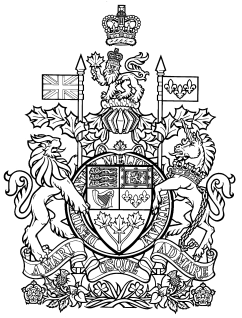

CANADA

Debates of the Senate

3rd SESSION • 40th PARLIAMENT • VOLUME 147 • NUMBER 40

OFFICIAL REPORT
(HANSARD)

Thursday, June 17, 2010

THE HONOURABLE NOËL A. KINSELLA
SPEAKER

CONTENTS

(Daily index of proceedings appears at back of this issue).

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: http://www.parl.gc.ca

THE SENATE

Thursday, June 17, 2010

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

THE HONOURABLE P. MICHAEL PITFIELD, P.C.

Hon. Michael Duffy: Honourable senators, I was unavoidably detained in arriving at the chamber yesterday during tributes to retiring Senator Michael Pitfield. Today, I want to take a moment to associate myself with the comments made here yesterday. They are and were, indeed, fitting.

When Prime Minister Stephen Harper appointed me to the Senate, I was thrilled to accept, in part, because I looked forward to working with and learning from Senator Michael Pitfield. Sadly, that has not happened.

We last spoke a couple of years ago, when Senator Pitfield was lunching with the inestimable Senator Jack Austin — another old teacher of mine — in the splendour of the fifth-floor cafeteria. It was clear that day that Senator Pitfield was in a major battle for his health, but he was carrying on the fight — as he does everything in life — with determination and good grace.

Before either of us was appointed to this chamber, Michael Pitfield played an important role in my career as a journalist. From his time as deputy minister to the Right Honourable Herb Gray at Consumer Affairs to his time as Clerk of the Privy Council, Senator Pitfield went out of his way to be helpful to a young CBC reporter trying to understand the complicated background to important public policy. From constitutional reform to the debates with Alberta about our national energy policy and a myriad of issues in between, Senator Pitfield was an invaluable resource. He was often that anonymous "senior government official" who told reporters truths that politicians dared not.

Michael Pitfield understood that if Canadians were to make informed decisions, the media must also be informed. He once said to me: "Duff, few things are as dangerous to the nation as the musings of a half-briefed reporter." Michael Pitfield's generosity with his time and his outstanding abilities as a teacher made me and other journalists much better in our profession.

For that and much more, I am in his debt. We will miss him here, but I know he will not be far away. He will keep a close eye on his former colleagues and, perhaps especially, on his former pupils.

[*Translation*]

THE LATE HONOURABLE LOUIS J. ROBICHAUD, P.C., C.C.

Hon. Rose-Marie Losier-Cool: Honourable senators, it is with pride and a sense of historical duty as an Acadian that I pay tribute today to our former colleague and former provincial premier, Louis J. Robichaud.

June 27 will mark 50 years since Ti-Louis Robichaud, a young Liberal MLA from Kent, became the first Acadian elected as premier of New Brunswick. I remember that election night well, because I was 22 and, let me tell you, we celebrated his victory as only young people can.

For 10 years, the Honourable Louis Robichaud made dramatic, progressive, irreversible changes that transformed my province and Acadian society. Those changes would affect our taxation system, our social services and our education system.

Louis Robichaud was always concerned with helping Acadian society in my province, a society which at the time, was very poor and disadvantaged compared to the anglophone population of New Brunswick. Moreover, the wealthy anglophones in the province were the fiercest opponents of the reforms Ti-Louis wanted to introduce, but he was always able to bring them around in the end.

As premier, he broke new ground by giving the government a role to play in education, health and social services and decreeing that wealth should be shared and should belong to the people, not just to a handful of individuals or companies.

Among his greatest reforms was the unanimous passing of the Official Languages Act, which made my province the only officially bilingual one in the country. New Brunswick's two official language communities may not yet enjoy full substantive equality even today, but all Acadians will tell you what a huge difference that law has made in the economic and social life of francophones in my province.

Another achievement was the creation of the French-language Université de Moncton network on June 19, 1963. Still today, this university and its satellite campuses in Edmundston and Shippigan are the pride of Acadian society. Acadians can pursue higher education there in many different fields and in their own language. This university has revolutionized young Acadians' economic prospects.

Ti-Louis Robichaud also launched his "Equal Opportunity" social equality program, his most lasting legacy, which aimed to create a balance between the rich, urban, southern part of my province and the poorer, rural, northern part. This program helped balance the budgets in the different regions of the province to ensure that services were comparable across New Brunswick.

In 1970, Richard Hatfield's Conservatives unfortunately defeated Louis Robichaud, but they preserved and continued to promote a number of his policies in their government. Now that is a tribute if ever there was one.

In 1995, when I became the first Acadian woman appointed to the Senate, I was very happy to have Ti-Louis Robichaud as a colleague and mentor once again. Of all the pearls of wisdom he gave me, I will never forget what he told me one day: Canadians do not really know what the Senate does, and they have no idea that the Senate acts as a chamber of sober second thought.

That is still the case today, honourable senators, but Ti-Louis is no longer around to see how true his words were, since he unfortunately left us five years ago, never to return.

[*English*]

NATIONAL ABORIGINAL DAY

Hon. Gerry St. Germain: Honourable senators, this coming Monday, June 21, will mark National Aboriginal Day across Canada. This important day provides an opportunity for all Canadians to celebrate the culture and important contributions of the First Nations people of this great land.

Of particular significance, 2010 has been declared the "Year of the Metis" by the governments of Alberta, Saskatchewan, Manitoba and Ontario, as well as by many provincial Metis associations and the Métis National Council. This year, 2010, also marks the one hundred and twenty-fifth anniversary of the Battle of Batoche, which occurred during the 1885 North-West Resistance — an important historical event in the legacy of the Metis peoples and for Canada.

National Aboriginal Day serves as a key reminder to us all that before the founding of Canada, the First Nations, Metis and Inuit people occupied the land. Without their guidance and trust, Canada could not have been settled in the way it was, on land negotiated through treaties made between these Aboriginal people and the Dominion of Canada. Decades later, successive governments have failed to uphold the spirit and intent of these treaties. That is not to say progress has not been made. It has, but through baby steps.

• (1340)

The government's apology issued to students of the Indian residential schools has provided a platform for meaningful collaboration between the government and Aboriginals on a wide range of issues. This step was the first meaningful one taken since the Mulroney government initiated the Royal Commission on Aboriginal Peoples.

Honourable senators, there exists an extensive list of First Nations issues demanding the government's attention for the spirit and intent of treaties made with Canada to be honoured and for the fiduciary duties and obligations to be upheld as per Canada's Constitution. All issues are important and must be resolved but few come as close in importance as the right to a good, quality education for young Aboriginal people. Not only is a good education key to realizing a self-sustaining life for the individual, but education empowers Aboriginal communities to create the institutions necessary for sustainable economic development, cultural preservation and self-government.

Honourable senators, a country can make no better investment than investing in its young people. Canada will find the answers to improve our collective health and prosperity if we put the needs of our young people first. Education allows young people to make better decisions. When the individual succeeds, they change for the better, and positively impact their families and communities.

The time has come for Canada to make education its first priority. We must ensure that students have the right to call on the resources to reach their full potential. I call on all honourable senators to recognize National Aboriginal Day and to make a commitment to working together so that all of Canada's Aboriginal peoples can experience the richness of a life that a proper education system can give them.

Hon. Senators: Hear, hear.

PALLIATIVE CARE FOR CHILDREN

Hon. Sharon Carstairs: Honourable senators, last Wednesday morning, following a speech at the Children's Hospital of Eastern Ontario located in Ottawa, I visited Roger's House, a children's hospice located on the grounds of the hospital. Like all hospices in this country, it is a special place where love and care are provided in equal measure. We do not like to think of children dying but they do and they too require the holistic care that is the essence of hospice care.

While at Roger's House, I met Ethan David, who had been born only five days earlier with half a heart. His parents, dad, Jeffrey Waara, and mom, Kimberly Jordan Waara, knew at about 29 weeks of the pregnancy that Ethan's life would be short but they were determined to enjoy each and every moment.

I met Ethan and his parents in a room at the hospice. Ethan's name was on the door, proclaiming his uniqueness, and the room was appropriately supplied and decorated for the family of a newborn.

Ethan was in his mother's arms, with his father hovering close by. They were rejoicing in every breath he took and every smile that came to his face. We all knew scientifically they were probably gas pains but, to those of us in the room, they were smiles. His parents were able to tell him over and over how much he was loved. A beautiful baby with dark brown hair, he touched their lives and those of his extended family.

He died at only seven days old but he brought to, and shared, love with all who met him. My life was touched by meeting him. I thank his parents for sharing him with me for a few minutes. I thank all the staff and volunteers of Roger's House for providing the care required to this family. I thank all those who have given money in support of this special place, in particular the Ottawa Senators, who, along with the Vancouver Canucks, recognize the importance of palliative care for children. Ethan's funeral, a celebration of his life, took place this morning.

SENATE ACCOUNTABILITY

Hon. David Tkachuk: Honourable senators, the Standing Committee on Internal Economy, Budgets and Administration has approved the first-ever audited statement of financial position

of the Senate of Canada as of March 31, 2009. The audit was conducted in accordance with Canadian Generally Accepted Auditing Standards, GAAS, by the professional services firm of PricewaterhouseCoopers.

The audit resulted in an unqualified auditor's report indicating that the statement of financial position presents fairly, in all material respects, the assets, liabilities and equity accounts of the Senate of Canada as at March 31, 2009 in accordance with the Canadian Generally Accepted Accounting Principles, GAAP, for the public sector.

As Chair of the Standing Committee on Internal Economy, Budgets and Administration and on behalf of the members of the steering committee, Senator Furey, the deputy chair, and Senator Stewart Olsen, I want to thank the Director of Finance in the Senate's Finance Directorate, Ms. Nicole Proulx, and her team for their hard work in this achievement and for continually ensuring the efficient functioning of the Finance Directorate.

I also want to thank Senator Furey and Senator Stratton especially, on behalf of all senators, and all those who previously served on the Standing Committee on Internal Economy, Budgets and Administration for embarking on this new audit process in an effort to make the Senate more accountable.

CANADIAN CANCER SOCIETY'S RELAY FOR LIFE

Hon. Catherine S. Callbeck: Honourable senators, across the country, Canadians have been coming together to participate in the Canadian Cancer Society's Relay For Life. Countless events have been held in recent weeks, or will happen soon, in communities from coast to coast to coast.

The Relay For Life is an overnight, non-competitive relay that celebrates cancer survivors, pays tribute to loved ones lost to cancer and fights back to find a cure. The evening begins with the Survivors' Victory Lap, where cancer survivors come together to walk the first lap. The teams then join in with members taking turns to walk over the next 12 hours. The evening is a night of fun, friendship and fundraising to beat cancer.

