that Atlantic Canada had a culture of defeatism, but that is not true at all. Atlantic Canadians have courage and ambition. When they have the opportunity this bill will provide, they will make the best of it and contribute to their own well-being.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, since coming to the House seven years ago, many moments stand out in my mind. One of the toughest moments was when I and my colleagues, the former minister for ACOA, the member Sydney—Victoria and the natural resources minister, the member for Wascana, boarded the plane and we went to Cape Breton, to my home town. We made the announcement that the federal government was finished in the coal mining business in Cape Breton. It was a tough day. Many of friends were involved in that industry. The impact that had on the community was significant.

However, our community is resilient. We are a tough group. We have moved on from there. As the member has mentioned, we have diversified as a community. I think quite a bit of that was because of a fund and moneys that were invested through his early stewardship through the ACOA portfolio. Therefore, Cape Breton Island has a much more diversified now.

This will be great legislation. Any legislation has to protect the interest of the greater public good. It is important that the legislation does not handcuff industry in moving ahead with these types of opportunities. Also what is important is we protect the health and safety of the workforce.

Does the member believe the legislation does those types of things: protect the public good, unleash the corporate sector, in this case Xstrata, to do what it has to do to develop the project, but still not compromise the health and safety of the men and women who will work on this project?

*Government Orders*

• (1540)

**Hon. Robert Thibault:** Mr. Speaker, the member referred to what was probably my toughest day also. I had some difficult days as minister of fisheries, but as minister of ACOA in Nova Scotia that was a difficult day.

I remember going to Cape Breton to announce the closure of the mines. The only thing on my mind at that time was probably that I should have taken my guidance counsellor's advice in high school and become a crossing guard. To tell a community that what it has known for hundreds of years is no longer there, it is gone, and that part of the culture that keeps the community together has disappeared all of a sudden is very difficult.

It was a tough time for Cape Bretoners, but they rallied. The federal government at that time put money into the growth fund. We asked people from those communities, some living still in Cape Breton and others living abroad, to volunteer their time and their energies, at a cost to them professionally and personally, to steward the reinvestment into that economy. It was a beautiful thing to watch. We see a lot of those benefits now.

What is unfortunate is a lot of time and ink is spent on the projects that are not working and not enough time and ink is spent celebrating the entrepreneurships of those communities that have been able to take advantage of those investment opportunities and assistance and turn things around.

Like everyone, I see people on airplanes all the time or we meet them somewhere. They talk about Nova Scotia and they talk about going to Cape Breton and the Celtic Colours. It is a beautiful festival. It brings a huge amount of money into Cape Breton. None of that would have been possible if there had not been some government intervention and investment at the beginning to start those projects.

Finally, I will go to the point about the safety of the people. I am quite confident the bill does that because there is no reduction in the criteria at any point. The criteria remains the same. It is the administration of it that is simplified.

**Mr. Mike Allen (Tobique—Mactaquac, CPC):** Mr. Speaker, it is quite a pleasure as a member of natural resources committee to speak on Bill C-15, the Donkin Coal Block Development Opportunity Act.

Quite a number of folks have spoken today. Quite a number of my Atlantic colleagues from both sides have spoken on the bill. As we have stated before, basically what it does is facilitate an economic opportunity for Cape Breton Island and the province of Nova Scotia, but I am also going to talk a little later about the spinoff benefit for New Brunswick as well. I think this is a big benefit for Atlantic Canada, especially when it comes to coal.

The bill creates a legal framework for the mining operation at the Donkin coal block. The economic opportunity is to be able to bring that coal to the surface from an area some three kilometres offshore Cape Breton and transport the coal to market. The operation, as people have said, will produce 275 direct jobs, potentially as many as 700 indirect jobs, and hundreds of millions of dollars for the provincial economy in terms of salaries, equipment and a range of goods and services.

The opportunity came about on December 13, 2004, when the energy minister of Nova Scotia, Cecil Clarke, sent out a press release. Some of the benefits of this opportunity, stated a news story, would be:

Winning bidders will have to agree to hire local workers and buy goods from Nova Scotia businesses. After an operator is chosen, it will still take months or even years to get the mine running.

That last statement is absolutely true in regard to the complexity of this.

My colleague, the member for Cape Breton—Canso, talked earlier today about the price of coal being at almost record highs of almost \$100 a tonne. That is a tremendous development and means a tremendous amount of opportunity for employment in the area.

Since that time, Nova Scotia announced that the Xstrata Donkin Coal Development Alliance was the successful bidder. The company immediately launched a multi-million dollar study to evaluate the potential for bringing the mine into production. The study is currently under way, but the major key decision point on this is February, and if all goes well a positive decision on mine development will be made in August.

Approximately 25 people are currently working at the Donkin mine site. Xstrata has drained the water from the two tunnels dug to the coal face in the mid-1980s by the Cape Breton Development Corporation and the company is now preparing to drill into the coal seam to obtain further information on the resource.

From a resource standpoint, everything appears favourable. However, for Xstrata to come to a positive decision, there is another issue that needs to be clarified, and that is Bill C-15.

As previously mentioned, the Donkin coal block is located offshore Cape Breton Island. Both the Governments of Canada and Nova Scotia claim ownership of the resource. Accordingly, they both believe they have an obligation to regulate the resource. This creates quite a level of uncertainty for Xstrata and puts the company in a position where it is faced with two regulators. Facing even one regulator can be a daunting task, but facing two is incredible.

However, Bill C-15 will remove this uncertainty. It would make clear to Xstrata, its employees and the regulators what laws will apply and who should enforce them. Because regulatory regimes affect costs, Xstrata is looking for regulatory certainty before its February 2008 decision point.

When I think about some of this regulatory uncertainty, I think about our major project office for some of these major projects in the mining area. I think of the potential that this will give some of these projects to get off the ground.

One of those major projects is coming to the fore in New Brunswick in my riding of Tobique—Mactaquac, where a major tungsten mine potentially will be developed in the Stanley-Napadogan area. What a tremendous opportunity this is for an area that has seen its forest industry ravaged. It is a tremendous opportunity. I think this regulatory aspect will certainly help that.

*Government Orders*

Bill C-15 is the result of a cooperative federal-provincial effort. The objective of the effort is to establish regulatory clarity to facilitate economic development and to do so in a way that is acceptable to both governments. In March of this year, federal and provincial officials agreed on an approach. This was quickly followed by a period of federal-provincial consultations with the public. These sessions resulted in assurances that labour, community and industry groups both understood and supported the proposed regime.

Employee-employer groups, community organizations and the Canada—Nova Scotia Offshore Petroleum Board were all supportive. In June, cabinet approved the drafting of the legislation required to get this done.

• (1545)

The legal framework proposed in Bill C-15 covers resource development and a number of labour matters. The latter includes labour standards, industrial relations and occupational health and safety, which is so important when we look at the development of these underground mines and consider the inherent danger that goes with them.

The bill provides the governor in council with the authority to make regulations incorporating provincial laws into the body of federal law. Bill C-15 also excludes corresponding federal laws from applying to the Donkin coal block.

The laws would be incorporated as amended from time to time by the province and with other adaptations if necessary. For example, we would not incorporate anything that was in conflict with the federal claim to the offshore without first amending it. Any provincial law incorporated federally would be administered and enforced by the provincial official responsible for the relevant provincial law.

By means of this legislation, both levels of government will be able to work together to ensure that occupational health and safety provisions will serve the Donkin miners well. More specifically, Nova Scotia's trade union act, the occupational health and safety act and the labour standards code will be incorporated into federal law through regulation should this bill become law.

Nova Scotia has accepted to amend its occupational health and safety laws to include certain elements that exist under federal law. This is meant to provide the highest level of protection for workers. The labour matters covered by Bill C-15 will not in any way sacrifice accountability, transparency or health and safety for the sake of regulatory efficiency.

Bill C-15 also clarifies the matter of royalties. These will be collected by the province and then remitted to the Government of Canada. An equivalent amount will then be provided for the province. The bill requires that an agreement concerning royalties with the Province of Nova Scotia is subject to the approval of the governor in council. For greater certainty, it has been made clear that the User Fees Act does not apply to any fees contained in provincial laws incorporated by reference.

Why this bill? It is so important and so critical. The coal that will be produced by the Donkin coal block development is a most

valuable resource, one that can contribute to the economic well-being of Cape Bretoners and Canadians as a whole.

One only has to look at the people who worked in the mines before the last underground mine was shut down in 2001. Since then, some of these folks have been working out west. What a tremendous opportunity this represents for these people to return, just like a lot of people from Atlantic Canada would.

Not only does this development represent a huge potential benefit to Cape Breton from a mining perspective, it also could represent a new source of coal for the region's electric generating stations. This mine could bring on stream an additional five million tonnes per year of Canadian coal into the market.

While 16% of Canada's supply of electricity is generated from coal sources, that percentage is much higher in Nova Scotia, where 60% of electricity comes from coal and roughly 15% to 20% does in New Brunswick.

Nova Scotia Power has four major coal stations in operation that use approximately 2.5 million tonnes per year, with the two largest stations accounting for the majority of the use. Those are the 600 megawatt Langan plant and the 300 megawatt Trenton plant. These generating station investments are important to maintaining competitive power rates in Nova Scotia for the over 460,000 customers of the utility.

Having a homegrown source of coal that could ultimately replace imported coal could be a very important cost and security of supply benefit to Nova Scotians, and to Atlantic Canada for that matter. New Brunswick has a 458 megawatt coal plant at Belledune, which is equipped with scrubber technology and could be a beneficiary of this.

It is also important to note that Nova Scotia Power recognizes that generating clean electricity and energy is important. The utility has taken steps to implement cleaner-burning fuel technology, such as the circulating fluidized bed technology at Point Aconi, with announcements of millions of dollars to equip other stations with scrubber technology.

In fact, in the summer of 2006 there was a project undertaken to retrofit the Langan plant with pollution control technology for NOx, which has announced another potential \$170 million project to put in scrubber technologies to lower the sulphur dioxide emissions, a technology very similar to what exists at our Belledune plant in northern New Brunswick.

These developments are in addition to the announcement of over 200 megawatts of wind power generation in the province.

• (1550)

Nova Scotia, Atlantic Canadians and the utilities recognize the importance of generating clean electricity. We recognize the importance of taking positive steps to develop renewable resources, but we also have to face facts. Our generation's profile is based on thermal. It will take a while for us to wean ourselves off that, but we cannot afford to just leave a stranded investment of many billions of dollars out there with no way to collect dollars of revenue against it.

*Government Orders*

I believe that the measures being taken in Bill C-15 will provide the regulatory certainty required for the Donkin coal block project to proceed. It will provide the highest level of protection for the workers involved. It will permit both levels of government to retain their current positions with respect to ownership and jurisdiction. It will facilitate the economic development of Cape Breton Island and, I would maintain, Nova Scotia, New Brunswick, and all of Atlantic Canada.

I would add that Bill C-15 is also an outstanding example of cooperation between governments to fulfill a common interest in seeing the development of the Donkin block. By introducing this legislation, the Government of Canada has demonstrated its commitment to the economic development of the Cape Breton community and to Nova Scotia as a whole.

Bill C-15 will clarify those occupational health and safety regulations that apply. We know the dangers that are faced by coal miners and we know that safety is paramount to coal miners. We have seen this in situations that have happened over the last year or two in the U.S. and other countries.

By eliminating confusion over who would protect these workers, we hope to protect them better. I know that Nova Scotia has come a long way since Westray as well. What this does for the Donkin mine is ensure that there are local people who know the resource and who will be there to inspect these mines and inspect them in a timely manner.

Nowadays, as previous speakers have suggested, the technology exists that can burn coal cleanly, and we have an opportunity here to employ hundreds of people in Cape Breton Island. We have an experienced workforce in the coal mining industry and a community that wants this development.

The Donkin enterprise will give us another chance to revive the coal mining industry in Cape Breton. What a great story that is for us. We are certainly pleased to see that legislation was passed already in the Nova Scotia legislature. Now it is up to members here in the Parliament of Canada.

We have heard a tremendous number of positive comments about this legislation today. I suspect that this legislation would not have any problems at committee and in the House. I call upon all my colleagues to support Bill C-15, to move this forward and to make Atlantic Canada a positive development opportunity.

• (1555)

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, I rise on a point of order. There have been discussions among the party House leaders and I believe that you would find consent for the following motion regarding the bill we have been debating. I move:

That, notwithstanding any standing order or usual practices of the House, Bill C-15, An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act, be deemed to have been read a second time and referred to a committee of the whole, deemed considered in committee of the whole, deemed reported without amendment, deemed concurred in at report stage and deemed read a third time and passed.

[*Translation*]

**The Acting Speaker (Mr. Royal Galipeau):** Does the minister have the unanimous consent of the House to move the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Royal Galipeau):** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to, bill read the second time, considered in committee of the whole, reported, concurred in, read the third time and passed)

\* \* \*

[*English*]

**CANADA POST CORPORATION ACT**

**Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC)** moved that Bill C-14, An Act to amend the Canada Post Corporation Act, be read the second time and referred to a committee.

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, this is a government committed to helping Canadian businesses compete internationally.

In Canada we have businesses involved in what is called remailing. Remailing is a business that most hon. members are probably not aware of. Indeed, remailers collect mail destined for international locations from large, commercial mailers. The remailer, or consolidator, then ships the mail outside of Canada to another country, a country with cheaper postal rates, ideally, a country that has been designated as a developing country by the Universal Postal Union.

The Universal Postal Union is an agency of the United Nations. It has been in existence since the late 1800s. Today, it has close to 200 members and deals with postal issues. It does not get involved in domestic postal matters. Its role is to act as a primary forum for cooperation among postal sector players. It actually sets the rules for international mail exchanges and makes recommendations to its members, "To stimulate growth in postal volumes and to improve the quality of service for customers".

It was the Universal Postal Union that established a single postal territory for the exchange of international mail, which obviously is very necessary. This means that when we are mailing a letter out of the country, we can buy an international stamp to put on that letter.

Canada Post would keep the revenue from that stamp, but it would be a different postal administration delivering that letter. It is that other postal administration that is incurring the bulk of the cost for the delivery of the letter.

Therefore, under the Universal Postal Union system of international exchange of mail, Canada Post would need to compensate the country of delivery. This compensation is called a terminal due.

*Government Orders*

The Universal Postal Union has classified its member countries as industrialized or developed versus those that are developing. Obviously different countries fit into different categories. This classification affects the rate of terminal due a country is eligible to receive from another country for mail it has received and the rate it is obliged to pay another country for mail that it sent out.

It is a complicated issue, but remailers do not have to pay terminal dues and are therefore able to offer lower rates than Canada Post. The Universal Postal Union also allows remailing. There are other countries that allow remailing. However, Canada does not.

A few years ago Canada Post took a large number of remailers to court. The courts have rightly ruled, in reading the exclusive privilege of Canada Post, that remailing is an infringement upon Canada Post's exclusive jurisdiction. This exclusive privilege was granted to Canada Post through its legislation. This is legislation that was passed in the House of Commons over 20 years ago when the Canada Post Corporation Act was first enacted.

Since the exclusive privilege is set out in the act, the only way to adjust this exclusive privilege is to amend the act. It is only Parliament that can change provisions of the act, and only after public debate and discussion will that change be made.

The government is pleased to have introduced Bill C-14, An Act to amend the Canada Post Corporation Act, and the purpose of this bill is to remove all outgoing international mail from Canada Post's exclusive privilege. This would actually enable remailers to operate in Canada without infringing on Canada Post's exclusive privilege. They would no longer be breaking Canadian law. They would no longer be at risk of a legal challenge.

Although the bill is proposing something broader than just remail, its net effect on Canada Post is not expected to be any different. Indeed, the business model of remailers is to collect large volumes of mail from commercial companies. It is not interested in collecting mail from you, Mr. Speaker, nor I.

They offer Canadian businesses lower postal rates. This actually reduces the cost of those companies. This reduces the cost of their goods or services to Canadians, to consumers, which is ultimately a good thing for Canadians. This results in lower costs to the ultimate consumer of the goods or service.

In fact, there used to be many federal government departments and agencies that used the services of remailers for their mail going overseas. They had shopped around to find the lowest rates so that they could make effective use of taxpayers money.

• (1600)

The proposed legislation is not intended to allow the mail to come back into Canada and that is very clearly a difference that should be re-explained. The addressee of the letter is to be in a foreign country. We are not touching domestic mail. The addressee is to be outside of Canada. Remailers that attempt to send mail back into Canada will still be in contravention of the exclusive privilege of Canada Post after amended.

We are not proposing to let other postal sector players put stamps on their mail while it is in Canada. Some other countries also allow

an Extraterritorial Office of Exchange, which is defined by the Universal Postal Union as:

—an office or facility, operated by or in connection with a postal operator, outside its national territory, on the territory of another country. These are offices established by postal operators for commercial purposes to draw business in markets outside their own national territory.

If a stamp is put on a letter while in Canada, it should have a Canada Post approved stamp. If Canada is to allow these ETOE's, or the Extraterritorial Offices of Exchange, there should be a licensing regime associated with it. We are not going there with this proposal. We are not allowing other countries to operate postal outposts in Canada. We want to help Canadian businesses compete internationally and we are attempting to do that with this legislation.

The government has studied the issue. Canada Post has told us that it estimates it is currently foregoing revenues in the amount of \$50 million to \$80 million a year. This is an estimate based on what it has seen as a trend in its revenue stream since new rules were put in place by the Universal Postal Union in 2001. Canada Post does not know for sure how much business it has been losing to remailers operating illegally in Canada.

On the other hand, the industry itself has made claims of it being millions of dollars to hundreds of millions of dollars. Because the courts have ruled remailing as unlawful, we cannot get data or information from the industry members that can be validated. These are small businesses often, and some large businesses, and usually located in places such as Vancouver, Toronto and Montreal.

Both estimates from Canada Post and from the industry itself are significant. They are also not very close. Some of the difference can be accounted for given that they are based on different premises and, of course, different expectations.

The Canada Post estimate represents the impact on Canada Post itself and is not a measure of the industry. The industry estimate is more of an estimate of economic impact as it includes supporting businesses such as envelope manufacturers and print shops throughout the country, as I mentioned.

Should this legislation get enacted, Canada Post estimates losing another \$45 million to \$50 million a year, so there are financial implications. Its employees will worry that this is a first step toward privatization. Let us be clear. This government will not privatize Canada Post and there are no plans to do so.

Canada Post is a very large institution. It is one of the largest employers in Canada. It has one of the largest retail networks in Canada. It provides services to Canadians from coast to coast to coast. Some would argue that it is indeed a Canadian icon.

I would argue that in rural communities in my constituency there is no federal institution that is more important to my constituents than Canada Post. That is why this government is taking positive action for Canadians.

There are many issues and challenges facing this corporation. It would be easy to get sidetracked on any number of these issues. We just need to ask the previous members of the Standing Committee on Transport, Infrastructure and Communities. They had some discussions on remailers, as my friend across the way will confirm.

*Government Orders*

The members tabled motions and amendments to those motions. At the end, they reported back that they wanted time to study the issue. This government has decided that it has done enough studying. The government has decided it is time to take action and positive action will be taken.

●(1605)

The bill itself is targeted to this specific issue. We do not want to get sidetracked in our goal to address this issue. Indeed, we also do not want changes to Canada Post to be widespread. This government is not interested in destroying Canada Post or privatizing it. We are not opening up our domestic mail services.

This is not the first step in the privatization of Canada Post. I have said that three times. I can assure the House that we are sincere on that.

We are enhancing competition in the outbound international mail business to benefit Canadians, to benefit small businesses across this country, and we are going to continue to support Canadian businesses.

●(1610)

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, my question will be simple.

The parliamentary secretary is right, as the issue was raised within the Standing Committee on Transportation, Infrastructure and Communities. That committee is responsible for this bill. The Bloc Québécois understood that everyone had also agreed that a public study would be carried out before the bill was introduced. However, the government decided to force the issue once again and to introduce the bill without any public debate. Clearly we can never accept this.

Canada Post's profits last year totalled \$49 million. Canada Post told us that, in order to be able to guarantee service everywhere, in all municipalities and to all mailboxes, to guarantee that every Canadian would receive their mail at home, Canada Post needs to have precisely this exclusive privilege.

If Canada Post were to lose \$50 million to \$80 million, that would put it in a deficit and this would also create problems for those who receive the mail.

When the Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities said he wanted to make it clear that Canada Post would never be privatized, he also said that all citizens would continue to receive their mail. Yet, once Canada Post has finished its review of all mailboxes, 30% of Canadians will no longer receive their mail at home. But that is the Conservative government for you.

Thus, I would like to ask the parliamentary secretary if his final goal is not to completely reduce all home mail delivery.

[*English*]

**Mr. Brian Jean:** Mr. Speaker, absolutely not. Nothing could be further from the truth. This government is the only government in recent history that has stood up for rural Canadians and mail delivery across this country. We will continue to do so.

Let us be clear as well that this is business that currently Canada Post has not been receiving and has not received for approximately 30 years, at least the majority of it. Canada Post actually thought that it did not have the exclusive privilege that covered this. Indeed, until recently Canada Post did not even take any court steps to do this. The impact on Canada Post should be small indeed.

I appreciate the member's input because he works very hard on the committee. Certainly, we will have a full and honest debate at committee. We will deal with this and hear from the public and all members.

The key is that this government will continue to support small businesses. We will continue to do what is in the best interests of consumers and in the best interests of Canadians.

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I would ask the parliamentary secretary if he could comment on a letter that came from minister Cannon's office, dated July 25, 2006?

**The Acting Speaker (Mr. Royal Galipeau):** The member for Hamilton Centre should know that we do not name other members of the House, but only by their titles, especially from a former deputy speaker.

**Mr. David Christopherson:** Touché and I apologize. You are correct, Mr. Speaker. We will keep a running score.

It is a letter from the Minister of Transport, Infrastructure and Communities, dated July 25, 2006 which said:

The activities of international remailers cost Canada Post millions of dollars each year and erodes the Corporation's ability to maintain a healthy national postal service and provide universal service to all Canadians.

My question is simple: What has changed?

**Mr. Brian Jean:** Mr. Speaker, it would be to the member's advantage and certainly to the advantage of Canadians if he would take the opportunity to sit in on some of the standing committee meetings when we will be dealing with this particular piece of legislation.

What the letter was referring to was the lost opportunity that Canada Post did not have because Canada Post has not had this business for years. As a result of that, really there is no loss to it on a direct basis, only on a lost opportunity basis.