In my home province of P.E.I., four successful relays have already occurred, and two more are set for the near future. Events are held in each of the three counties; two high schools host relays; and students and faculty at the University of Prince Edward Island participated in March. Islanders from across the province are doing what they can to help fight cancer.

The Senate was represented in the Relay For Life this past weekend in Nepean. The Red Runners, whose name is a play on the words Red Chamber, participated for the third time. This team made up of both senators' staff and Senate staff proudly showed off their spirit and enthusiasm, and once again raised more than $3,500 for the Canadian Cancer Society. Honourable senators, the Red Runners are still accepting donations and I would advise any honourable senator who has not already given to be very generous. I am told they are making plans for next year.

Honourable senators, cancer touches everyone. Some have faced or are facing this battle themselves. We all know someone who has battled cancer or who has lost their life to this terrible disease. Please join me in recognizing the efforts of all Relay For Life participants across the country who have joined the fight against cancer.

THE LATE MAUREEN FORRESTER, C.C.

Hon. Terry Stratton: Honourable senators, yesterday a Canadian icon passed away. Maureen Forrester, one of Canada's most acclaimed operatic contraltos, left us, but not without leaving a wonderful legacy.

One of the best ways to understand the brilliance of her performance is to peer into where she came from and where she found her inspiration. Growing up in the poor east side of Montreal, Maureen had to drop out of school during the Second World War. She took on odd jobs to help her parents and three siblings. She started humbly, playing the piano as a child and singing in the church and radio choirs in Montreal.

When the war finished, her brother convinced her to take singing lessons. She started as a soprano at the age of 17 but her teacher recognized the potential of her lower voice. Maureen had acknowledged that her most influential teacher during her formative years was Bernard Diamant. At the age of 23, she made her professional debut at the local YWCA.

One of her more memorable first concerts in Montreal was with the Montreal Symphony Orchestra, performing Beethoven's Ninth Symphony. After this concert debut, her career took off with extensive travels in Canada and Europe with Jeunesses Musicales. By 1956, Maureen had her international debut in New York City in Town Hall, where she met Bruno Walter.

• (1350)

Mr. Walter, who was a student of Gustav Mahler, an influential composer who linked 19th century romanticism with 20th century modernism, gave Maureen a new perspective on operatic singing. From this point forward she had a close affinity and connection to Mahler's works. When Bruno Walter retired in 1957, Maureen had the privilege of performing at his farewell with the New York Philharmonic.

Aside from her wonderful professional career, she had a full private life as well. In 1957, Maureen married Toronto violinist and conductor Eugene Kash and raised five children.

[*Translation*]

Her busy schedule was a testament to her energy and her passion for singing. She participated in over 120 shows every year. In addition to this demanding schedule, she was raising her children. Two of them, Linda and Daniel, have become involved in the theatre and Daniel has also become a director. Linda is known for her role in Kraft cream cheese advertisements on English television.

[*English*]

During her career, she was graced with numerous awards, including the Companion of the Order of Canada in 1967; an honorary diploma from the Canadian Conference of the Arts in 1980, as well as many honorary degrees; Yale University's Sanford Medal in 1983; and even a star on Canada's Walk of Fame in 2000. Wilfrid Laurier University was fortunate to have had her as their chancellor from 1986 to 1990.

Ms. Forrester would have been 80 years old next month. I wish to extend my condolences to her family and friends. She has left a true legacy.

DEBATES OF THE SENATE

Hon. Donald H. Oliver: Honourable senators, for the first time in our history, parliamentarians, academics and lovers of Canadian history will be able to consult a complete French version of the *Debates of the Senate* of 1872. Today, the second volume of a series of 25 upcoming Senate debate translations was published. This marks an important stage of an ongoing project to reconstitute, translate, index and publish the early debates in the Senate chamber.

Honourable senators may not be aware, but the Senate officially began reporting its debates only in 1871. John George Bourinot, a Senate clerk from Nova Scotia, was given the new title of "Short-Hand Writer to the Senate and Committees of the Senate," and ordered to record its debates. It was not until 1896 that the Senate established a French edition of its debates. Thus, for 25 years, the debates were reported, transcribed and published in English only.

In 1967, the Library of Parliament chose to remedy the situation and undertook a massive twofold project. First, it decided to reconstitute the debates of Parliament from 1867 to the time official reporting began in 1871 in the Senate, and in 1875 in the House of Commons.

Prior to those years, speeches delivered in the houses of Parliament were reported in newspapers. These newspaper reports were systematically clipped and pasted into scrapbooks by Library of Parliament staff. They were the "Scrapbook Debates." This is our principal source of knowledge about the debates in the early years of our Parliament.

These newspaper reports were often scattered and intermittent. They were all that there was to reconstitute the core and substance of what passed in Parliament for almost a decade after Confederation. Over 12 years, the Senate debates of 1867 to 1871 were duly completed and published.

Second, the Library of Parliament also agreed to translate the Senate debates from 1871 to 1896. The translation of these debates is necessary. Section 133 of the Constitution Act, 1867, states that both official languages "shall be used in the respective Records and Journals of the Houses."

Some of these early English debates also lack substantial portions of text. The missing text was successfully reconstructed from other contemporary sources by the Library of Parliament. William Young, Parliamentary Librarian, said:

> These debates reflect a lively and fascinating parliamentary session . . . and it will bring the thoughts and deliberations of Canada's first parliamentarians to a larger audience, adding to our collective understanding of this formative period in our history.

The reconstruction of these early debates is an invaluable historical resource that provides a better image and understanding of what occurred in both houses of Parliament. Specifically, the 1872 Debates give us a glimpse of Canada's early years: the transcontinental railway was being constructed; British Columbia joined Confederation the year before; national development and new provincial priorities were clashing; and policies on immigration and settlement of the West; the place of Aboriginal people; even Senate reform was being discussed.

Honourable senators, the translation and publication of the 1872 Senate debates reflects the ongoing work of the Library of Parliament to supplement existing historical source material on Canada's formative years. It allows for the preservation of the historic record of Parliament, enabling Canadians to access their rich parliamentary heritage.

[*Translation*]

ROUTINE PROCEEDINGS

COMMISSIONER OF LOBBYING

2009-10 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2009-10 Annual Report of the Commissioner of Lobbying, pursuant to section 11 of the Lobbying Act.

COMMISSION OF INQUIRY INTO THE INVESTIGATION OF THE BOMBING OF AIR INDIA FLIGHT 182

REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the report of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

STUDY ON APPLICATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

THIRD REPORT OF OFFICIAL LANGUAGES COMMITTEE TABLED

Hon. Maria Chaput: Honourable senators, I have the honour to table the third report of the Standing Senate Committee on Official Languages entitled: *Implementation of Part VII of the* Official Languages Act*: We can still do better*.

(On motion of Senator Chaput, report placed on Orders of the Day for consideration at the next sitting of the Senate.)

ABORIGINAL PEOPLES

BUDGET—STUDY ON FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND METIS PEOPLES—FOURTH REPORT OF COMMITTEE PRESENTED

Hon. Gerry St. Germain, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Thursday, June 17, 2010

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

FOURTH REPORT

Your committee, which was authorized by the Senate on Tuesday, March 16, 2010, to examine and report on the federal government's constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Métis peoples and other matters generally relating to the Aboriginal Peoples of Canada, respectfully requests supplementary funds for the fiscal year ending March 31, 2011.

The original budget application submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee were printed in the *Journals of the Senate* on April 27, 2010. On April 22, 2010, the Senate approved the release of $7,500 to the committee.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the supplementary budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

GERRY ST. GERMAIN,
Chair

(*For text of budget, see today's* Journals of the Senate, *Appendix A, p. 600*.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator St. Germain, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[*English*]

NATIONAL SECURITY AND DEFENCE

BUDGET AND AUTHORIZATION TO TRAVEL—STUDY ON NATIONAL SECURITY AND DEFENCE POLICIES—THIRD REPORT OF COMMITTEE PRESENTED

Hon. Pamela Wallin, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Thursday, June 17, 2010

The Standing Senate Committee on National Security and Defence has the honour to present its

THIRD REPORT

Your committee, which was authorized by the Senate on Wednesday, March 17, 2010, to examine and report on the national security and defence policies of Canada, respectfully requests the release of additional funds for the fiscal year ending March 31, 2011 and, for the purpose of such study, be empowered to travel outside of Canada.

The committee budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee were printed in the *Journals of the Senate* of May 27, 2010. On June 1, 2010, the Senate approved a partial release of $124,730 to the committee. The report of the Standing Committee on Internal Economy, Budgets, and Administration recommending the release of additional funds is appended to this report.

Respectfully submitted,

PAMELA WALLIN
Chair

(*For text of budget, see today's* Journals of the Senate, *Appendix B, p. 614*.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Wallin, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON CURRENT STATE AND FUTURE OF ENERGY SECTOR—SIXTH REPORT OF COMMITTEE PRESENTED

Hon. W. David Angus, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, June 17, 2010

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

SIXTH REPORT

Your committee, which was authorized by the Senate on Thursday, March 11, 2010 to examine and report on the current state and future of Canada's energy sector (including

alternative energy) respectfully requests funds for the fiscal year ending March 31, 2011, and that it be empowered to engage the services of such counsel, technical, clerical and other personnel as may be necessary.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

W. DAVID ANGUS
Chair

(*For text of budget, see today's* Journals of the Senate, *Appendix C, p. 615*.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Angus, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

• (1400)

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—STUDY ON RISE OF CHINA, INDIA AND RUSSIA IN THE GLOBAL ECONOMY AND THE IMPLICATIONS FOR CANADIAN POLICY—FIFTH REPORT OF COMMITTEE PRESENTED

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Thursday, June 17, 2010

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

FIFTH REPORT

Your committee, which was authorized by the Senate on Tuesday, March 16, 2010 and Thursday, June 3, 2010, to examine and report on the rise of China, India and Russia in the global economy and the implications for Canadian policy, respectfully requests supplementary funds for the fiscal year ending on March 31, 2011 and requests, for the purpose of such study, that it be empowered:

(*a*) to engage the services of such counsel, technical, clerical and other personnel as may be necessary; and

(*b*) to travel outside Canada.

The original budget application submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee were printed in the *Journals of the Senate* on May 6, 2010. On May 13, 2010, the Senate approved the release of $2,000 to the committee.

Pursuant Chapter 3:06, to section 2(1)(c) of the *Senate Administrative Rules,* the supplementary budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

RAYNELL ANDREYCHUK
Chair

(*For text of budget, see today's* Journals of the Senate, *Appendix D, p. 625*.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Andreychuk, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

CANADA-COLOMBIA FREE TRADE AGREEMENT IMPLEMENTATION BILL

SIXTH REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE PRESENTED

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Thursday, June 17, 2010

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

SIXTH REPORT

Your committee, to which was referred Bill C-2, *An Act to implement the Free Trade Agreement between Canada and the Republic of Colombia, the Agreement on the Environment between Canada and the Republic of Colombia and the Agreement on Labour Cooperation between Canada and the Republic of Colombia*, has, in obedience to the order of reference of Wednesday, June 16, 2010, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

RAYNELL ANDREYCHUK
Chair

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Andreychuk, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FOURTH REPORT OF COMMITTEE TABLED

Hon. David Tkachuk: Honourable senators, I have the honour to table, in both official languages, the fourth report of the Standing Committee on Internal Economy, Budgets and Administration, which deals with the audited statement of the financial position of the Senate of Canada as at March 31, 2009.

[*Translation*]

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-13, An Act to amend the Employment Insurance Act.

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

(On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.)

CANADA-CHINA LEGISLATIVE ASSOCIATION CANADA-JAPAN INTER-PARLIAMENTARY GROUP

ANNUAL ASSEMBLY OF THE ASIA PACIFIC PARLIAMENTARIANS' CONFERENCE ON ENVIRONMENT AND DEVELOPMENT, NOVEMBER 17-19, 2009—REPORT TABLED

Hon. Michel Rivard: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canada-Japan Inter-Parliamentary Group on the 14th annual assembly of the Asia Pacific Parliamentarians' Conference on Environment and Development, held in Koror, Palau from November 17 to 19, 2009.

CANADA-CHINA LEGISLATIVE ASSOCIATION

BILATERAL CONSULTATION, SEPTEMBER 18 TO 27, 2009—REPORT TABLED

Hon. Joseph A. Day: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-China Legislative Association, on its participation in the 12th bilateral consultation, held in China from September 18 to 27, 2009.

[*English*]

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

PACIFIC NORTHWEST ECONOMIC REGION AT THE ECONOMIC LEADERSHIP FORUM AND LEGISLATIVE ACADEMY, NOVEMBER 4-7, 2009—REPORT TABLED

Hon. Janis G. Johnson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation to the Pacific NorthWest Economic Region at the Economic Leadership Forum and Legislative Academy, held in Regina, Saskatchewan, Canada, from November 4 to 7, 2009.

NATIONAL GOVERNORS ASSOCIATION WINTER MEETING, FEBRUARY 20-22, 2010—REPORT TABLED

Hon. Janis G. Johnson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation to the National Governors Association Winter Meeting, held in Washington, D.C., United States of America, from February 20 to 22, 2010.

UNITED STATES CONGRESSIONAL VISIT, FEBRUARY 23-25, 2010—REPORT TABLED

Hon. Janis G. Johnson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation to the United States Congressional Visit, held in Washington, D.C., United States of America, from February 23 to 25, 2010.

THE SENATE

NOTICE OF MOTION TO URGE GOVERNMENT TO REVISE TWENTY DOLLAR BANKNOTE

Hon. Serge Joyal: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

> Whereas the $5, $10 and $50 Canadian banknotes represent Sir Wilfrid Laurier, Sir John A. Macdonald and W.L. Mackenzie King respectively, and whereas each of these bills clearly mention in printed form their name, title and dates of function;
>
> Whereas the $20 banknotes represent a portrait of H.M. Queen Elizabeth II but without her name or title;
>
> The Senate recommends that the Bank of Canada add in printed form, under the portrait of Her Majesty, the name and title of H.M. Elizabeth II, Queen of Canada, to the next series of $20 Canadian banknotes to be printed.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY PANDEMIC PREPAREDNESS

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I am pleased to say that with the full support of the Standing Senate Committee on Social Affairs, Science and Technology, and on their behalf, I give notice that, at the next sitting of the Senate, I will move:

> That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on Canada's pandemic preparedness;
>
> That in particular the Committee be authorized to examine issues concerning Canada's past pandemic preparedness, lessons learned from the response to the 2009 pandemic virus (H1N1), the roles of all levels of government in pandemic preparedness, and Canada's future pandemic preparedness;
>
> That the Committee's examination include processes and ethical issues related to pandemic preparedness;
>
> That the Committee submit its final report no later than October 31, 2010, and that the Committee retain all powers necessary to publicize findings of the Committee until January 31, 2011.

QUESTION PERIOD

ATLANTIC GATEWAY

DREDGING OF SYDNEY HARBOUR

Hon. Jane Cordy: Honourable senators, on April 28, I asked the Leader of the Government in the Senate about federal funding for the dredging of Sydney Harbour. The leader took the question as notice and said she would speak to Minister Ashfield on the issue. I appreciate her inquiries, but since I have not heard from the minister, I will raise the issue again today.

• (1410)

The dredging of Sydney Harbour is vital to the future of the Cape Breton economy. The deepening of the harbour is necessary to accommodate larger container ships. The project has been supported by all political parties in Nova Scotia as well as the Cape Breton Regional Municipality councillors. Cape Bretoners are wondering where the support is from the federal government.

The Province of Nova Scotia has committed $15.2 million to the project contingent on the federal government doing its part by committing funding as well. The dredging project is key to the master port plan created by Sydney Marine Group. This could mean 6,500 jobs for Cape Breton.

Could the leader tell us what Minister Ashfield said regarding the progress of the port project? When will the federal funding for this project be granted so that the dredging of Sydney Harbour can begin?

Hon. Marjory LeBreton (Leader of the Government): I thank the Honourable Senator Cordy for that question. As I indicated previously, our government fully understands that the dredging of Sydney Harbour is a complex and costly undertaking that will require the involvement of all levels of government.

As the honourable senator knows, we have been working and will continue to work with the Province of Nova Scotia and the other stakeholders. An all-party delegation from the province is in Ottawa, and I understand that Minister Ashfield is meeting with them this very day.

Senator Cordy: The leader is right that it is a complex issue, but the province and the municipality have come to the table. As the minister said earlier, a delegation from Nova Scotia arrived in Ottawa this morning to meet with their federal counterparts on this issue. It is headed by the Deputy Premier, Frank Corbett; by the Cape Breton Regional Municipal Mayor, John Morgan; MLAs Manning MacDonald, Gordie Gosse and Cecil Clarke; and they hope to meet not only with Minister Ashfield but also with Minister MacKay, who has responsibility for Nova Scotia, and the Minister of Transport, Mr. Baird. The municipality, the province and the private sector not only support this project but also have identified it as the number one priority for economic growth in industrial Cape Breton.

The Sydney Marine Group is looking for $19 million from the federal government. Will the government commit federal funding to the project? Does the government understand that the dredging of Sydney Harbour would mean so much to the economy of industrial Cape Breton? I grew up in Sydney. The people of Sydney and industrial Cape Breton are extremely hard-working, but the unemployment rate in Cape Breton is in the double digits. This project requires a $19-million commitment by the federal government. It is not that much, yet it would mean so very much to the economy of the area.

Senator LeBreton: Honourable senators, we understand the importance of this project to the people in the Sydney area. I am personally well aware of the many hard-working individuals in Sydney. I know many people who were born and raised in the Sydney area. The minister is meeting today with this group. Hopefully the meetings will be worthwhile. I cannot comment further because I do not know what the outcome of the meetings will be. However, we should take great hope in the fact that the meetings are taking place and that the government has acknowledged the importance of this project to Sydney.

Hon. Terry M. Mercer: Honourable senators, the issue is not that complicated; it is actually quite simple. The Atlantic Gateway has been announced several times. The government has said that the money is there. People have been consulted. Guess what? It made Premier Hamm's list when he was premier. It was number one on Premier MacDonald's list when he was premier. It is on Premier Dexter's list and on the list of the Leader of the Official Opposition, Stephen McNeil, but guess whose list it is not on? It is not on Minister MacKay's or Minister Ashfield's list. Why? The money is there for the Atlantic Gateway. The simplest decision to be made on the Atlantic Gateway is to dredge Sydney Harbour. The province and the municipality have stepped up to the plate. It is time that the Government of Canada stepped up to the plate.

Senator LeBreton: I think that is a bit of a stretch to think that it is not on Minister Ashfield's list when he is meeting with the group today. I would suggest to the honourable senator that we show a little more patience and await the outcome of the meeting today with the delegation from Nova Scotia. Then people can form their opinions on whether we support the project.

The government has expended considerable sums of money in Cape Breton through the Infrastructure Stimulus Fund, the Community Adjustment Fund, Recreational Infrastructure Canada and the Innovative Communities Fund. Approximately $43 million has already been invested in Cape Breton in the last year. I realize the importance of the Sydney Harbour dredging issue. I would say again to the Honourable Senator Mercer that he have some faith in the delegation from Nova Scotia and Minister Ashfield to ably deal with this issue.

ATLANTIC CANADA OPPORTUNITIES AGENCY

NEW BRUNSWICK INFRASTRUCTURE PROJECTS

Hon. Terry M. Mercer: Honourable senators, I have a great deal of faith in the delegation from Nova Scotia here today to meet with the two able Members of Parliament from Cape Breton. However, I have some difficulty having much faith in Minister Ashfield. I quote from an article in the *Telegraph-Journal* yesterday which quotes Greg Thompson, a member of Parliament from New Brunswick, a member of the leader's party and a former member of cabinet — a good man who is well respected by members of all sides of the Senate and in the other place.

Senator Munson: A great New Brunswicker.

Senator Mercer: He is a good man. Here is what he had to say:

> I've experienced a lot in my days in politics and I mean the good, the bad and ugly. . . .This ranks right up there with the ugly, there's no question about it.

He was accusing fellow Conservative Keith Ashfield of putting politics before the needs of the people of New Brunswick.

> He said in an interview he fears that millions of dollars for infrastructure projects and other initiatives across the province are being put on hold for purely partisan reasons.

Senator Cordy: Shame.

Some Hon. Senators: Shame.

Senator Mercer: Indeed. The article went on to say:

> Thompson said the regional minister is holding back on important funding and infrastructure projects in order to get the most political credit for a new federal Conservative candidate in New Brunswick Southwest and to make sure that Liberal Premier Shawn Graham is not able to reap any political advantage from federal largesse.

Listen to this. Here is another quote from Greg Thompson, the leader's colleague:

> Keith told me, 'We're not going to be carrying the province on our backs to the next election.' He told me that with his own lips last night in the House of Commons.

This is a quote from a New Brunswick newspaper.

Senator Cordy: Unbelievable.

Senator Mercer: Mr. Thompson then went on to say:

> That's not the kind of attitude that gets you very far. I mean New Brunswickers are fair and very generous and this violates the very principles on which we operate as a government.

Senator Mockler: That is the *Telegraph-Journal*.

Senator Mercer: I want to know who speaks for New Brunswick over there. They have ignored Sydney Harbour, and now one of their own is accusing them of ignoring the entire province of New Brunswick.

Senator Munson: You would never do that, Senator Mockler.

Senator Mercer: If Senator Mockler was a minister, this would not happen.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, with regard to the Honourable Greg Thompson's comments, a former minister, of course —

Senator Tardif: He is an honourable man.

Senator LeBreton: He was a valued colleague to all of us. He was, I would dare say, Canada's best ever Minister of Veterans Affairs.

Some Hon. Senators: Hear, hear.