We are looking at what is best for Canadians, for Canadian consumers, and what is best for Canadian businesses. That is what this government is going to move forward with, what is best for Canadians.

●(1615)

[*Translation*]

**Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.):** Mr. Speaker, I agree with my two colleagues who asked questions. I am very surprised by the rather twisted logic used by the parliamentary secretary to present this issue.

[*English*]

If I understood correctly, at the beginning he said, "This government will not privatize Canada Post".

*Government Orders*

[Translation]

And now he is saying that Canada Post did not have the revenue in the first place, so it is not losing anything.

What interests me and people from my region, my riding and throughout Quebec is the fact that more money would perhaps mean more services.

As is currently the case in rural areas, there are safety restrictions for employees and there is a lack of revenue to keep post office boxes close to people in rural areas.

To meet employee safety needs, post office boxes must be further away, and we are racking our brains to find solutions. I must give credit to the Canada Post workers in my area who are doing their best.

But I would like the parliamentary secretary to tell us why more revenues in this case would not be interesting.

The only interesting thing, as with local telephone service, is to deregulate and maybe one day privatize. But I have some serious doubts about that.

[English]

**Mr. Brian Jean:** Exactly, Mr. Speaker, and that is why some changes are necessary, but this will not affect domestic mail delivery anywhere in Canada. This will not do so. In fact our Prime Minister and indeed the minister have taken very positive steps toward confirming that rural mail will be delivered to rural addresses right across Canada. Indeed, we want to continue to do that and go back to a place where we were before, to continue to provide great service to Canadians with this Canadian icon.

I am from a rural constituency. I can assure the member that nothing is more important to my rural constituents than Canada Post and the delivery of the mail. We will continue to do that and take positive steps to help Canadians.

**Mr. Ed Fast (Abbotsford, CPC):** Mr. Speaker, I want to thank my colleague from Fort McMurray for his intervention and for explaining what this bill really does. I do not believe the Bloc and the NDP actually understand what the proposed legislation does. It actually involves one small clause which states:

The exclusive privilege referred to in subsection 14(1) does not apply to letters intended for delivery to an addressee outside Canada.

This does not in any way affect home delivery within Canada. I think that is pretty clear.

I would like to ask my colleague from Fort McMurray two questions. First, would he agree with me that the remailers are still doing business in Canada as they have done for the last 20 some years? Second, could he explain the context of this legislation and why it is we got to this point? Why is it that only two years ago suddenly Canada Post decided to take this to the courts to assert what had previously not been deemed an exclusive privilege, but today in accordance with that court ruling is deemed to be an exclusive privilege for Canada Post?

**Mr. Brian Jean:** That was a great question, Mr. Speaker. The member is right. The NDP member who asked the question earlier has not been at the committee as long as I have been there and

certainly is unaware of what is taking place with this particular piece of legislation.

Indeed, the member is correct. It will not affect domestic mail at all.

To be clear, I had in my office not six months ago members from an association of remailers who have been in business for anywhere from 15 to 25 years. They have been doing the same business day in and day out. They asked me what they were going to tell their employees when they went home. What were they going to say to them when they could not feed their families?

There are small businesses and employees across the country who get their livelihood from this particular type of business.

The member is correct. Canada Post did not have an issue with this for over 20 years; it was only recently that it did. Indeed, the government's position is that we are going to take the best steps forward to help Canadians, to help small business and to help the Canadian economy. We are doing that. This is one step toward that.

Let me be clear. This is not in any way going to privatize Canada Post. Indeed, it only affects outgoing mail. It does not affect domestic mail.

• (1620)

**The Acting Speaker (Mr. Royal Galipeau):** Order. It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Notre-Dame-de-Grâce—Lachine, Government appointments; the hon. member for West Nova, Equalization payments; the hon. member for York West, Automobile industry.

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, I was beginning to wonder whether we were actually going to get to the bill itself. If members do not mind my repeating what the last questioner asked in the debate, it is about a very small element, section 15 of the Canada Post Corporation Act, to be amended by adding the following after subsection (2):

The exclusive privilege referred to in subsection 14(1) does not apply to letters intended for delivery to an addressee outside Canada.

That is all. That is what the bill is about. We have heard for the last 20 some minutes what the bill does not intend to do, which is fine. I do not think that we in this House should be worried about what it is not intended to do, but rather what it is intended to do. From my perspective, as one of those members referred to by the previous speaker on the committee, this amendment to the Canada Post Corporation Act is really intended to protect the jobs of those small businesses that operate within the parameters of the Canada Post Corporation Act as they were interpreted until two years ago. That is all.

We can either agree that the jobs of people who have been engaged in legitimate business and the businesses that have been engaged in a legitimate environment are worthy of consideration and protection, or they are not. The moment we agree that those men and women have been engaged in activity that has been productive for them and their families and for the Canadian economy, then we must take an objective and positive disposition to this bill. Why do I say that?

*Government Orders*

In order to get a good comprehension of what we are talking about, we have to think in terms of the dimensions of the discussion. It is good to think in terms of dimensions of discussions in dollars and cents.

Canada Post's annual report for 2006 says that despite a strong economy, the letter mail product was essentially flat in 2006. There was no growth as far as Canada Post is concerned, but it is concerned about the competition from the small businesses and the men and women that they employ.

Let us re-examine that context once again. That same report says that consolidated revenues from operations in Canada Post reached \$7.3 billion for an increase of 4.6% over the previous year. This is an environment where the letter mail business is flat, so it has increased by 4.6% its revenues which total \$7.3 billion according to its consolidated statement.

Is there another number that fits in with that growth? What does a 4.6% increase mean? Again according to the statements in the annual report, it means \$320 million of increased revenue. There is \$320 million of additional revenue over the previous year in order to carry out its mandate, in order to guarantee the jobs of the men and women in rural Canada and in urban Canada and to deliver the kinds of service that Canada Post is mandated to deliver.

And when it falls short of its mandate, the Government of Canada, as I read the Canada Post Corporation Act, has always stepped in to ensure that any shortfalls would be guaranteed by the Canadian taxpayer, but that is not the case now. We are not talking about that now. We are talking about an increase of \$320 million that has brought to complete revenues of \$7.3 billion.

●(1625)

I do not think we ought to focus too much on this. It is a fabulous amount of money. It does not equal anything I have ever dreamed of owning. However, \$7.3 billion means that, according to Canada Post, it is now one of the biggest employers in the country. In fact, it is proud to say that it was named as one of the top 100 employers in Canada for 2007 in *Maclean's* magazine. Things would appear to be going not too badly.

What is the competition for a \$7.3 billion company that employs 55,000 people?

We heard the parliamentary secretary say a moment ago that the competition is a group of companies that send letter mail, pick it up and send it abroad, outside of Canada. In other words, they are not interfering with the exclusive privilege of sending mail within the country. In other words, they are not interfering with the mandate of providing that network of communication and jobs around the country. They are not interfering with the mandate to hoist the Canadian flag in communities all around the country so that we can see that our federation works. Those companies and those men and women who have been earning their jobs and their money legitimately, according to the parliamentary secretary who was repeating what Canada Post in its best estimates found to be the case, are a \$45 million to \$55 million competition.

In committee I pressed some of the remailers. I said that surely it cannot be just \$45 million to \$55 million. They allowed that maybe they might inch up to \$60 million, maybe even \$70 million. In any

case, according to a very quick calculation on a BlackBerry or any computer we would find that \$60 million of gross revenue for these small companies, compared to the \$7.3 billion, is about .8 of 1%. That is less than 1%. That is the threat. That is the Trojan Horse that people are now beginning to bring forward. That is why I said that we cannot be talking about what the bill is not going to do; we have to talk about what it is intended to do.

What it is intended to do is to save the jobs of those people who are working for those companies that in their total represent less than \$60 million compared to the big giant of \$7.3 billion. Seven billion dollars and three hundred million dollars is what Canada Post earns.

If we are trying to save the jobs of those men and women, if we think that their value, their dignity, their right to work is at least as good and legitimate as anybody who works for Canada Post, then we do not have any problem with this bill, because Canada Post does not have any problem with the bill.

In fact, Canada Post, in addition to indicating that it grew its income by \$320 million, really did say that the net income for the fiscal period ending December 2006 was \$119 million. On revenues of \$7.3 billion, it netted roughly \$120 million. That \$120 million net is at least twice the gross value of all those small companies and their employees who will punch the clock or do what they can to go to work every day to raise their families in an environment that is productive, dignified and meritorious of a Canadian dream.

●(1630)

The bill should be doing that and that is what I thought the government wanted to bring across to everybody. That is why this bill is so brief. It just simply says to let these people work. Where are they working, according to the parliamentary secretary? They are not working all over Canada so they can diminish the mandate of Canada Post to deliver a network of communication for all Canadians and to bring them together and bind this country tighter as one unit. No.

According to the parliamentary secretary and to the best estimates of Canada Post, we are talking about people who are engaged in businesses where this opportunity is practicable. In other words, they cannot compete anywhere else. They can only compete in three areas.

It appears that those three areas might be the greater Toronto area, might be metropolitan Montreal and might be greater Vancouver. Those are not three insignificant markets. They are very large and important but they also have the infrastructure required in order to make some of these very small businesses function.

There is no competition anywhere else. There is no competition for rural mail service in small communities where Canada Post might be a significant if not the most significant employer. There is no competition for a standard bearer for our Canadian presence, the point of contact between citizens and government around the country.

*Government Orders*

For 20-plus years the business has developed. Obviously it has not been such an overwhelming success as to make great inroads into the revenue stream of Canada Post because the revenue stream totalled \$7.3 billion last year in an environment where the letter mail business was flat and these companies were not able to generate much more than \$50 million.

I look at this again and ask what we should do as responsible parliamentarians. If we are concerned about the jobs of the men and women who work for these small businesses that operate here in Canada. Members will notice that I did not say they had to necessarily be Canadian owned, but that they receive investment and they do employ Canadians. What happens to the jobs of the people who work for these companies? Will they be absorbed by Canada Post, a company that is trying desperately to be as productive, as efficient and as competitive as any other industrial giant? I do not know. How would it do that?

If this business that Canada Post has just realized exists is labour intensive, and it would be labour intensive in places like Toronto, Montreal and Vancouver and non-existent anywhere else, will Canada Post absorb those jobs and create new ones so that we now can say, as responsible legislators, that we are not taking away the opportunity to earn a livelihood and create a future for oneself and one's family, but that in fact we are transferring the possibility from these small entrepreneurs to a state related organization?

• (1635)

If we could do that, that would be fine but, in a competitive environment, Canada Post will not absorb those jobs. It will ask its union members, which is CUPW, to take on any additional work. Does anyone know why? It is because the work represented by those small companies and their dutiful men and women who work every day to earn money to carry on with their livelihood for their families amounts to less than 0.8 of 1% of Canada Post's gross revenues.

Does anyone think for a moment that Canada Post will absorb all of those jobs and create more new jobs for every one of those people so that it can spend more? It will not do that at all. CUPW members will be asked to take on additional work, but not for more money, presumably, because in an efficiency driven environment it could not do that, but to do it for the same money.

What would be accomplished by driving out of business these companies that provide jobs for people's next door neighbours? It will not hurt people who are not from Toronto, Montreal or British Columbia's lower mainland. It will not hurt the member from Thunder Bay and it probably will not even bother the members from Ottawa. It will have an impact on people from the greater Toronto area, the greater Montreal area and the greater Vancouver area, where people are working diligently to make Canada a success.