Senator LeBreton: I had the privilege of being at various events with him in his capacity as Minister of Veterans Affairs, and I had the honour of representing him at the ceremony at the War Memorial two years ago. Many of us know, certainly I do, having been a colleague of Greg Thompson's for a long time, that he does not mince words and speaks his mind.

Senator Cowan: This is not about Greg Thompson.

• (1420)

Senator LeBreton: That is one of his great characteristics. He is also a valued colleague of Minister Ashfield.

I hate to disappoint the Honourable Senator Mercer, but fairness and equity, not politics, are the basis of all our funding announcements in New Brunswick as part of the Economic Action Plan.

Some Hon. Senators: Hear, hear!

Senator LeBreton: Honourable senators, we will continue to work with our municipal and provincial colleagues in the best interests of all New Brunswickers. The Honourable Shawn Graham, Premier of New Brunswick, has probably been at more announcements with the Prime Minister than any other leader in the country. In case the honourable senator needs reassurance, I will go through a few of his many announcements: under the Community Adjustment Fund, 26 projects worth $25 million, including $8.5 million for two province-wide silviculture initiatives; under the Recreational Infrastructure program, 57 projects worth $8.5 million; under the Innovative Communities Fund, 73 projects worth $58.3 million; under the Infrastructure Stimulus Fund, 50 projects worth $92 million; and under ACOA's Business Development Program, 474 projects worth $100 million.

Senator Mercer: Honourable senators, is that not interesting? That is quite an impressive list, minister. However, I would ask the minister to add a little substance to each one of those projects that she mentioned. Who was the minister for New Brunswick at the time that those announcements were made? I would contend that in almost every case Greg Thompson represented the good people of New Brunswick. He spoke out for them and did not hold announcements up for political reasons.

Senator Campbell: It was not Senator Mockler.

Senator Mercer: Mr. Greg Thompson went on to say that he was incensed by an email that he was made privy to by Minister Ashfield's chief of staff, a gentleman aptly named, "Nott." I would suggest that he is probably Dr. No, over there. In the email, he said:

> My opinion, put everything on hold in that riding until there is a nominated federal candidate, and preferably until after Sept. 27

September 27 was provincial election day.

Some Hon. Senators: Shame!

Senator Mercer: Is there anyone over there speaking for New Brunswick?

Senator Mockler: Yes.

Senator Mercer: Obviously, the minister is not doing so. Is Senator Mockler or any other Conservative senator speaking for New Brunswick? Who is speaking for New Brunswick?

Senator LeBreton: Senator Mercer, all is not for naught. The government has worked closely and will continue to work closely with the Government of New Brunswick.

The honourable senator is right in saying that Greg Thompson was the minister responsible for New Brunswick. Minister Baird, as the minister responsible for infrastructure, and others, have witnessed a number of times the Prime Minister and Premier Graham participating together at various announcements in New Brunswick.

Senator Mercer: With Minister Thompson.

Senator LeBreton: Honourable senators, I repeat that Greg Thompson is an outstanding Canadian. Mr. Thompson was also an excellent Minister of Veterans Affairs. All honourable senators know that Greg Thompson has always and will always speak his mind.

Senator Mercer: I agree with the minister. That is exactly right about Greg Thompson. I said that when I began my question.

I have one simple question: Whose side is the leader on? Is it Minister Ashfield's side or Greg Thompson's side?

Senator LeBreton: What was the question?

Senator Comeau: Whose side are you on?

An Hon. Senator: Glass houses.

Senator LeBreton: I often have a hard time figuring out which side Senator Mercer is on.

Senator Mercer: I am on the side of truth and justice.

Senator LeBreton: I am on the side of both my valued colleagues, Greg Thompson and Minister Ashfield. I am sure in the days and weeks to come that Minister Ashfield, in cooperation with his counterparts in the Liberal government of New Brunswick and the NDP government in Nova Scotia, will make many announcements to the benefit of Atlantic Canada.

Senator Mockler: Absolutely.

Senator Campbell: Senator Mockler, stand up for yourself.

CANADIAN WHEAT BOARD

GOVERNANCE PROCEDURES

Hon. Robert W. Peterson: Honourable senators, my question is to the Leader of the Government in the Senate. Last week, a major farm survey confirmed that nearly 80 per cent of prairie grain producers support more democratic producer control over the Canadian Wheat Board.

Will the Leader of the Government in the Senate tell honourable senators whether, in light of this information, the government will support new amendments introduced in the other place yesterday that would provide the board with greater control over their governance procedures?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the Honourable Senator Peterson is well aware of the policies of the government with regard to the governance of the Wheat Board; nothing has changed.

[*Translation*]

TREASURY BOARD

INCENTIVE PROGRAM FOR GOVERNMENT EMPLOYEES

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, the senators on our side of the chamber share the President of the Treasury Board's desire to eliminate the enormous $54 billion deficit the government has accumulated over the past few years. It goes without saying that no money can be saved by building useless fake lakes, amphitheatres and media centres. However, we believe that money can be saved within the public service.

This week, Minister Stockwell Day announced that federal bureaucrats will be given $10,000 bonuses for finding ways to save taxpayer dollars. The Public Service Alliance of Canada has condemned this initiative, stating that by providing this kind of incentive to employees, the federal government's new program "will pit worker against worker and cause chaos in the workplace."

Why is the government not trying to create a more collaborative environment for the public service by working with all public servants instead of creating a competitive environment to eliminate the huge deficit it has accumulated?

[*English*]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the honourable senator continues to misstate the facts with regard to the deficit and the plan for the government. The honourable senator knows full well that before the economic downturn, the government had paid down about $40 billion on the country's debt. The deficit was entered into as part of a worldwide stimulus plan by the G20 in Washington in November 2008. That was followed up at the meeting in Pittsburgh last year.

The official opposition threatened a coalition with the NDP and the Bloc Québécois because they said they felt the government had not provided enough stimulus, so the government introduced *Canada's Economic Action Plan,* which has worked. It has turned Canada's economy around and put Canada in the best economic position in the world. Our action plan has provided job opportunities for businesses and organizations across the country to assist Canadians to work through the economic downturn.

As a percentage of GDP, the deficit is manageable and the lowest of any country in the G8. It is much lower than the largest deficit ever left in the history of this country — that of the government of Pierre Elliott Trudeau. The deficit as a percentage of GDP was either 8 per cent or 9 per cent. As much as the Honourable Senator Tardif continues to try, she should get the facts right on the deficits.

With regard to the bonuses for the public service, this program was announced by the President of Treasury Board. The government will implement this new incentive program to encourage all employees to identify more efficient ways to deliver services to Canadians within their departments. For an employee to receive an award, significant improvements to a government program must be recommended and tangible benefits must be demonstrated. This award will be given six months after successful implementation of the proposal. It will consist of 10 per cent of the savings measured in the first year of implementation, up to a maximum of $10,000.

• (1430)

Similar programs are running successfully in other Canadian and U.S. jurisdictions. This is a way to reward people for "thinking outside the box," as they say. I have heard nothing but positive comments about this initiative from people who work in the Treasury Board with Minister Day.

[*Translation*]

Senator Tardif: Honourable senators, it seems as though the leader has forgotten that this government started off with a $12 billion surplus. But let us come back to the issue at hand. The president of the Public Service Alliance, John Gordon, said:

> Instead of investing in more public services, the government is paying for ways to reduce the size and scope of government.

Does the leader really believe that this is justifiable as a way to reduce spending in the public service?

[*English*]

Senator LeBreton: With regard to the surplus that the honourable senator claims to have left, rather than hoarding that money for a rainy day, as the Liberal government was doing, we paid down the debt and gave it back to the people to whom it belonged and who deserved it — the taxpayers of Canada. In addition to paying down the debt by $40 billion, we reduced the GST from 7 per cent to 5 per cent.

An Hon. Senator: That was a good idea.

Senator LeBreton: It was a great idea. My Tim Hortons husband and his friends sure think it is a great idea.

With regard to the public service, we obviously value the people who work in it. They have done, and continue to do, a great job for the government. An incentive program for people who come up with innovative ideas to assist the government to deliver services to Canadians is a worthwhile endeavour. I am sure that the workers in the public service who plan to participate will be greatly motivated to look for ways to save taxpayers' dollars and deliver services to the Canadian public in a more efficient way. Minister Day is to be congratulated for demonstrating his faith in our terrific public service by offering this program.

[*Translation*]

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table a delayed response to an oral question raised by Senator Hervieux-Payette on March 31 and June 15, 2010, concerning international trade, European boycott on commercial seal products.

FISHERIES

EUROPEAN BOYCOTT ON COMMERCIAL SEAL PRODUCTS

(Response to questions raised by Hon. Céline Hervieux-Payette on March 31 and June 15, 2010)

The European Union's ban on the importation and trade in seal products is scheduled to be implemented on August 20, 2010.

The Government of Canada believes that a ban on imports of Canadian seal products is unjustified and may breach international trade rules. Canada, along with Norway, has taken formal action against the EU ban by requesting consultations in the World Trade Organization (WTO), the first stage in the WTO dispute settlement procedures.

Under those procedures, the party requesting consultations may seek the establishment of a dispute settlement panel if the consultations have failed to resolve the matter after 60 days. While 60 days is the minimum period for consultations, it is also frequently the case that consultations continue if there are still questions to be discussed.

In this case, we are continuing the consultation period in light of the fact that the EU has not yet finalized a regulation to implement certain exemptions to the ban. These exemptions include products from hunts conducted for the purpose of the management of marine resources and products hunted by Inuit. Canada is currently seeking further details and making representations to the EU with respect to the implementing provisions of the regulation. Depending on what the regulation contains, Canada may request another formal round of consultations.

[*English*]

ORDERS OF THE DAY

FAMILY HOMES ON RESERVES AND MATRIMONIAL INTERESTS OR RIGHTS BILL

THIRD READING—DEBATE ADJOURNED

Hon. Nancy Ruth moved third reading of Bill S-4, An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves, as amended.

(On motion of Senator Jaffer, debate adjourned.)

MUSEUMS ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Cowan, for the second reading of Bill C-34, An Act to amend the Museums Act and to make consequential amendments to other Acts.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, as a Nova Scotian and a Haligonian, I am particularly proud to speak in support of this bill. I congratulate the government for this initiative and in particular, acknowledge and applaud the key role that Senator Di Nino played in pushing it to this point.

To give a sense of what Pier 21 represents for countless Canadians, I will begin by quoting a passage from a September 1947 journal entry, made by a new arrival to our country, Leslie Mezei:

The big ship is ready to leave the harbour of Bremen. The ropes are slowly drawn up, the big muddy anchor is pulled up with a great roar. The ship slowly pulls away from the shore and everyone makes a big sigh.

As I look about I see many faces shining and they all tell a unique story. The boy on my right looks as if he never knew what food was, the girl beside him is wearing torn rags.

The ship is something like heaven to us, the eleven days of travel went by fast. They were the dawn of our new life.

After a brief check at the immigration office we were given a big reception. Smiling women greet us and overwhelm us with everything we desire. They tell us how good it will be for us.