What will happen? Will those people now be transferred from a job in one company to a Canada Post position? The answer is no. It will not happen.

As members of the House of Commons, our first obligation is to ensure that no legislation goes through the House that damages the potential available to any Canadian and, concomitant with that, the obligation to nurture an environment that gives Canadians that same opportunity.

If that is what will happen, then this legislation is but a very small step in the direction of a positive initiative that should not be apologized for. That is bad English form. We should not add in a preposition and leave it dangling. We should say that it is something that allows a productive activity to flourish in a legitimate environment. That is what this bill would do.

Mr. Speaker, do not let any member in the House confuse the positive aspects, the intentions of this bill, which came out of a committee that considered, deliberated and debated motions and said that we needed to structure legislation that does something positive, such as save jobs, nurture job creators and ensure that the infrastructure that we already have in place and, with all due respect, that is represented by Canada Post, be maintained. The bill took what the committee said and fashioned it in very simple terms, very brief legislation, and said that this was what we had to do.

I urge everybody to support this legislation.

• (1640)

**Hon. Joe Comuzzi (Thunder Bay—Superior North, CPC):** Mr. Speaker, I compliment my colleague across for being so eloquent, as he usually is, on areas that affect all Canadians. He is in his usual good form. He is very succinct and gets right to the point. I could not help but be amazed, Mr. Speaker, that you were paying such rapt attention to the member, which adds to all of us in the chamber respecting your interest in this matter.

When the member talks about the displacement of people from one area, which is the remainders, and obviously some of them have already left Canada, I was not quite sure where he meant they would end up, in what employ, if in the postal business or some place else. I wonder if he would be kind enough, in his normal succinct way, to answer that question.

**Hon. Joseph Volpe:** Mr. Speaker, I would love to answer that question. The hon. member gives me a compliment when he suggests that I have the entrepreneurial skills to take the considerations that are on the table for every one of those men and women who currently have a job and who are engaged in an enterprise that is giving them a remuneration with which they may or may not be content, but with which they are satisfied currently, and to replace that with something else.

I am a legislator. I wish I could say I was an entrepreneur, but all I know is that I have asked what will happen to their jobs if the actions that Canada Post was bringing upon them were to have great success. Canada Post could not guarantee that they would be absorbed as additional jobs in the Canada Post corporate plan, and the other companies, if they were forced to shut down, could not guarantee where they would go next. They would be at the mercy of most people who lose their jobs in an open market, out of luck.

*Government Orders*

[Translation]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, I rise to correct my colleague who sits with me on the Standing Committee on Transport, Infrastructure and Communities. That is not what the committee recommended. The committee wrote a unanimous report asking Canada Post to defer its litigation until the committee had really studied the situation. That was the motion the committee passed unanimously.

The government has tabled a bill and maybe my colleague is in favour of it. There is a problem though: the committee asked the government for a chance, before the bill is tabled, to analyze the situation, have all the witnesses testify, and find out how many jobs are at stake.

The hon. member was talking about small businesses, but Canada Post talks about big corporations. Personally, I have met remailers who say they employ thousands of people.

I would like to know what the situation actually is in this industry. I also do not want the remailers to cannibalize Canada Post. As we know, Canada Post distributes its wealth in such a way that rural areas have equitable service. If Canada Post's revenues were ever to decline too much, rural areas could be adversely affected, as they are right now. My Liberal colleague forgets this all too often. By the time Canada Post finishes its safety study, 30% of people will no longer have home delivery.

Could they not have suggested equipping the people who deliver mail in rural areas with small, more suitable trucks, as in the United States, in order to satisfy everyone? No, they decided instead that Canada Post is being deprived of income, before doing a study of the situation.

This is what I blame the Conservative government and my colleague for. Once more, they draw hasty conclusions without doing a real study. The committee's purpose was to prevent Canada Post from proceeding with litigation that it could shut down. The Bloc Québécois agreed to this. However, we want a real study done before a bill is passed.

What is happening now is that the Conservatives have decided, with the support of the Liberals, that the businesses are right. This means in the end that some rural residents may well lose their delivery service because Canada Post has less income.

I hope my colleague realizes this. That is what I want to ask him. Does he realize that this change to Canada Post could affect rural mail service? He does not seem to realize it when I listen to him, but Canada Post is—

• (1645)

**The Acting Speaker (Mr. Royal Galipeau):** The hon. member for Eglinton—Lawrence.

**Hon. Joseph Volpe:** Mr. Speaker, I want to thank the hon. member. We work quite well together in committee.

There are two parts to his question. The first concerns my interpretation of what was decided in committee. I do not want to put words in his mouth. I do not want to offend the intentions of my colleague or other colleagues who are members of the committee.

As far as Canada Post is concerned, as I said in my presentation, it is not a matter of eliminating or reducing the service provided under its mandate in rural areas to individuals who want and need Canada Post service where they live.

The reality is that newer neighbourhoods do not get the same type of service—note that I said type of service—but they do get service.

The issue is not about these remailers having an influence over the development of Canada Post service.

**Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.):** Mr. Speaker, for 20 minutes we heard the hon. member talk about what this bill is not. That is rather unusual. I want to talk about the fact that the legislation will remove a privilege from a crown corporation because it has never used the privilege and has just found out about it.

Once it discovers it, uses it and benefits financially, could it not use the revenue to benefit the public, given—as the hon. member just said—that a rural safety study is underway and we already know that some services in rural areas will be abolished? That was known; this is happening.

Why not allow Canada Post to earn more revenue?

**Hon. Joseph Volpe:** Mr. Speaker, if I may, I would like to answer the question in English so that I can be sure to use the right words to answer it properly.

[English]

That would be for the government to respond. Government members have said that they have gone out of their way to give the kinds of guarantees that only government can give.

I was in opposition when the then Conservative government of the day started to close down rural post offices everywhere around the country. In fact, it did not make that distinction. It closed down post offices in urban centres and in mine as well.

There was a transformation of Canada Post. Should Canada Post get greater income? There is no guarantee that income from these remailers will go directly to Canada Post. There is none. The previous questioner asked me what I would do with the jobs of the people who work for these remailers. We cannot give them any guarantees, just like we cannot give Canada Post a guarantee that the \$45 million, \$50 million or \$60 million that is represented by these enterprises will go directly into its coffers.

The essence of international remailers' business is that mail intended for foreign destinations will not go to Canada Post. It will go someplace else. The businesses have every right to pursue a business someplace else. I cannot constrain, and I do not think anyone else here can, the current customers to go to Canada Post. Were that possible, we might be having a different discussion.

Does Canada Post need more money to deliver in rural communities? I do not know. The consolidated revenue statement says that it made \$120 million net last year. It did not ask us for permission to spend that money to improve rural service. Why would it? Canada Post also admits that the market for letters is flat. If Canada Post does not have any clients, what is it going to do?

*Government Orders*

• (1650)

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, I am pleased to speak to Bill C-14, to amend the Canada Post Corporation Act.

I will summarize it briefly by reading it. It is not a very complicated bill. It is probably one of the shortest bills ever introduced in this House. It has just one clause, a proposed addition to the act that reads as follows:

The exclusive privilege referred to in subsection 14(1) does not apply to letters intended for delivery to an addressee outside Canada.

It is important to grasp the history behind this bill to understand why it is being introduced in the House today. The English and French versions of the Canada Post Corporation Act had a terminology problem. The French version applied this exclusive privilege to letters for delivery to an addressee outside Canada, whereas the English version did not.

Because of this dichotomy, which was in place for over 20 years, remailers infiltrated the mail market. They take mail intended for destinations abroad from companies, put it in a container and send it to addressees via other countries that offer lower rates than Canada Post.

I believe that all those watching the debate on television understand why an exclusive privilege was granted to Canada Post. Among other things, it permits all citizens to receive their mail at their residence, no matter where they live in the great and vast province of Quebec or in the great and vast country of Canada. That is why the House of Commons passed, at the time, the Canada Post Corporation Act: to grant this exclusive privilege so that everyone can receive their mail at home no matter where they live.

Obviously, things have changed since then. As I was explaining earlier, remailers, among others, referred to the English version. Since they were already working in this area, they used it to justify forwarding other types of mail that were not letters. These companies were already in business and they decided to do the same with mail in general and to cite the English version in order to do business.

Three years ago, the Canada Post Corporation finally decided to turn to the courts. These are probably the types of questions that we, the Bloc Québécois would have liked to have asked both the Canada Post representatives and its employees as well as the remailers and their employees, in order to discover why Canada Post went to court three years ago. The courts found in favour of Canada Post and were prepared to issue injunctions against companies that were remailing letters abroad.

The committee, in its great wisdom, wanted to be able to carry out an in-depth analysis before the citizens working for these companies lost their jobs.

I am disappointed with both the Conservative Party and the Liberal Party for tabling a bill before taking a hard look at it. The purpose of the unanimous report presented by the Standing Committee on Transportation, Infrastructure and Communities was simply to ask Canada Post to stop legal proceedings until the

committee carried out a thorough analysis of the matter. That was the purpose.

That goal was finally attained, and remailers were not completely satisfied, but they were fairly satisfied. In the short term, it meant that they did not have to lay off employees until we could conduct a thorough analysis.

Then the House was prorogued. People who take an interest in politics followed these events. All the discussions began again in Parliament. Finally, we have a new session, which is what the Conservatives wanted. The government decided to introduce a new bill before the committee could even hold its first meeting. In fact, the organizational meeting took place this morning. When the government prorogues the House, the committees start from scratch again. It takes 14 days after the members are chosen, which is too long. In short, most committees have been sitting for only a few weeks.

The government therefore decided to introduce a bill simply to put an end to Canada Post's exclusive privilege. The government decided to submit the bill to the House of Commons and make the committee work so that we could vote on this. This is clearly unacceptable, because we would have liked to guide the government.

• (1655)

It is very hard to pass amendments when the bill is only three lines long. The government knew exactly what it was doing. The bill that was tabled is only three lines long, and we will not be able to add a paragraph and a half or two paragraphs. That is impossible. This means that, theoretically, we will have to vote for or against this bill without ever having made any real analysis.

In committee, we will make every effort and use every possible means to call a full slate of witnesses, provided that the Liberal Party and the Conservative Party do not work together and decide to limit debate to one day only. Together, they have a majority, and they could decide to do that. In fact, they could just sweep the whole thing under the rug, so that we could never get to the bottom of things, if they decided that the whole matter was settled.

That is why I am a bit disappointed at the speech given by my Liberal friend, who finally seems to have decided that Canada Post is not going to lose any money.

But the Bloc Québécois is concerned. We think that the exclusive privilege is a sign of equality among the citizens of Quebec and Canada, and everyone has the right to have mail delivered to their home. This is why Canada Post was created. I do not like to use this word, but in the old days, it was the Queen's mail. But today, I must say, mail delivery has gone out the window, and the Queen as well, or at least the Queen's mail. Forget home delivery. Those days are over and here is the proof.

*Government Orders*

The parliamentary secretary, a nice fellow, explained that no one would lose anything. Forget that. It has already started, and 30% of people who receive home delivery will lose this service for safety reasons explained by Canada Post and its president.