After a couple of hours we are on a train. We feel a big freedom — nobody asks us for identification and we get everything we want. A day later we reach Montreal. The city looks alive because everything is lit with cars and people moving on the street. This is not anything like the dead city, Munchen. After a grand reception we are given our rooms in our temporary home at the Reception Centre. There we have a good, peaceful rest.

Leslie Mezei was one of 20 Jewish war orphans who arrived at Pier 21 on September 15, 1947, the first of 1,123 orphaned children, survivors of the Holocaust, who were brought to Canada after the war to start a new life.

Canada is so many things — a land of extraordinary geography, a nation founded on ideals and dreams — but above all, Canada is people, our Aboriginal peoples and the millions who have come here from all over the world to build this country.

We came for so many reasons; to escape persecution, poverty, famine and war; to join loved ones and reunite as a family; and for opportunity, for the promise of being able to build a life and a future in a new country.

There is a saying that when we save one life, we have saved an entire world. Canada is a nation of so many worlds, diverse and rich in heritages, and joined together in this great task of building a just and prosperous nation.

It is, therefore, absolutely right and fitting for us to create a National Museum of Immigration. As a proud Haligonian, who has seen so many new immigrants arrive there, it is with tremendous personal pride that I see this museum established at Pier 21.

Pier 21 opened in 1928. The first ship it welcomed was the Holland-American Steamship *Nieuw Amsterdam*, which brought 51 new immigrants on March 28, 1928.

• (1440)

Since that day, more than one million people have walked down the gangplank at Pier 21, to enter Canada for the first time. Ruth Goldbloom — who was appropriately described the other day by Michael Ignatieff, as "that force of nature" — has said that one in five Canadian families can claim some kind of association with Pier 21. That is how important it has been in Canadian history.

Pier 21 welcomed immigrants escaping the shadows of coming war in the 1930s. During the war years, the reception hall and examination room were turned into makeshift army barracks — at one point, an entire regiment was housed there. Some 500,000 Canadian soldiers passed through Pier 21 in those years.

The so-called "Guest Children" — some 3,000 British children sent by their parents to the safety of Canada — came through Pier 21. After the war, there were the refugees and displaced persons, people who no longer had a home country to return to.

There were the war brides. Booklets were distributed to the war brides, to help them adjust to their new lives in Canada. I am not sure how comforted they were by these booklets, though. One of the women later admitted to feeling a little unsettled upon being handed a booklet called, "How to Deliver Your Own Baby."

The building itself undoubtedly inspired a certain amount of trepidation among many who arrived. Let me read to you a brief description, from a book called *Open Your Hearts*:

> At the waterfront in the south end of the city stood a large, two-storey immigration building with barred windows. Pier 21 was the first glimpse of the country for the immigrants who poured ashore over the years. Its resemblance to a prison on the outside was even more pronounced inside. Large wire cages lined the back wall of the huge dark hall, and were intended not for forcible confinement but to speed up processing. Disturbed by the impression they knew it made on already nervous immigrants, the Pier's staff had made many attempts over the years to have the cages removed, but with no success.

Colleagues, they finally succeeded, in the 1950s. Back to the book:

> The front portion of the reception hall was not much more welcoming. A huge Union Jack looked down imperiously on the rows and rows of wooden benches lining the highly polished floors.
>
> Pier 21's grimness was softened only by the groups of Halifax citizens who came to welcome the new immigrants as they came off the ships. The welcoming tradition was one of long standing, having begun in 1768 when a group of Scottish settlers formed the North British Society.

This tradition of volunteers meeting the new groups at the Pier became so entrenched that eventually a room was set aside for them, which became known as the Social Service Room. There was the Canadian Council of Immigration Women that established hostels at various ports, including Halifax. In 1925, a group of four Roman Catholic Sisters of Service arrived. They quickly became known for their facility with languages, and became the "go-to" people to help the newcomers. To give honourable senators a quick idea how necessary these skills were, on one occasion the 27,000-ton ocean liner, the *Georgic*, arrived in Halifax with passengers who collectively spoke 32 languages.

The Canadian Red Cross had volunteers running a large nursery round the clock, next to the Social Service Room. They organized and operated a club for war brides, to help them adjust to their new lives.

Unlike my friend Senator Di Nino, I did not arrive in Canada through Pier 21 but I spent time there with my mother, who was one of those Red Cross volunteers. Those memories are indelibly imprinted in my mind.

The YWCA was there, offering counselling and other services. Chaplains of all different denominations were there, providing spiritual services, yes, but also much more — socks, underwear, toiletries and whatever was needed.

Then there was Sadie Fineberg, who spent the better part of four decades at Pier 21, greeting newcomers, handing out a box of facial tissues, as she said, "to wipe the kids' noses" — and a loaf of bread, "in case they're hungry."

Whenever immigrants arrived without money and provisions, she would send for boxes of food from her husband's food service business. As a book about Pier 21's history describes, "The considerable amount of food that went with the immigrants was always donated, and Sadie herself never accepted a penny for her

services." She was said to hold the record for the longest-running volunteer at Pier 21. She started as a representative of the Jewish Immigrant Aid Services, JIAS, and then in 1948 became Halifax's official representative at Pier 21.

This army of volunteers became known as "the People of the Pier." They knew, sometimes from personal experience, the fears that were mixed with the dreams of the new immigrants, and were determined to do whatever they could to make the entry to Canada welcoming and as easy as possible.

Colleagues, there is so much of our nation telescoped into that one, not very large building.

The Pier closed in March of 1971. Today, most immigrants arrive on airplanes, not ocean liners. The emotions of a new immigrant have not changed — but still, there is a vast difference between arriving at Pearson Airport and walking the gangplank onto Pier 21.

Transforming Pier 21 into a national museum of immigration has been a dream of some for many years. I mentioned Ruth Goldbloom earlier. In 1990, J.P. LeBlanc, a former federal public servant who was the founding President of the Pier 21 Society, invited Ruth Goldbloom to join the society's board of directors. At the time, Pier 21 was in a terrible state of disrepair. As Dr. Goldbloom described it, "It was a rat-and-pigeon infested building."

On June 17, 1995, at the conclusion of that year's G7 Summit hosted by Canada in Halifax, Prime Minister Chrétien announced a permanent summit legacy for Halifax: the reconstruction of the Pier 21 Centre. The federal government, through Atlantic Canada Opportunities Agency, together with the Province of Nova Scotia and the City of Halifax, committed $4.5 million. Ruth Goldbloom marshalled her considerable fundraising skills, a network of volunteers, and within two years raised the other $4.5 million needed.

Now, thanks to Ruth, along with John Oliver, Wadih Fares, Bob Moody and so many others, we are joining together to turn this centre into a national museum of immigration — a place where all Canadians, and others, can come and learn about their history. The records will be there so that anyone can trace their family's entry into Canada, at whatever port, from the 1920s on.

It is so easy to look back and see people and choices in the light of the years that followed, to see the later success and settlement in Canada as surely inevitable and expected. However, that moment of taking the chance to come to a new land — to leave behind family and histories, to start anew, to build something unknown — that is a moment unlike any other. Canada was built by generations of such men, women and children, and we will continue to grow and develop thanks to new waves of immigration from around the world. Our people truly are us.

Honourable senators, this is a unique opportunity for all of us to join together to support a project that celebrates the past, present, future and best of our great country.

Hon. Senators: Hear, hear!

The Hon. the Speaker *pro tempore***:** Is there further debate?

Are honourable senators ready for the question?

Hon. Pierre De Bané: May I say a few words?

Honourable senators, I remember like it was yesterday when, 60 years ago, on a boat like the one described by my leader, I landed with my father and younger brother at Pier 21.

That was an experience so vivid in my heart that I remember it like it was yesterday. Sailing on a boat from the Middle East to arrive two weeks later in Halifax, and seeing the shore of this country, it is something I will never forget. My leader has expressed so eloquently the feelings of all immigrants who came to Canada through Pier 21. For me, it is very vivid. In the documents that I have collected over the years, this document from when we arrived is one of the most precious that I have. We were young children. I still remember what my father, who was a widower, told us. He said, "You know, my sons, entering Canada is more difficult than going to heaven."

For him, that was the ultimate achievement of his life. Every day, I thank God, I thank him and thank Canada for having transformed our lives. I wanted to bring my humble testimony to what my leader has said.

• (1450)

Hon. Roméo Antonius Dallaire: On December 11, 1946, a Red Cross ship full of war brides with their children arrived at Pier 21. The ship had an accident and was delayed. No one was injured. My mother, who was a Dutch war bride, and I, in a wicker basket, arrived at Pier 21, were processed, and immediately went across to the Red Cross train that was waiting to move us across the country. We ended up in Quebec City.

My mother is 91 and is currently not well. In her memories — she has Alzheimer's that is advancing — Pier 21 came up a couple of weeks ago. She remembers, and she has, and I have, the documents of my entry into this country as the son of a Canadian veteran and a Dutch war bride.

I think this bill is a magnificent gesture and piece of legislation. Well done.

Hon. Jim Munson: Honourable senators, I will bring the history up to the 1990s. I was a foreign correspondent for ten-odd years overseas in the Middle East, China and Europe. We moved back to Atlantic Canada in the fall of 1992. I ran into a tenacious woman by the name of Ruth Goldbloom. She said, "You may be one of those big foreign correspondents but you are back in the Maritimes now. Let me take you to Pier 21."

She took me to Pier 21. We walked through it. I wrote a series of stories for CTV at that time. It was my history as well, as a Maritimer. I had not understood a lot of it, but understood more after listening to Ruth. It was an important picture for me to present to Canadians, from my perspective.

I thought I would throw in a word of appreciation to Senator Cowan and Senator Di Nino on this historic event.

Hon. Pana Merchant: Honourable senators, I, too, want to say that this bill is an important moment for me. In the summer of 1957, my mother arrived with five young children from Greece to join my father, who had come two years earlier to see if Canada would be the place where he might want to raise his family. He quickly decided that Canada was indeed the country. He thought we all would have a wonderful future.

My father was born in Turkey. He had been a refugee in 1922 and settled in Greece. He had a young family. He had served in the Second World War; soon after that, the communists were threatening to take over Greece. He had also fought the communists. Because he had five children, he thought the future did not look good for them in Greece so he decided to uproot himself and his family.

I am grateful to him because I know that this must be the most difficult decision that a father can make, to uproot a family from their familiar surroundings, from their language, from their culture, and to hope for a new and bright future in a different country. He was forever grateful and happy that he had brought us here.

I, too, want to say that this day is a wonderful moment. I want to thank everyone, the Government of Canada and the people who have worked so hard to make this day a reality.

The Hon. the Speaker *pro tempore***:** Are there other honourable senators wishing to participate in the debate?

Are honourable senators ready for the question?

An Hon. Senator: Question.

The Hon. the Speaker *pro tempore***:** Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker *pro tempore***:** Honourable senators, when shall this bill be read the third time?