There are solutions: in the United States, smaller and better adapted vehicles deliver mail to the door, etc. We could have made such an investment, but no, it was decided that 30% of the population would lose their home delivery for various reasons: size of the route, the way employees work with their traditional vehicle, the fact that they must get out on the side of the road, little space, speed, etc.

In any case, I am not making any of this up. Call any Canada Post official and he or she will say the same thing: 30% of people will no longer have home delivery.

Indeed, they will have to get their mail from the big, green boxes. And, as the Liberal member was saying earlier, all new residential developments have those green boxes. These new subdivisions may all have those green boxes grouped together in one place, but this is not the best solution. If they had really wanted to, home delivery service still could have been provided to Canadians, as it was in the past.

This service is being further and further reduced. We are concerned. The parliamentary secretary can get all worked up and say that Canada Post will never be privatized, but as soon as tempting to privatize Canada Post. There will be fewer employees and staff, that is, just what is needed to be able to privatize the corporation.

This is the Bloc Québécois' concern. Indeed, we do not believe the Conservatives. They said there would not be any impact and that there would always be rural mail. The minister got all worked up saying that nothing would be changed. Yet, within two years' time, 30% of citizens in rural settings will no longer receive their mail. That is the reality hidden behind the posturing of the Minister of Transport, Infrastructure and Communities.

Why should we believe him now, when he says that Canada Post will never be privatized? We cannot believe him any more than the public can believe him. Go and talk to those people who stand to lose their mailboxes and will be forced to go to community mailboxes. Ask them if they believe the minister. No one believes him anymore. He works for us every day, ensuring that we are elected, and we have no problem with this. This allows us to be re-elected, time and time again.

However, in certain respects, this is in no way an intelligent objective. It was decided that a crown corporation would be created and given an exclusive privilege, in order to ensure that all citizens in a large country such as Quebec or Canada would receive their mail at home. It was a laudable objective.

They pretend to listen, but then they cut services and brook no discussion about it. That is what the Bloc Québécois disagrees with. I am not saying that things would turn out any differently otherwise. The problem is that they decided to introduce a bill that cannot be amended. We will have no choice but to vote for or against the bill. It is only three lines long, so it will be practically impossible to amend. We will have to vote against the bill or for it. The government cannot

say that it did not realize this. It has law clerks and knows exactly what it is doing.

● (1700)

All it wanted to do was present us with a *fait accompli* and ask us if we were for it or against it. That is exactly what committee members did not want to happen. I am having a hard time understanding my committee colleagues who were there at the time. We all wanted Canada Post to drop its case so that no jobs would be lost. We were against losing jobs, but we wanted a thorough analysis. That was our goal.

Now we have a bill that says, "You have no choice. You can talk about it all you want, but in the end, the point is, are you for it or against it?" If the analysis had been done before, we could have come up with a better, smarter solution that would probably have enabled Canada Post to protect its exclusive privilege while letting remailers keep their jobs. It could have happened. Some of our Liberal colleagues were even ready to do that. We had discussions. But none of that will happen now because the government decided to do things its way. I am disappointed that the Liberals agreed to that. I hope that we can have a debate about this in committee.

Canada Post has very healthy sales, but revenues are down significantly. It is important to understand that the Canada Post Corporation pays taxes in the provinces where it does business. It is a crown corporation, but it has to pay taxes, which is good. It is a corporate taxpayer like any other business. You have seen and will understand that a portion of these revenues goes to taxes. Then, because it is a crown corporation, Canada Post must pay a dividend to the federal government. In 2007, that dividend totalled \$48 million. That means that it must turn over its surplus to the Government of Canada. It was decided that things would work that way, and I am not opposed to that.

But if the decision is made to decrease sales and if ever the goal was for Canada Post to earn \$49 million or \$50 million less net profit, what would be the reaction of the government, which would still want its dividend at year-end? Is this discussed in this bill? It is impossible. This bill can no longer be amended. All the legislative drafters will say that you cannot add anything that changes the substance of the bill. We will therefore not be able to discuss that.

This is the sticking point for the Bloc Québécois. The government cannot threaten something that has been in existence for generations and is likely the oldest service provided by the federal government across Canada. The mail is likely the oldest service. The government is attacking it directly, gently, simply by letting companies do what they want, without letting us ask questions, hold a real public debate or invite all the stakeholders. The government has done this by being both judge and defendant and saying that it is not important to Canada Post. It has revenues of \$7 billion or \$8 billion, but in the end only \$49 million is paid in dividends to the federal government.

*Government Orders*

Imagine the spending. That is \$119 million in net revenues and \$49 million in dividends paid to the government. If sales are cut by \$150 or \$200 million, net revenues and dividends will drop, and we will be forced to cut other services to maintain the dividends for the government, which needs this money to do other things, as it does with employment insurance. It is dipping into the EI fund. The EI fund is not an independent fund. Citizens who make their contributions to EI make them into a fund here, in Ottawa, that is not independent. It is part of the consolidated fund, and the government needs that money to pay down the debt and invest in military equipment or the war.

That is a choice the Conservatives make. They certainly do not invest in the environment. That much we know. But they will happily invest in the oil industries or in military equipment. It is a choice. The problem is that they have decided to do the same thing with the dividends paid by Canada Post, and want more money to invest in military equipment and in oil resources, but not in services for the public.

There is not one Conservative member who can guarantee me that today, because there will be no debate on the subject. The debate will be held on three lines of a bill that will ask whether we are for or against allowing remailers to send letters outside Canada. We cannot make even the slightest modification. There will be no debate, and there is nothing we can do about it.

• (1705)

It is yes or no.

Since the Liberals and the Conservatives have already shown their colours, it will be yes to the bill right from the start. That is what is disappointing. The real debate will never be held, not in committee or in the House of Commons because we do not hear witnesses here.

The Conservatives way of handling this matter here in the House of Commons with this bill is very disappointing. In the previous session, before the Conservative government prorogued the House, that was not what the Standing Committee on Transport, Infrastructure and Communities decided. There was a unanimous resolution in committee, which I will repeat so that everyone is clear, to the effect that Canada Post must not go any further and must end its dispute with the remailers so that no one would lose their job, until a full review of the situation had been done. This review was not done and will not be done.

The bill is so limited that all we can say is whether we are for or against having remailers distribute letters outside Canada. I maintain that this risks upsetting the balance of the postal service across Canada.

On that point, the Bloc Québécois will do everything in its power to shed light on this. We cannot allow the government, the Conservatives and the Liberals, to do this without putting up a fight to make people understand that this bill threatens public services. That is what we are going to do. You can count on the Bloc Québécois. Quebeckers who elected a Bloc majority in Quebec will be glad they have the Bloc Québécois to defend their points of view.

There is nothing rosy about this. Always saying yes to private companies, the way the Conservatives do, is very worrisome. We think it is also important to protect the service in all the regions of

Canada. Quebec covers a lot of territory and the people in the rural areas are just as entitled as people in urban centres, to home delivery service. In the big cities, you get home delivery service and no one is jealous of that. You probably deserve it. You pay your taxes. Nonetheless, people in rural communities are also entitled to their service and mail delivery at home because they too pay their taxes. They are the equals of city dwellers.

As you can see, the Bloc Québécois will never tire of debating this injustice being perpetrated even as we speak. I repeat, Mr. Speaker, if you ask all those in charge of safety at Canada Post, they will tell you that, in rural areas, mail service will be reduced by 30% once the safety analyses have been completed. They are not proposing to change delivery vehicles to ones that are smaller and can drive on the shoulder of the road, as in the United States. No, not at all. They are not talking about that; it is too expensive. I understand that, because with this bill they will lose potential revenue or even lose money.

We must understand why Canada Post decided to take remailers to court. Is it because the problem is growing and their share of the market will double, triple or quadruple in 10 or 12 years? Will Canada Post be cannibalized by these companies? No one in government is asking this question. The matter has already been settled. The bill has already been tabled and it has been decreed that we have to deal with the remailers. We will never know.

Naturally, this is very worrisome for the rural postal service. The Bloc Québécois will always support the equity of all regions, whether urban or rural. We will never rise in this House to jeopardize the service provided to citizens, whether they live in rural areas—as I was saying earlier—or in urban areas. Quebeckers and Canadians work hard and are entitled to residential postal service, whether they live in rural or urban areas. The Bloc Québécois will always be there to defend them.

• (1710)

[*English*]

**Mr. Ed Fast (Abbotsford, CPC):** Mr. Speaker, I want to thank my colleague for his intervention. I very much appreciated working with him on the transport committee.

He knows full well that the issue of the remailers was actually discussed at committee on a number of occasions. In fact, we even had witnesses before our committee who testified about the impact that this particular industry would have on Canada Post.

We had a lot of discussion over this issue, and the hon. member also knows that this bill, when it is passed at second reading, will end up going back to committee where he will be able to make all the arguments and say whether his party is for or against this particular bill.

I think the hon. member over-complicates the matter. I will read the actual legislation itself. It basically refers to section 15 of the Canada Post Corporation Act being amended by adding the following:

The exclusive privilege referred to in subsection 14(1) does not apply to letters intended for delivery to an addressee outside Canada.

*Government Orders*

In other words, it is a very simple question and a very straightforward issue: Should remainders continue to be allowed to do business in Canada?

I do take issue with the hon. member's characterization of \$50 million per year being taken away from Canada Post. In fact, he knows that is not true. The truth is that the \$50 million has never been received by Canada Post because remainders have been doing business for some 20 years in Canada and continue to this very day to do business.

My question to the hon. member is, how can he claim that Canada Post is losing and will lose \$50 million, or whatever the amount is, every year, when in fact it has never received that money?

[*Translation*]

**Mr. Mario Laframboise:** Mr. Speaker, I find that surprising because Canada Post wrote to us saying that it had tried to resolve its issues with these companies amicably. Why did Canada Post decide to take the matter to court? Because the market was growing.

I do not want to hear the member say that Canada Post's bottom line will not be affected. The reason Canada Post took these businesses to court is that the market was growing and it was time to clarify the situation. I do not mind if our colleague trumpets his bill, but it is only three lines long, which means that it cannot be improved. Either one is for it or one is against it. That is what I do not like about it.

The member is on the committee. He knew full well what we wanted to do, which was to conduct a thorough study before suggesting legislative amendments. He said that we heard a lot of witnesses, but I would point out that not even Canada Post employees were able to appear before the committee. As he may recall, we were unable to call employees before the committee at the same time as the president because they were negotiating collective agreements in other areas.

The study was not a thorough one, even though the committee recommended it unanimously. Canada Post was asked to drop its case until a thorough study could be completed. That is not what the Conservatives decided to do. They introduced a bill that, I agree with the member, is not long. One either supports this bill or one does not. That way, the Conservatives can avoid the whole debate, and we will never know the whole story. Once again, that is the Conservatives' *modus operandi* in government.

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, I agree, for the most part, with the comments made by my colleague from Argenteuil—Papineau—Mirabel. As he will recall, I was very much involved in the discussions in committee. Furthermore, there were a great many motions and procedures. In the end, it all led to a rather lively exchange of ideas, from which resulted a resolution that was unanimously passed by the committee.

Indeed, as indicated by my hon. colleague from Argenteuil—Papineau—Mirabel, this unanimous resolution recognized Canada Post's exclusive privilege and asked it to stop its litigation in order to consider other possibilities through which Canada Post could continue to exercise its exclusive privilege while somehow compromising with remainders.