(On motion of Senator Di Nino, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

IMMIGRATION AND REFUGEE PROTECTION ACT FEDERAL COURTS ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Seidman, seconded by the Honourable Senator Di Nino, for the second reading of Bill C-11, An Act to amend the Immigration and Refugee Protection Act and the Federal Courts Act.

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to speak at second reading on Bill C-11, which will amend the Immigration and Refugee Protection Act.

I commend both Minister of Immigration and Citizenship Jason Kenney, and the Honourable Maurizio Bevilacqua, who have both worked hard to strengthen this bill. I also note that this bill was passed unanimously not only in committee but also in the House of Commons.

Honourable senators, we are truly privileged to live in a peaceful country, a country where we are afforded basic liberties, all of which are guaranteed under the Canadian Charter of Rights and Freedoms. Not everyone is this fortunate. There are many people in our world who do not enjoy these same privileges. Among these people are refugees. In 1951, the United Nations Convention relating to the Status of Refugees defined a "refugee" as "a person who, by reason of a well-founded fear of persecution, for reasons of race, religion, nationality, membership in a particular social group or political opinion, has had to leave their country."

As honourable senators may have noticed, this definition provided by the United Nations does not include gender persecution. In 1993, however, Canada incorporated gender guidelines into this definition. Since its inclusion, gender guidelines have become an important aspect of the Canadian refugee system. One of the criteria found in the gender guidelines states: "Women who fear persecution solely for reasons pertaining to kinship because of the status, activities or views of their spouses, parents and siblings or other family members."

Unfortunately, the gender guidelines are often overlooked. One of the fundamental reasons why they are overlooked is because these women have been persecuted by their families and not by the government.

• (1500)

Regardless who is doing the persecuting, be it the government or the family, these women are persecuted and require our assistance. Women who are victims of female genital mutilation, forced marriages and honour killings are examples of women likely to be found in this group. We all have heard examples of mothers fleeing their countries of birth with their young daughters who are threatened with female genital mutilation.

The minister and the chairperson of the Immigration and Refugee Board need to continue to accommodate these criteria in Bill C-11 to ensure these people are accounted for. The gender guidelines are an important component to this bill as women may be confronted with additional forms of persecution. Unfortunately, they are not the only group facing persecution.

A refugee fleeing his or her country due to his or her social affiliation is acceptable grounds on which to be granted asylum. In the case of *Patrick Francis Ward v. the Attorney General of Canada*, the Supreme Court of Canada set out grounds for claiming persecution based on membership in a particular social group. As has been stated in the gender guidelines, this definition included "groups defined by an innate or unchangeable characteristic." In the *Ward* case, the court maintained that individuals persecuted on the basis of sexual orientation, gender

or linguistic background, indeed, would be included in the definition. Therefore, persecuting an individual based on his or her sexual orientation is seen as adequate grounds for granting refugee status. This is in response to the many countries that persecute individuals based on sexual orientation. In some of these countries, individuals are hanged for being homosexual. This is why, in our country, we grant asylum to people who face persecution based on sexual orientation.

According to the *2010 Report on State-sponsored Homophobia*, 81 countries consider homosexuality to be illegal. In Iran, Saudi Arabia, Sudan and Yemen, homosexuality is punishable by death.

Honourable senators, we know a number of issues will surface when this bill is forwarded to committee. I want to point out a number of issues that the committee will have to study.

The first issue is designated countries or, as the bill originally stated, a safe-country list. Countries we are less likely to identify as refugee-producing countries are placed on the designated countries list. The country list was one of the most controversial components of Bill C-11.

In its original form, this bill did not have any criteria for the list. However, the necessary criteria have recently been added. A country cannot be part of this list unless a committee consisting of representatives from outside the government approves it.

The new criteria include a requirement that there will be a minimum number of claims from a country with a high rejection rate. Under the designated countries list, it is now accepted that the time frames should be expedited. However, they must allow a person enough time to present a case.

Another issue with the list was its impact. The original proposal stated that persons on the list would not be granted an appeal. After a great deal of work with Maurizio Bevilacqua, the critic for the official opposition in the House of Commons, the government agreed to change the legislation so that now persons on the list are able to get an expedited appeal. This is in keeping with the position of the United Nations High Commissioner for Refugees. The aim of this provision is to fast-track their claims. However, honourable senators, as I already stated, claims relating to sexual orientation or gender, even if those persons come from designated countries, cannot be fast-tracked. I ask the committee to make observations in this regard.

The second issue is the personal information form. The personal information form will be replaced by an interview, the occurrence of which was changed from 7 days to 15 days and will be conducted by a Refugee Protection Division officer.

The personal information form functions effectively and does not need to be replaced by an interview. Although the interview takes 15 days while the form takes 28 days, the form is still more effective because it requires fewer resources.

Instead of a lawyer acting on behalf of the refugee, Bill C-11 currently calls for a Refugee Protection Division official to act not only as the information gatherer, but also to assess the information gathered. The committee will have to examine if this is a conflict. Specifically, the bill will replace the personal information form that details all the information relevant to the claim with an information gathering interview. In addition, to ensure that the process is fair, legal assistance should be available at this stage.

The third issue is the pre-removal risk assessment. In the present system, before a person can be removed, there is a pre- removal risk assessment application, which assesses the person's risk in being returned to his or her country of origin. Under this bill, only new evidence can be filed in the pre-removal risk assessment. This may not be sufficient protection.

The new legislation makes the Immigration and Refugee Board the decision maker on the pre-removal risk assessment application. Honourable senators, I believe this is a positive change.

The fourth issue is the Refugee Appeals Division. Everyone agrees that the introduction of the Refugee Appeals Division is an important measure to improve the refugee system. The Minister of Citizenship and Immigration should be commended for this. The challenge is that the Refugee Appeals Division will only allow restricted evidence rather than the full record of the hearing. The new appeal division at the Immigration and Refugee Board will hear written appeals from negative claims. The key issue will be the time frame applied to appeals.

There is concern that the new rules will require appeals to be filed too quickly. This will not give enough time to claimants to obtain counsel and to allow claimants to file the appeal. The time frames are not in the legislation.

The committee should consider whether the time frame should be similar to those used at the Federal Court of Canada, which allots 15 days to the appeal and a further 30 days to file the appeal itself. Any less time will be unreasonable.

The fifth issue is the humanitarian and compassionate hearing. The committee will have to look at a number of issues to ensure the rights afforded to a refugee under the bill are not eroded. Originally in the bill, any humanitarian and compassionate application was barred for one year if a person made a refugee claim. I am pleased to report this has now changed. Furthermore, there was a provision restricting consideration of humanitarian and compassionate grounds to ensure it did not consider aspects related to risks covered by the refugee division. In the House of Commons, further clarification was added that humanitarian and compassionate proceedings were required to consider hardship if the refugee was to be returned to his country of origin.

Honourable senators, my greatest fear is that one day Canada's doors will be closed to refugees. If the doors had been closed when my family knocked, it would have caused us great hardship.

I am committed to establishing a refugee system that Canadians have faith in. The day that Canadians lose faith in our refugee system will be a dangerous day for the many people in the world facing persecution.

Honourable senators, I arrived in Canada as a refugee. I am very aware that, if it had not been for the largesse of Canadians, my family and I would have suffered tremendous hardships. Instead, today my family is integrated into Canadian society. We are proud to call Canada our home.

• (1510)

People in Uganda are amazed at Canadians. They say to me, "You were thrown out of Uganda, the country of your birth. In Canada, you were made a senator?" They cannot believe the generosity of Canadians. All I can say today on my behalf and on that of my family is: Thank you for giving us asylum.

Some Hon. Senators: Hear, hear!

Senator Jaffer: You saved my family and me from great hardship. I now have the responsibility of ensuring there is always a credible refugee system for others who are persecuted.

Some Hon. Senators: Hear, hear!

The Hon. the Speaker: Are honourable senators ready for the question?

Some Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Seidman, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

FIRST NATIONS COMMERCIAL AND INDUSTRIAL DEVELOPMENT ACT

BILL TO AMEND—SECOND READING

Hon. Rose-May Poirier moved second reading of Bill C-24, An Act to amend the First Nations Commercial and Industrial Development Act and another Act in consequence thereof.

She said: Honourable senators, thank you for this opportunity to outline the advantages of Bill C-24 and the many benefits it will bring to First Nations and all Canadians.

There are so many persuasive arguments as to why we should all support Bill C-24, it is hard to choose just one to discuss. There is the positive impact this bill will have on First Nations' social and economic development. There is the fact that Bill C-24 will enhance governance capacity so that First Nations can respond to their unique challenges and opportunity. Also, let us not forget that this bill builds on the success of the First Nations Commercial and Industrial Development Act to provide an improved regulatory system applicable to reserve lands.

One of the facets of this bill that encompasses all other aspects is the difference Bill C-24 will make in the lives of First Nations. This government is delivering results that are making a difference in the lives of Aboriginal people. It is doing so in the spirit of true partnership. In fact, this bill benefits from the support not only of federal and provincial organizations but also First Nations groups.

One of the key goals of our government has been to enable Aboriginal people to succeed in the Canadian economy so that they can maximize the benefit of self-sufficiency and prosperity. This has been emphasized in every Speech from the Throne since 2006 and was powerfully reinforced with the release last June of the new Federal Framework for Aboriginal Economic Development.

The framework aims to foster economic development by enabling new opportunities and partnerships like this one to strengthen Aboriginal businesses and increase employment among First Nation, Inuit and Metis. This bill is further proof that by working together towards mutually beneficial goals, we can achieve measurable and sustainable progress.

It was the Squamish Nation that came forward with the proposal that required these amendments to the First Nations Commercial and Industrial Development Act. In order for a major commercial real estate development project to proceed on its land, the community recognized that the act needed to be amended to address the lack of land title certainty on reserve lands that currently erodes investors' confidence.

The potential of the project that the Squamish Nation is interested in pursuing is enormous. It could see the Squamish Nation construct five waterfront condominium towers on reserve land in partnership with private developers, Larco Investments Limited. The first phase of this initiative alone is forecast to result in the construction of between 700 and 900 commercial condominium units that could achieve gross sales of $560 million to $720 million.

Over the course of the next decade or more, a total of 12,500 units could be built with a market value that could reach up to $10 billion. Needless to say, such a development would make a meaningful and lasting difference in the standard of living and the quality of life of Squamish Nation residents, while providing that region with jobs and an economic boost. This project would likely be only the beginning of even more economic development projects that would spin off from this first commercial venture.

Especially exciting about this initiative is that similar projects may spring up in other First Nations communities across the country. Kamloops and Musqueam First Nation in British Columbia, Tsuu T'ina First Nation in Alberta and the Carry the Kettle First Nation in Saskatchewan have all shown interest in this legislation. With the passage of Bill C-24, they could take advantage of the proposed amendments to move forward with similar types of development. We know there is genuine enthusiasm and support for the legislation because it has been built from the ground up.

Development of the amendments to the First Nations Commercial and Industrial Development Act benefited from the expertise of the Squamish Nation, whose representatives have

valuable, practical experience in the complexities of advancing a major leasehold commercial real estate development project. They have a direct interest in the success of this bill. Their input and feedback was helpful as these amendments were being developed.

Squamish Nation has also been taking an active role in outlining the benefits of the bill before us today. In addition to engaging parliamentarians, they have had discussions with First Nations that showed an interest in pursuing similar projects in their communities.

To raise awareness and to gauge the level of interest in these amendments, correspondence was sent by Indian and Northern Affairs Canada to the provinces as the bill was being developed. The information package provided background material concerning the intent and the potential benefit of the proposed amendments. The provinces were also offered briefings if they wanted to discuss the amendments further.

When this bill was introduced, information packages were also sent to all First Nations across Canada. This was the latest in a series of ongoing outreach efforts to First Nations since the passage of the First Nations Commercial and Industrial Development Act, which came into force on April 1, 2006. A variety of communication tools have been launched in recent years, including brochures and a tool kit that contains general information and frequently asked questions regarding the act. The tool kit contained documentation on roles and responsibilities, a process flow chart and a checklist of steps for First Nations interested in pursuing a project under the First Nations Commercial and Industrial Development Act.

Communication and consultation efforts extend beyond these measures. For instance, in collaboration with the University of British Columbia and the University of Saskatchewan, two symposia on the First Nations Commercial and Industrial Development Act were held in 2007 and 2009 to explain and promote this enabling legislation and to share lessons learned from projects being pursued under the existing act.

Honourable senators, I should point out that two other major projects, aside from the Squamish Nation commercial real estate development project, have been approved under the First Nations Commercial and Industrial Development Act. They are the Fort William First Nation wood fibre optimization plant in Ontario and the Fort McKay First Nation oil sands initiative in Alberta. A proposal has recently been received from the Kitamaat Indian Band in British Columbia to regulate a liquefied natural gas facility and port.

Other First Nations have demonstrated emerging potential to use the economic development capacity of the act, as well. This speaks both to the need for and the level of interest in these new vehicles that facilitate economic development on reserves.

Honourable senators, our consultation and partnership activities were not confined to First Nations. Our government also held constructive meetings with representatives of the province of British Columbia, who are keen to move forward with this bill. The Premier of British Columbia has written to the Prime Minister on two separate occasions to state his support for the Squamish Nation's project as an example of how the proposed amendments can support First Nations economic development.

• (1520)

Provincial officials have also expressed support for a federal approach that will create as much regulatory compatibility as possible for on- and off-reserve projects related to the major leasehold commercial real estate development. It is expected that other provinces will develop a greater interest in the legislation as First Nations and industry partners begin to advance similar projects in their regions.

Last, but not least, among our important partners are the private-sector investors. As Larco Investment Limited in British Columbia has made clear, investors recognize — and want to work with First Nations on — the tremendous economic development potential on reserve lands. They are far from alone in this regard. From One Earth Farms, straddling Saskatchewan and Alberta's First Nations, to the oil patch, to mining and forestry firms, to the big banks and to the high-tech sector, Canada's business leaders are at the forefront of these initiatives in partnerships with First Nations.

This is good news, not only for the investors who stand to profit from this progress, but also for affected First Nations that will see equally impressive benefits in the form of increased employment, incomes and resulting social development from such projects.

Ultimately, this kind of collaboration is good for all Canadians. Public financing in support is only part of the long-term solution to the complex challenges facing Aboriginal people. Fiscal realism dictates that we invest wisely where we will produce the best results, but we have to recognize the limits of our influence and build strategic partnerships whenever they make sense.

In the case of Squamish Nation, they certainly do. Not only do these partnerships make good business sense, but we work best when we work together. By collaborating closely to advance economic development projects with Aboriginal people, we can benefit from their contribution to the mainstream Canadian economy and to the life of our country. Most important, we can ensure that they share equally in all that Canada has to offer.

This bill sends a clear signal to all Canadians that we have entered a new era of Aboriginal economic development. First Nations across this country are engaged in some of the most exciting and profitable projects to be found.

As the Minister of Indian Affairs and Northern Development told a business audience last June:

> The road forward out of dependency is already being paved.

Aboriginal communities today operate airlines, wineries, mines, oil and gas projects, hydroelectric dams, credit unions and commercial farms. With Bill C-24, they will take the next step forward into commercial real estate development.

Honourable senators, it is clear that we must do more to unleash the potential for economic and social progress in Aboriginal communities. Bill C-24 moves another step in that

direction by creating opportunities for First Nations across the country with the prospect of large-scale commercial housing developments.

What is more, Bill C-24 is an example of the power of partnership, and a clear indication of what we can accomplish when we join forces for the greater good.

I urge all parliamentarians to work in the same spirit to pass this legislation.

Hon. Larry W. Campbell: Honourable senators, in keeping with the love that has been building in this place as we move hand in hand together toward the summer, I rise in support of Bill C-24 —

Some Hon. Senators: Hear, hear!

Senator Campbell: — An Act to amend the First Nations Commercial and Industrial Development Act and another Act in consequence thereof. The honourable senator across from me has expressed eloquently some of the issues that are coming forward from this bill, so I will be brief.

This bill addresses issues with the existing First Nations Commercial and Industrial Development Act and better enables First Nations to benefit economically from on-reserve commercial real estate developments.

Under the current legislation, there is no certainty of land title on First Nations land on reserve. Consequently, First Nations commercial real estate developments cannot attract the same level of investment as off-reserve developments. With the implementation of this legislation, First Nations will have greater certainty of land title on their properties, thereby putting them on a level playing field with off-reserve commercial real estate properties. By ensuring that First Nations commercial real estate will be of comparable value to off-reserve land, First Nations communities will receive the full economic benefit from their development.

This legislation has been drafted in consultation with First Nations leaders and experts, and has received support from First Nations across Canada. I want to bring to the attention of honourable senators, Chief Gibby Jacob from the Squamish Nation, who has led the movement to make this legislation a reality.

An interesting article in *The Globe and Mail* today expresses the chief's bluntness and down-to-earth qualities. He said:

> We're not a tribe that just fell off the turnip truck the other day.

I can assure you that Chief Jacob is no turnip. Chief Jacob is the person who has been leading his nation not only into real estate development, but who was key for the Olympics and the Four Nations Summit that we had there with all the First Nations.

Honourable senators, there was non-partisan support for Bill C-24 in the other place. I strongly believe that through the implementation of this legislation, we will promote economic development on First Nations reserves. I look forward to seeing this bill passed without delay and before the end of this session.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Poirier, bill referred to the Standing Senate Committee on Aboriginal Peoples.)

[*Translation*]

NATIONAL SENIORS DAY BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-40, An Act to establish National Seniors Day.

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

(On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.)

[*English*]

JUSTICE FOR VICTIMS OF TERRORISM BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Tkachuk, seconded by the Honourable Senator LeBreton, P.C., for the second reading of Bill S-7, An Act to deter terrorism and to amend the State Immunity Act.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Comeau, bill referred to the Special Senate Committee on Anti-terrorism.)

• (1530)

SENATORIAL SELECTION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Brown, seconded by the Honourable Senator Runciman, for the second reading of Bill S-8, An Act respecting the selection of senators.

Hon. Bob Runciman: Honourable senators, I hope my comments will not throw too much cold water on the warm feelings that Senator Campbell referenced earlier.

Honourable senators, I rise today as the seconder of Bill S-8 to offer a few comments on why I believe this bill merits your support.

At the outset, I want to compliment the mover of the legislation, Senator Bert Brown. Senator Brown has been tireless in his efforts over many years to pursue the elusive goal of Senate reform. Whether or not you share his view, you have to admire his tenacity and commitment.

Two weeks ago, my colleague, Senator Nolin, outlined a number of reasons why he was not prepared to support Bill S-8. While I disagree with his position, I commend him for exercising the independence that should be the hallmark of this institution.

We have also heard disagreement, through an inquiry, with the thrust of Bill S-8 from a much less surprising source, the Leader of the Opposition in the Senate, Senator Cowan.

Senator Nolin talked about the need to respect the wishes of the Fathers of Confederation. Let us consider that for a moment. The primary purpose of this house is to give a voice to the regions in a country vast in size but sparsely populated outside of Central Canada, to give a reason for those far-flung areas to buy into the idea of Canada as a nation that would respect their interests and to make the Parliament of Canada representative of the whole country. Those areas that could not command the votes to drive the agenda in the House of Commons would still have a say because of the regional balance provided by the Senate.

How do we see regional representation expressed today? Well, we have a senator from Alberta strongly supportive of Bill C-311, a climate change bill that threatens the economy of his province. Another senator from that province is the champion of a bill that would all but exclude jurists from Alberta serving on the Supreme Court of Canada, a bill that was recently criticized harshly by Alberta's Attorney General.

I ask honourable senators, how is it that this Alice-in-Wonderland scenario is able to play itself out in the Senate of Canada? I think the answer is clear: Because there is no democratic accountability. Because senators are not answerable to the people in the region they purport to represent. Without democracy, claims of representation are a sham. Unfortunately, the reality of two Liberal senators taking positions that are strongly opposed within the region they represent was not reflected in Senator Cowan's remarks.

The Leader of the Opposition in the Senate, while decrying Prime Minister Harper's recent Senate appointments, called on the new appointees, and I quote, "to take pains to ensure that their positions reflect those of their regions over and above the views of the Conservative Party."

Honourable senators, I guess Senator Cowan's admonition only applies to members on this side of the chamber; what is good for you is good for you. Of course, if Senator Cowan had simply turned around and looked at his own benches, he would have to admit that this critically important goal of the Fathers of Confederation, a voice for the regions, is not being met.

Senator Cowan also referenced the protection of minorities, political minorities, the political opposition, as an important role of the Senate, and indeed it is. How well have we done? Honourable senators, history has shown us that the current method of choosing senators does little to protect the political opposition.

Of the 103 senators appointed by Prime Minister Mackenzie King, 101 were members of the Liberal Party of Canada. During the Trudeau years, 70 of 81 appointments went to Liberals. In the Chrétien era, 72 of 75 appointments were Liberals. Tell me how the unelected nature of the Senate during those eras helped give voice to the political opposition.

As well, both Senator Nolin and Senator Cowan suggested that appointments to the Senate versus elections would be the only way to achieve a Senate that is more reflective of the makeup of Canadian society. I point out that one of the options available to the provinces under Bill S-8 is an election through a system of proportional representation. Such an approach — a decision of the province, I emphasize — could not only encourage greater diversity of representation but could also provide an opportunity for other well-established political parties to break through the two-party duopoly that has historically characterized the makeup of this body. Proportional representation, as emphasized in the Beaudoin-Dobbie report of the early 1990s, would help to distinguish the makeup of the Senate from the House of Commons.