Since I have major concerns about the bill as it was introduced, I would like to inform the House that I was one of the people who believed that Canada Post's exclusive privilege should not be tampered with. To attack it, infringe on it, chip away at it and lessen it, as this bill seeks to do, would truly be a first step towards something that, in my opinion, we do not want to do. Indeed, we are sinking into something that greatly concerns me, in part, because of some of the reasons indicated by my colleague.

I do not have a question for the member, but since I participated in the discussions in committee, I would also like to set the record straight: we were able to reach this unanimous consent only because the two concepts were taboo. We respect the exclusive privilege, but we are calling on Canada Post to stop its legal actions and learn to compromise with the remainders. This is not at all what the government is doing at this time. On the contrary, it decided to cut off the discussion, in a way that I personally hope to be able to comment on during the debate and that poses considerable problems for me.

● (1715)

**Mr. Mario Laframboise:** Mr. Speaker, I truly appreciate the question posed by my colleague for Ottawa—Vanier. I know that he was given a promotion and that is why he no longer sits with us.

Nevertheless, that was the thrust of the discussions. Once again, I am disappointed that the government has introduced this bill that does not give us a choice. It cannot be improved. That is what I find frustrating. Had we been able to improve it, we might have been able to come to an agreement. The way in which it is drafted only allows us to be either for or against it. With only three lines, it is impossible to add a paragraph. The law clerks would find it not receivable. We will have to be either for or against the bill.

I am pleased that the Liberals are divided. That will make us work harder.

**Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.):** Mr. Speaker, I will be brief in order to give others an opportunity to speak.

I thank my colleague for Argenteuil—Papineau—Mirabel for his speech. I would merely like him to say if he agrees with my statement that it is nothing more or less than deregulation. It is based on an ideology that favours the free market, quite often at the expense of the people to be served. To repeat the expression he himself used, service for those who live in rural areas will go out the window.

**The Acting Speaker (Mr. Royal Galipeau):** The honourable member for Argenteuil—Papineau—Mirabel would probably like to know, when answering, that another member of his own political party would like to ask him a question and there are two and a half minutes remaining.

**Mr. Mario Laframboise:** Mr. Speaker, my colleague is quite right. That will be the result. However, that was not the committee's goal.

**Mr. Christian Ouellet (Brome—Missisquoi, BQ):** Mr. Speaker, I congratulate my colleague from Argenteuil—Papineau—Mirabel on presenting this way of seeing this bill.

*Government Orders*

This is nothing new. The report issued by the committee that reviewed Canada Post's mandate in 1996 recommended "that Canada Post remain a Crown corporation in the public sector and the exclusive privilege be maintained". The report also recommended "that Canada Post be mandated to operate on a break-even basis rather than pursue a commercial rate of return".

With this bill, the government is attacking just that by wording the bill in such simple terms that we cannot change anything. I am very aware of that.

I would like my colleague to tell us more about the losses that will result in our ridings, especially a riding like mine, where there are hills—

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Argenteuil—Papineau—Mirabel.

**Mr. Mario Laframboise:** Mr. Speaker, my colleague from Brome—Missisquoi is absolutely right. He himself is an example. I know that he is dealing with that right now.

Citizens in his riding are undergoing a reassessment right now, and given the topography around there, Canada Post will probably cut service to more than 30% of their mailboxes. That is very frustrating because there are techniques and technologies for that. The member himself showed me how it works in the United States. Much smaller cars are much safer on the roads. But we cannot talk about that. We cannot talk about investment because the Canada Post Corporation might lose revenue to other companies.

• (1720)

[*English*]

**Hon. Joseph Volpe:** Mr. Speaker, I rise on a point of order. I want to note that my hon. colleague from the Bloc stood up on a 20 minute defence of things that are canadiennes. That has got to be extraordinary for a sovereignist.

**The Acting Speaker (Mr. Andrew Scheer):** That is not really a point of order. We will go on to the member for Hamilton Centre.

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I appreciate the opportunity to join in the debate today.

The NDP believes that prior to even getting to the point of whether we agree with the bill or not, there ought to be a follow through on the commitment to do a review of the entire mandate of Canada Post. Then we would have a better idea of how this fits into what we collectively expect from Canada Post going forward.

It is a shame that is not happening. I suppose it is possible there is a good reason why it is not happening. The government may not like the way it looks in the context of a mandate that has just been reviewed, but I will leave that where it is. We will continue to push for this mandate and we will continue to oppose the bill.

I cannot seem to find anything on what Canada Post has to say about Bill C-14. I can only hope Canada Post is not being gagged. I hope very soon, either at the end of today or tomorrow at the latest, we will get some idea of what one of the largest crown corporations in our nation has to say about a bill, a bill that goes directly to the heart of its ability to raise revenue and meet the mandate given to it by Parliament.

Let us remember, as we go through this whole discussion, that Canada Post, in addition to the services outlined in the legislation, has also been mandated to raise revenue on a self-sufficient basis. In other words, Canada Post cannot come back to Parliament and ask for money. It has a good enough service and product that it should be able to raise enough money through revenue to pay for all the costs.

Let us remember that we have one of the lowest universal letter rates in all the industrialized world. Canada is the second largest country, land mass wise, in the world. That is a pretty good achievement. For all the kicks that everybody likes to take at Canada Post from time to time, for whatever reason, at the end of the day that is a pretty good accomplishment. Canada Post is raising revenue without running a deficit. It is not coming here and asking for money.

The absolute key to Canada Post being able to provide a service that is recognized around the world and serves the needs of Canadians at a cost that they can afford is the whole notion of the exclusive privilege. It either has an exclusive privilege or it does not. The government wants to have it both ways. It does, but maybe not everywhere: Conservative government, public service, money to be made.

At this point, the NDP and the Conservatives start walking down a different road. Our sense is the reason the government is doing this is part ideology. The Conservatives do not like public services. If there is a dime to be made, one of their buddies ought to make it.

The notion of what is best for the public interest does not appear on a balance sheet. It does appear in a crown corporation, but it does not in private enterprise and nobody suggests it should. The Conservatives want this business because there is money to be made. That is the only reason, and from all accounts, there will be more and more money to be made each year.

We have a situation where some private enterprises have started to do work that is exclusively the mandate of a crown corporation. Whatever happened to the law and order party in our country? Under other circumstances, if people broke the law, flagrantly no less, and went ahead and started conducting business that was the rightful business of somebody else, the Conservatives would be holding them to account. They would go after them because they broke the law according to the Conservatives. They would be considered a law-breaker of the whole nine yards.

What do we see in this case? The Conservatives are going to change the law because there is lots of money to be made so law-breakers are now complying with the law. That is a pretty good trick if someone can get them to do that.

Let us take a look at some of the meat in the legislation. I agree with my Bloc colleague that one cannot believe for a minute that just because it is a small bill, and it really is, it somehow will not have a major impact. This is a smooth process. They are not allowed to do something by law. They go ahead and start to do it. The people who have the exclusive right to do what they are doing call them on it and they keep doing it.

*Government Orders*

● (1725)

From what I understand, Canada Post spent a few years working with the Universal Postal Union trying to come up with a way to square the circle in terms of what that organization represented and the law, which gives the exclusive right and privilege to Canada Post. It did not work.

Therefore, Canada Post said that it would go to court to make it very clear that the work done by the private companies encroached on business that was the lawful mandate of Canada Post. Canada Post won. These corporations, I guess because they care so much about public service and the delivery of mail, appealed it. They lost again.

It is interesting what the judges said in this case. Justice MacFarland, who wrote on behalf of a three judge panel that ruled unanimously, said:

The purpose of the statutory privilege can only be to enable CP to fulfill its statutory mandate or realize its objects. It is meant to be self-sustaining financially while at the same time providing similar standards of service throughout our vast country. Profits are realized in densely populated areas which subsidize the services provided in the more sparsely populated areas.

This is not a new challenge that we face as a country. Because of our values, we believe Canadians, no matter where they live in the country, should be able to find, with reasonable closeness, a reasonable facsimile to the services they would enjoy anywhere else in Canada.

Do we achieve that wholly? No, we do not. We can ask anybody. Ask my friend from Sault Ste. Marie whether the health services are the same in Sault Ste. Marie as they are in Toronto. Notwithstanding the difficulties in Toronto, they are that much greater in Sault Ste. Marie. Why? Because it has a smaller population and it is spread out so far.

I have not even begun to talk about the territories and the extremities of the country. It is a massive country. We believe that things like health care, transportation services, environmental protection and other government services should, as much as possible, be the same, or at least as close as one can reasonably get, never backing away from pushing to get there.

Quite frankly, we do not have to go all that far even in my own province. There are a lot of rural areas just outside Hamilton. If we based our profit margin, as a postal service, on the amount of business that came out those small areas, they would not get any. They would be an afterthought, but that is not the case right now.

For the same price, we can mail a letter or a package from anywhere in Canada to anywhere in Canada at a reasonable rate. Why? Because the exclusive privilege allows the post office to take profit from parts of its service, which allows it to offset the cost to provide, as close as it can, the same service in rural areas as we get in downtown Toronto. Again, in the second largest country in the world, that is not an easy feat.

What is proposed in the legislation will water down the ability of Canada Post to do that. Some might say that it is not doing the work at all right now. As I understand it, that is not factually correct. Some of the work is being done by Canada Post. Some of it is being done by people who should not be doing it. It is unlawful.

We are running a surplus right now. Overall, not in manufacturing but in many other areas of the economy, things are not going too badly. Profits are being made.

● (1730)

But what about tomorrow? What about next year? What about in five years, in ten years? Once we begin down the slippery slope of eating away at exclusive privilege we undermine the ability of Canada Post to provide the world class service that it does.

It is that simple. That is why we ought to be reviewing the mandate. If we do not want it to do that, then let us stop kidding ourselves and build a whole different kind of post office.

This is not really about whether we believe in privatized services, whether we believe in the private sector or the public sector and which one should be bigger, more important, first dibs on it. Really that is not the issue. It is a side issue. Really what is in front of us is the issue of how we want to handle postal services in Canada. If we want to continue them along the same vein that we have started, then we need to make sure Canada Post has the means to do it. It is that simple.

I certainly do not know of any commercial entity that wants to take over rural postal services only, or other aspects of delivering anything in Canada that is difficult, not to mention our weather. No. There is big money in it and that is why big money was prepared to hire high-priced lawyers to go to court to try to get it ripped open. When that did not work, they looked up at the sky, counted all their lucky stars and said, "We have a Conservative government in power. Let's just get the law changed", and here we are with Bill C-14.

It takes just a handful of lines:

1. Section 15 of the Canada Post Corporation Act is amended by adding the following after subsection (2):

(3) The exclusive privilege referred to in subsection 14(1) does not apply to letters intended for delivery to an addressee outside Canada.

It might as well say that where Canada Post has a chance to make a decent buck, we are going to privatize it, because that is what is going on.

I know the Conservatives are going to jump up and flail their arms and say, "This is not privatization. No, no. This is its sibling deregulation". It is the same thing.

Make no mistake, if this bill passes today and we keep a like-minded government in power—and I cannot say anything about the official opposition; I have heard two speakers and they both took each side of the issue, which is pretty traditional so far, so it is hard to say whether this could only happen with the Conservatives. The Liberals are close enough that they may get what they want from either one.

The fact is if they win this, why would they not be back for more? Why not sit back in the boardroom and say, "Okay. Here is how this works. Let's find out other profitable areas of Canada Post and start doing it. When Canada Post gets upset, we will not even have to take it to court this time. We'll just go straight to the government and the government will stand up and say, 'Why are you doing this to these poor small businesses?'"

By the way, a lot of these poor small businesses have a huge global reach. This is big money. It reminds me a bit of WSIB, workers compensation in Ontario, where the private insurance companies are still standing outside the borders of the province drooling at the prospect of getting their mitts on all that money.

If this works, why not identify something else, go through the whole process again and eventually water it down to the point where we are in this place one day where there is an attack on the fact that Canada Post is running a deficit. Then they will go looking for scapegoats. And then what? My good friend from Ottawa Centre asked, "Then what?" That is exactly the right question. If Canada Post starts running a deficit, either this place starts to give it money that we have not had to do before because that profit is now not in the pockets of Canadians through the public service, it is in private pockets.

I hear one of the members heckling and asking "Is that bad?" I would say it is bad when either the cost of stamps and postal services goes up, taxes are increased to provide the subsidy or cut the service. Those are the options. I would say to you, Mr. Speaker, with regard to what the hon. member said, that yes, it is bad.

• (1735)

Maybe if I were lying on a nice deck chair on a great big yacht somewhere being taken care of by those who got all that money, I might feel differently. But as somebody who cares about postal service in Canada and is here to fight for the rights of ordinary Canadians, this is the structure that works.

The government did not even have the guts to say that it was going to change the mandate. No, it takes away the financial means to achieve the mandate. It is deceitful in some ways, if that term is allowed to stand, and it seems that it might be.

There is a sham being perpetrated here. We hear the argument that we are picking on people and why would we do this when it is already being done and all this stuff that suggests it is not a big deal and not to get all upset, that this is just the Bloc and the NDP fighting for those working people again or public services. At least some of the Liberals are saying that. I am waiting to get clarification of exactly where they are, so I will not comment. It does not really matter anyway, because they do not vote. They are just a debating society.

I want to read something in support of this notion about the slippery slope. Either we leave the exclusive privilege in place in its entirety or we say, no, revamp the mandate and build something completely different. It is one or the other. I agree with my Bloc colleague when he said that this is a vote up or down; there is no mitigating, no amendments, we either believe in this or we do not.

This is what was said in a report 11 years ago, the last time there was a Canada Post mandate review: "Removal of the exclusive

### *Government Orders*

privilege would be tantamount, in effect, to tossing Canada's postal system up into the air, allowing it to smash into a random assortment of pieces, and hoping that those pieces would somehow rearrange themselves into a coherent whole that was better or at least as good as the current system".

At that time Canada Post did not seem to have as much difficulty finding its voice and it said that for as long as it is the public policy of Canada to provide universal letter service at uniform rates, it will be necessary to maintain the limited exclusive privilege for letters.

That is what this is about. This is about legitimizing and legalizing something that is currently outside the law. It is no different from Microsoft, or Disney, or any other big player. Canada Post is protecting its revenue stream, its market.

Why on earth would we tinker with a system that for the most part serves Canadians well and does not cost Canadian taxpayers anything beyond the money it costs them to buy the service at the postal station? Why would we mess with that? Why would we tinker with it? There is only one reason and this is my opinion. I am saying this in here, and this is pure speculation, but it is my right to say it and I am going to. It looks an awful lot to me like these private entities could not win in the courts, so they did the lobbying routine, lobbied the government and now the government is prepared to do their bidding to legalize tomorrow what is today illegal.

I will be interested to hear better arguments, particularly from my friend over in the corner who has his laptop and I am sure that all the information is being fed from central command about what his questions to me are going to be and how he is going to attack those wild-eyed New Democrats again. I await that moment, but what I await more than anything is the remote possibility that they might come up with an argument that actually holds.

Do not give us this stuff that we do not care about those private sector jobs. Of course we do.

**An hon. member:** You don't.

**Mr. David Christopherson:** Of course we do.

**An hon. member:** You don't.

**An hon. member:** There is an echo in here.

**Mr. David Christopherson:** It is more like a yo-yo, the voices going back and forth, Mr. Speaker.

• (1740)

At the end of the day, that is what this is about. If that were the case, then I certainly would hear the Conservative government taking a very different approach on law and order.

Mr. Speaker, you are signalling time, so I will end it there.

*Government Orders***IMMIGRATION AND REFUGEE PROTECTION ACT**

The House resumed consideration of the motion that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, be read the second time and referred to a committee.

**The Acting Speaker (Mr. Andrew Scheer):** It being 5:41 p.m., the House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill C-3.

Call in the members.

• (1810)

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

*(Division No. 10)***YEAS**

## Members

Abbott	Ablonczy
Albrecht	Allen
Anders	Anderson
André	Arthur
Asselin	Bachand
Bagnell	Bains
Barbot	Batters
Bélanger	Bell (North Vancouver)
Bellavance	Bennett
Bevilacqua	Bezan
Bigras	Blackburn
Blais	Blaney
Bonin	Bonsant
Boshcoff	Bouchard
Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Brunelle
Byrne	Calkins
Cannan (Kelowna—Lake Country)	Cannis
Cannon (Pontiac)	Cardin
Carrie	Carrier
Casson	Chan
Clement	Comuzzi
Crête	Cummins
Cuzner	D'Amours
Davidson	Day
DeBellefeuille	Dei Mastro
Demers	Deschamps
Devolin	Dhaliwal
Dhalla	Dosanjh
Doyle	Dryden
Duceppe	Dykstra
Emerson	Epp
Eyking	Faille
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Gagnon
Galipeau	Gallant
Gaudet	Godfrey
Goldring	Goodale
Goodyear	Gourde
Gravel	Grewal
Guay	Guimond
Hanger	Harper
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Holland
Hubbard	Ignatieff
Jaffer	Jennings
Kadis	Kamp (Pitt Meadows—Maple Ridge—Mission)
Karetak-Lindell	Karygiannis
Keeper	Kenney (Calgary Southeast)
Komarnicki	Kotto
Kramp (Prince Edward—Hastings)	Laforest
Laframboise	Lake

Lalonde	Lauzon
Lavallée	Lebel
LeBlanc	Lee
Lemay	Lemieux
Lessard	Lévesque
Lukiwski	Lunn
Lunney	Lussier
MacKay (Central Nova)	MacKenzie
Malhi	Malo
Maloney	Manning
Marleau	Martin (Esquimalt—Juan de Fuca)
Mathews	Mayes
McCallum	McGuinty
McGuire	McKay (Scarborough—Guildwood)
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Miller
Mills	Minna
Moore (Port Moody—Westwood—Port Coquitlam)	
Murphy (Moncton—Riverview—Dieppe)	
Murphy (Charlottetown)	Neville
Nicholson	Norlock
O'Connor	Obhrai
Oda	Ouellet
Pallister	Paquette
Paradis	Pearson
Perron	Petit
Picard	Plamondon
Poilievre	Preston
Rajotte	Ratansi
Redman	Regan
Reid	Richardson
Robillard	Rodriguez
Rota	Roy
Savage	Schellenberger
Scott	Sgro
Shiple	Silva
Simard	Skelton
Smith	Solberg
Sorenson	St-Cyr
St-Hilaire	St. Amand
St. Denis	Stanton
Storseth	Strahl
Sweet	Szabo
Temelkovski	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Turner	Tweed
Valley	Van Kesteren
Van Loan	Vellacott
Verner	Vincent
Wallace	Wappel
Warawa	Warkentin
Watson	Wilfert
Williams	Wrzesnewskyj
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**NAYS**

## Members

Angus	Atamanenko
Beaumier	Bell (Vancouver Island North)
Bevington	Black
Blaikie	Charlton
Chow	Christopherson
Comartin	Crowder
Cullen (Skeena—Bulkley Valley)	Davies
Dewar	Godin
Julian	Layton
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	Mulcair
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## PAIRED

## Members

Allison  
Benoit  
Freeman  
Mourani

Ambrose  
Bourgeois  
Moore (Fundy Royal)  
Nadeau— 8

**The Acting Speaker (Mr. Andrew Scheer):** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Public Safety and National Security.

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

**The Acting Speaker (Mr. Andrew Scheer):** It being 6:12 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*]

**EARLY LEARNING AND CHILD CARE ACT**

The House proceeded to the consideration of Bill C-303, An Act to establish criteria and conditions in respect of funding for early learning and child care programs in order to ensure the quality, accessibility, universality and accountability of those programs, and to appoint a council to advise the Minister of Human Resources and Skills Development on matters relating to early learning and child care, as reported, with amendment, from the committee.

**The Acting Speaker (Mr. Andrew Scheer):** Order, please. There being no 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.

**Ms. Denise Savoie (Victoria, NDP)** moved that the bill, as amended, be concurred in.

**The Acting Speaker (Mr. Andrew Scheer):** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

**The Acting Speaker (Mr. Andrew Scheer):** When shall the bill be read the third time? By leave, now?

**Some hon. members:** Agreed.

**Ms. Denise Savoie** moved that the bill be read the third time and passed.

**Mr. Yvon Godin:** Mr. Speaker, I know we are far away from the Chair in the House of Commons, but we have said no. We want a vote.

**The Acting Speaker (Mr. Andrew Scheer):** I apologize to the House. I did not hear the members from the other end of the chamber.

The hon. member for Selkirk—Interlake on a point of order.

**Mr. James Bezan:** Mr. Speaker, you heard the vote and you made a decision of the Chair. Definitely the vote has carried and we are into third reading.

**Some hon. members:** No.

**Mr. James Bezan:** You have to ask for unanimous consent, Mr. Speaker.

• (1815)

**The Acting Speaker (Mr. Andrew Scheer):** Because there was so much noise and there were people standing in the House, it was difficult for me to hear the members from the other end, so in fairness to all members and to ensure that those members have a voice when they desire to do so, I will call for the yeas and nays again and we are going to proceed from there.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Acting Speaker (Mr. Andrew Scheer):** Pursuant to Standing Order 98, the recorded division stands deferred until Wednesday, November 21, immediately before the time provided for private members' business.

Is there consent to see the clock as 6:30 p.m.?

**Some hon. members:** Agreed.

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**ADJOURNMENT PROCEEDINGS**

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

[*English*]

## GOVERNMENT APPOINTMENTS

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, on October 23 during question period I asked a question of the Conservative government regarding its electoral in-and-out finance scheme that Elections Canada ruled as being in violation of the Elections Act and refused rebates to candidates and their financial agents who had applied for rebates.

I also raised the issue that some of the candidates for the Conservative government in the 2006 election, and who had participated in this in-and-out electoral scam or scheme, have since been appointed to important posts.

The House leader of the government answered that the Conservative Party and the Conservative government had done no wrong, that they always follow the law and they have in the past and will in the future.

*Adjournment Proceedings*

However, that is not what Elections Canada has said. Elections Canada has discounted and disallowed rebate requests from Conservative candidates on the basis that some of their expenses did not in fact follow the law, and were not made in order to pay for a local campaign and enhance the visibility of the local candidate in his or her own campaign.

The House leader of the government also did not answer the question regarding the number of these individuals who have since been appointed to important posts.

Let me give a couple of examples. Andrew House, Conservative candidate in Halifax is currently the director of communications for the Minister of Canadian Heritage, Status of Women and Official Languages, and he intends to stand as a Conservative candidate whenever the next election takes place. What is interesting is that the minister herself participated in this electoral financing in-and-out scheme.

The Conservative Party is currently under investigation by Elections Canada for allegedly funnelling over \$1.2 million in national advertising costs to regional candidates during the 2006 federal election in order to circumvent federal election spending limits.

Elections Canada itself, not the Liberal Party, not the Bloc, not the NDP and not the media, has rejected advertising expenses filed by 66 Conservative candidates because Elections Canada has determined they did not comply with election law.

Last month, in September, the Liberals released the names along with financial details concerning 129 former Conservative candidates and official agents who were named as participants in this apparent scheme to violate spending limits and pad candidate rebates.

We have requested that the Commissioner of Elections Canada look into nine additional campaigns that may have participated in this scheme. Elections Canada has spoken.

I am not giving the Liberal's conclusion. I am giving Elections Canada—

• (1820)

**The Acting Speaker (Mr. Andrew Scheer):** The hon. Parliamentary Secretary to the Minister of Public Works and Government Services.

**Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC):** Mr. Speaker, the member can give it a rest because the Liberals have been going on about this for a number of weeks in the House. In fact, the allegations that the Liberals have raised a number of times in the House of Commons are baseless.

What the member alleges that the Conservative Party did in the instance of the last election campaign is not an uncommon practice. In fact, her own party, the Liberal Party, has engaged in this itself. No political party in the House is going to take any lessons from the Liberals when it comes to appropriate campaign finance reform.

We know that a principal reason the Liberals are sitting on that side of the House of Commons is the extremely long list of corrupt

behaviour by the Liberal Party in the past. The member was a contemporary and I believe her riding abuts the former riding of Alfonso Gagliano. Perhaps in the one minute that my colleague has to respond she could tell us—

**Hon. Marlene Jennings:** He was in the east end. I am in the west end.

**Mr. James Moore:** The city of Montreal, Mr. Speaker. I apologize to my colleague from Notre-Dame-de-Grâce—Lachine.

She should know very well that the charges she has made and what she alleges the Conservative Party did in this case was improper are, in fact, utterly baseless.

I think that her constituents believe that their member of Parliament should be focused on issues that are of concern to them rather than getting up in the House of Commons day in and day out and raising phantom issues. All she has done since she has been in opposition is raise phantom issues, phantom concerns that are simply non-existent. She tries to smear people's names and reputations, which she just did here as she did in her question a few weeks ago.

The member's constituents deserve better than a member of Parliament who just gets up and persistently smears people's names, raises innuendo, and alleges scandals that do not exist. Her constituents want a member of Parliament who will stand up and deliver for them. If she is not prepared to do it, then in the next campaign they will find someone who will.

**Hon. Marlene Jennings:** Mr. Speaker, the one problem with that Conservative member's statement is that Elections Canada has rebated the candidate expenses for the Liberal candidates of 2006, for the Bloc candidates of 2006, and for the NDP candidates of 2006. The only party that Elections Canada has ruled that certain expenses were not admissible, that violated the Canada Elections Act, was the Conservative Party. It was only the Conservative Party, not the Liberal Party, not the Bloc Québécois, not the NDP. That is my first point.

My second point is that the member does not know his geography very well. He claimed that my riding abutted the former riding of Mr. Gagliano, who was a minister in previous governments. In fact, there are many kilometres between the two ridings. One riding, Mr. Gagliano's, was east Montreal, mine is west Montreal.

**Mr. James Moore:** Mr. Speaker, I have egg on my face.

Let me just finish by saying that the bottom line is the Conservative Party obeyed all the campaign finance laws in this country in the past. We do so today. We will do so in the future.

My colleague from Notre-Dame-De-Grâce—Lachine can be the continuing scandal monger of the Liberal Party, but she loses credibility every day in the House of Commons when she gets up and says slanderous nonsensical things, smearing people without evidence and without information. Her constituents deserve better than that kind of nonsense. It is a waste of the House's time.

• (1825)

## AUTOMOBILE INDUSTRY

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, I am glad to have the opportunity to speak for a few minutes on an issue that is very important.

*Adjournment Proceedings*

On October 24, I had asked the Minister of International Trade to protect Canadian jobs and to stand up for our auto industry. Not only did the minister not answer my question, which is not an always unusual thing around here, but he accused an important workers group of engaging in “fraudulent economics”.

That group was an organized union group that was visiting and talking with all members of Parliament. They had a lot of statistics and I have not been able to find any of them that were fraudulent.

I stressed that the minority Conservative government should never sign a deal that fails to eliminate non-tariff barriers. It is an issue that is important to many of us in the House. The minister replied by saying, “We clearly are focused on non-tariff barriers”. Then he said, “We are focused on tariff barriers”. Which is it?

This rubbish answer is clearly not acceptable to Canadians who are trying to understand exactly what this process is and how important these deals are, how the auto industry is extremely important and how the deal with South Korea is an extremely important one for our country.

Our manufacturing industry is in crisis and our auto industry is clearly being hit very hard, yet the government continues to negotiate a flawed free trade deal with South Korea that is bad for the auto industry and bad for Canada.

Thousands of jobs have been lost this year and more will be lost under this proposed agreement. Hence the reason that we are concerned about exactly what is in the deal and whether or not it will come to Parliament, so that all of us can have our chance to comment on it.

Just two weeks ago, Chrysler announced it will eliminate about 1,100 jobs in Brampton as part of its second restructuring in eight months. Since one job in the auto industry results in up to 7,000 spin-off jobs, those are major losses in Ontario and throughout Canada.

The minority Conservative government is selling out the auto industry in its free trade agreement negotiations with South Korea. The agreement is so dangerous as it does not provide fair access to the lucrative South Korean market. It is something that we all share. We want a free trade deal, but we want a fair deal.

If we are to improve our free trade agreement, we must first ensure that the minister and his negotiators have secured an agreement with South Korea that allows Canada's auto industry access to South Korea's large auto market. That is what a free trade deal is supposed to be doing.

The Liberal Party wants to make certain that any free trade agreement with South Korea contains mechanisms that will actually result in a free and fair deal. The minority Conservative government has refused to have a debate in Parliament on this critical issue.

Our responsibility as parliamentarians on all sides of this House means that we are better off not striking a deal at all if we are not going to strike one that is good for Canada. We must ensure that any potential South Korean free trade agreement is in the best interests of all Canadians. It is critical that the Canadian industry and workers see positive results rather than the continued attack on the domestic

industry that has been the result of so many of the Conservative policies.

**Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, I thank my hon. colleague for asking for clarification on a question that she felt was not answered.

I must remind the hon. member that it was the former Liberal government that initiated the free trade discussions with Korea. Therefore, I am surprised that the hon. member is not more up to speed on what the negotiation process is all about.

Since these negotiations were launched in 2005, a free trade agreement with Korea has been a trade policy priority for Canada, and for very good reason. After all, it is the responsibility of the government to ensure that Canadian businesses can compete in international markets, including important strategic markets like Korea, Canada's seventh largest trading partner.

Before launching negotiations, the government conducted comprehensive consultations with the provinces, territories, the Canadian public, businesses and non-governmental organizations. These consultations revealed broad support for an FTA with Korea.

They also revealed that beyond the elimination of tariffs and an improved environment in Korea for Canada's service providers and investors, Canadian businesses wanted the FTA to address non-tariff barriers in Korea's markets. That is why, in the FTA negotiations with Korea, Canada is seeking the most extensive, robust, state of the art provisions we have ever sought in an FTA with respect to non-tariff barriers.

This government is especially aware of the concerns expressed by the Canadian auto industry about Korea's automotive market. That is why Canada is also seeking an array of auto provisions to address specific non-tariff measures identified by the Canadian industry and to establish procedural mechanisms to identify and address potential new non-tariff barriers before they arise.

Beyond non-tariff barriers, of course Canada is seeking an ambitious FTA package on tariffs, services, investment and government procurement, to name some key areas. An FTA with Korea would eliminate all industrial tariffs, including Korea's 8% tariff on automobiles and auto parts. Korea is Canada's fifth largest destination for exports of agricultural products, so elimination of Korea's high tariffs, average applied tariffs of 52.6%, with over quota rates at 800%, will significantly improve Canadian market access in Korea.

The bottom line is that an ambitious FTA would offer gains for Canadians across the country in sectors as diverse as agriculture, agrifood, fisheries, forestry, machinery and equipment, other manufactured products, and financial and professional services. Results from preliminary economic modelling suggests that an FTA with Korea could increase Canada's total merchandise exports to that country by 56%, or \$1.6 billion.

*Adjournment Proceedings*

Canada's competitors are moving forward with Korea. The U.S. signed an FTA with Korea in June. At the same time, the EU is moving rapidly toward the conclusion of its own FTA with Korea, and Korea is negotiating or actively exploring FTA negotiations with the likes of Japan, Mexico, China, India and others.

Canada cannot afford to stand on the sidelines while other countries move ahead to take advantage of the globalization and the economic dynamism in Asia. We must recall that one in five jobs in Canada is supported by trade. To remain competitive, we must ensure Canadian businesses can compete in international markets, including Korea.

Let us not prejudge the outcome of the negotiations until they have concluded.

Finally, as Minister Emerson has made clear on a number of occasions, the government will only conclude FTA negotiations when they have met Canadian interests.

• (1830)

**The Acting Speaker (Mr. Andrew Scheer):** I would just remind the hon. parliamentary secretary that we do not use proper names, only ridings or titles.

The hon. member for York West.

**Hon. Judy Sgro:** Mr. Speaker, yes, we introduced the whole issue of having a free trade agreement with Korea. We were talking about a variety of deals and the government is continuing with them, but a free trade deal needs to be one that is fair for Canada, fair for consumers and fair for Canadians.

The government can have all the negotiations it wants but it is like the softwood lumber negotiations. It can negotiate but at some point I guess it just gives in and signs the deal that somebody else wants. That may be the Conservative plan but that is not our plan. The whole intention was to ensure we had a deal that was respectful of all Canadians and in the best interests of Canada.

If we are going to turn around and send a whole lot of agriculture or fish to compensate for one vehicle that is brought into Canada at a value of \$15,000 or \$20,000, imagine how much fish we will need to send or agricultural products before we will be compensated equally to a car.

**Mr. Ted Menzies:** Mr. Speaker, you are absolutely correct. I should have referred to the Minister of International Trade.

We are working closely with Canadians and industry to ensure that an FTA with Korea results in meaningful market access for Canadian exporters and real benefits for Canadians. In particular, the government has been working closely with the Canadian automotive industry to ensure that its views are reflected in the Canadian negotiating position.

I already mentioned in some detail the extensive FTA provisions we are seeking on non-tariff barriers, tariffs, market access for Canadian service providers, improved investment climate for Canadian investors and clear, enforceable rules on dispute settlement.

I can assure the hon. member that the FTA provisions that Canada is seeking are non-tariff barriers and, in particular, with respect to autos, go far beyond what we have ever sought before in an FTA negotiation.

Canada is seeking an FTA that will allow Canadian businesses to compete in Korean markets on a level playing field—

• (1835)

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for West Nova not being present to raise the matter for which adjournment notice has been given, the notice is deemed withdrawn.

The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24.

(The House adjourned at 6:35 p.m.)





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