In concluding his comments, Senator Nolin advised us that, in his view, the election of senators would result in a less effective Senate. He gave great emphasis to that view. The senator said, and I am quoting, "electing senators does not guarantee effectiveness," the implication of that comment being that an appointed Senate, including individuals serving for over 40 years without any accountability to the regions they represent, does guarantee effectiveness.

Honourable senators, I suspect most Canadians, even those with strong affection for the current makeup of the Senate, would have difficulty accepting that conclusion. Surely, when we measure effectiveness, we must look at whether senators are pursuing issues that matter to the people they represent. Otherwise, this room is no more than an echo chamber.

How do we tell whether we are effective? I would suggest that is not up to us to determine. The people we work for, the people of Canada, should decide whether we are effective. There is a time-trusted way for that determination to be made — it is called an election. Bill S-8 is a realistic way to move in that direction. It proposes reform that is achievable.

Some honourable senators seem to be preoccupied with the need to make this as complicated as possible, suggesting even consultative elections cannot be implemented without constitutional reform. I respectfully disagree. Section 24 of the Constitution Act says the following:

> The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of Canada, summon qualified Persons to the Senate; and, subject to the Provisions of this Act, every Person so summoned shall become and be a Member of the Senate and a Senator.

Right now, the provisions of section 24 are met by the Prime Minister recommending names to the Governor General. Bill S-8 does not change that. All it does is address the circumstances under which the Prime Minister comes up with those names. Instead of consulting his or her inner circle, the Prime Minister listens to the people and consults those who will be represented. What can possibly be wrong with that?

Honourable senators, at the end of the day, Bill S-8 is, out of necessity, a very modest initiative, an offer to the provinces that hopefully some will accept. If enough do, it could lead to the degree of public support required to propel significant change. I hope I am around to see that happen.

The Hon. the Speaker: On debate or question and comments?

Senator Segal: I hope to participate in the debate before I die.

The Hon. the Speaker: Are there any questions and comments on Senator Runciman's time?

Hon. Mac Harb: Will the honourable senator take a question?

Senator Runciman: Yes.

Senator Harb: Honourable senators, I have no problem if the will of the provinces and the will of the government in both houses is to proceed with an elected Senate. Let it be.

• (1540)

If the truth is that the government intention is to have an elected Senate, that would mean the government would have to appoint senators to cabinet. That would mean, as well, that the Senate will have the power to defeat the government. In the end, we would have two houses. Is that really the intent of the government in the end, to have two Houses of Commons, one smaller than the other one? Each senator is elected by 500,000 people, as is the case in Ontario, while a member of Parliament is elected by 100,000 people. Should those two representatives have the same power or should the one who represents 500,000 people have more power?

If so, would the honourable senator not agree that the government should also propose reform of the House of Commons at the same time, if that is their intent?

Senator Runciman: Senator Harb is reaffirming what I said in my comments. He is trying to complicate this matter by going into situations with respect to a possibility of constitutional change. That is not being suggested in Bill S-8. This is a modest initiative, as I outlined in my comments. This bill only changes the appointment process by allowing the prime minister of the day to select from a province, which makes the decision on who among them should be given a voice to represent them in this chamber.

The honourable senator is going down a road that I hope we go down in the not too distant future, but it is premature to get into those discussions at this stage. We are not talking about the kind of constitutional reform the honourable senator is trying to engage me in where we talk about the powers of the two houses and those kinds of implications. This is a modest initiative to allow the provinces the option, the choice, to go in this direction.

The bill allows the provinces to look at the possibility of their legislative chamber electing representatives to serve here, and the current prime minister has indicated that he will honour the selection of that given province.

Hon. Anne C. Cools: Will the honourable senator take a question from me, please?

Senator Runciman: One of my favourite senators, of course.

Senator Cools: Oh, good. Let us keep it that way. I supported Senator Runciman on Bill C-68, the gun bill, many years ago.

Honourable senators, I have listened to Senator Runciman with some interest, as I listened to many members on this matter with some interest. My question is twofold. The first part has to do with the fact that the position of prime minister, not this or any particular prime minister, in our system is not an elected position. He is appointed just as we are. He has a commission on his wall, just as we do.

Following the logic that Senator Runciman and this bill is putting forth, would it be acceptable for someone here to bring a bill asking the provinces of this country to run processes or consultations to bring forward names to be submitted to Her Majesty's representative for appointment as Prime Minister?

Senator Runciman: That is the intent of the legislation. It is an indication from the government, the Prime Minister, that if a province decides to move in that direction, there are a number of options afforded under the legislation. The Prime Minister has indicated that he will respect the decision of that province and their electorate.

The Hon. the Speaker: Honourable senators, before I call upon Senator Segal — I did not want this to wait for some distant millennium — I want to ensure that we all understand that 45 minutes has been reserved on our common understanding for the official opposition.

Hon. Hugh Segal: Honourable senators, I will be brief. I know taxicabs have been ordered.

I am delighted to support Bill S-8 and the motion of my seatmate and colleague Senator Bert Brown for second reading. It is my view that the role of Parliament is to moderate and control the role of the Crown in any way that connects the discretion of the Crown and its ministers to the will of the people. In the United States, democracy evolved in violent revolution against the Crown. In Canada, democracy evolved in collaboration with the Crown. Responsible government is the basis for our constitutional monarchy. It is how our democratic traditions developed.

This chamber, whether its proponents or opponents like it or not, is an integral part of how that evolution took place.

[*Translation*]

The replacement of the Château Clique and the Family Compact of Ontario, with executive councils directly responsible to the elected assemblies, is an example of the step-by-step approach that created Canadian democracy. The decision by the Fathers of Confederation to have a second chamber, the Senate, reflects the principle of regional representation and the principle of placing limits on the will or, from time to time, the enthusiasm of the voters.

[*English*]

When I started in this building 41 years ago as a young research assistant to David MacDonald, a Progressive Conservative MP from Egmont, Prince Edward Island, first as an unpaid volunteer and then as a research assistant earning $58 a week, the narrative was that the Liberal Prime Minister's office had way too much power. That Prime Minister, of course, was the "Sun God," Mr. Trudeau. Every prime minister since has faced the same narrative. Whichever party, whether minority or majority, the narrative is the same: The Prime Minister has too much power.

To some extent, this reflects how our constitution and political culture operates. The truth is, a Canadian Prime Minister heading a party that has a majority in the House of Commons has far more domestic authority and discretion than the President of the United States, the Prime Minister of Great Britain, the President of France, the Prime Minister of Australia, the Chancellor of Germany.

Why? Constitutionally, because those other leaders have secondary upper chambers with public legitimacy that can countervail the lower house's majority when necessary. In the British case, they have government caucuses that are not whipped in totality ever, as a matter of principle. As the U.K. White Paper on Lords Reform in 2006 certified, we have here in this place the most powerful upper chamber in the world, at least in terms of raw, undiminished and unmitigated constitutional power. It is rarely used because we do not have an ounce of democratic legitimacy or legitimacy from the provinces under whose name we are affiliated in this place.

This restraint, of course, is laudable and appropriate, but to attack the present prime minister as being power hungry or trying to side step the Constitution when the purpose of the bill before us is to strengthen the ability of this chamber with a measure of electoral legitimacy to dilute a prime minister's power in the future makes no sense at all.

It also makes no sense, as my good friend the Leader of the Opposition in this place has suggested, that the measures in this bill are an effort to avoid the Constitution in making changes to how this place might operate.

Honourable senators, I believe that this bill is the absolute opposite of that. It embraces the Constitution by letting provinces decide how and when to choose an individual to fill a vacancy. It forces no province to do so. It embraces the rights provinces have to decide how to engage with the present Constitution as it now exists and provides. When Prime Minister Harper spoke of open federalism in the 2004 and 2006 election campaigns, he meant it, and this bill is further proof of that commitment.

Imagine, honourable senators, a decade or so onward this place has a plurality or majority of senators appointed by the Governor General on the Prime Minister's recommendation as a result of elections in many provinces, and perhaps some based on a determination made by the *Assemblée nationale* in Quebec. In that instance, if a bill came to this place that reflected the misuse of a parliamentary majority by any prime minister, the legitimacy of this place to stop it would be clear and uncontested.

Some worry about gridlock. I say to my friends opposite, you cannot have it both ways. You cannot on the one hand wring your hands about allegedly excessive prime ministerial power and then cry tears of concern about gridlock. There are ways to manage gridlock and dilute its more excessive applications, ways that would replace the reality of gridlock between the two houses with a more rational traffic control and reflection on bills with a firm stand against, ways that would be essential only when there is no other option.

• (1550)

Our credibility to take any of these measures sans electoral legitimacy is zero. That legitimacy can be created with longer terms of office to ensure continuity and institutional memory, as vacancies occur sporadically. Elections to this place can also have a role in venting and expressing public anger or frustration with the government-of-the-day or the opposition, as the case may be or require. Democracies benefit from these sorts of opportunities and safety valves.

My appeal to honourable senators, in the sense of love that Senator Campbell has referenced, is frank and direct. Let this bill go to committee for intensive, constructive study. Concerns have been expressed across the aisle about how the elections might work, how they might be honestly financed, what electoral approach might be used, how the provinces retain their "executive federalist" role in serving their own legitimate provincial interests here, all legitimate and timely, and can and should be addressed in committee. Holding it up excessively before second reading only feeds the myth that this place is unalterably opposed to this place's reform.

Some honourable senators may recall that I championed a referendum on reform or abolition. I put that on the shelf temporarily because I believe we can work together to produce a

good bill and recommendations with amendments that will advance Senate reform. We are only the temporary and appointed stewards, except for Senator Brown, of a national legislature that includes one third of all Canada's federal legislators at this time.

We work in this place, but we do not own it. We were trustees, unelected, except for my seatmate Senator Brown, who by the way, was elected twice in Alberta as a Progressive Conservative candidate for this place. Is this bill perfect? What bill is perfect? Is it timely? It is long overdue. Will it provide a firm basis for provinces to engage well within the terms of the Constitution of Canada? Yes, it will. Is it forcing any province to act? No. Does it impede the full range of the province's section 92 powers? Not in any way. It moves the option of an elected Senate forward with a statutory framework that puts this place on record as wanting an electoral future.

My colleague, Senator Nolin, for whom I have great admiration and respect, disagrees with the electoral option. Senator Nolin believes that it would contaminate this place with popularity over competence, as if the two are counterproductive or in competition.

I must say that I denoted a slight Marie-Antoinette "let them eat cake" approach to his speech which, for other Tory reasons, I admire. In a democracy, one may disagree with the votes or the decisions of the people from time to time. As I said on election night on CBC in 1993, the voters are always right; they can be, on occasion, excessive, but they are always right.

They are supreme. Senator Nolin is right: That is not how this place was initially conceived 140 years ago. My advice to my good friend, with the greatest of respect, is: Get over it. The war is over; the debate has happened; and the parrot of autocratic, elitist, self-congratulatory denial of democratic rights and prerogatives has passed away. The parrot is dead.

Our challenge is not to rubber stamp this bill and not to kill it, which would be seriously foolhardy and counterproductive. I suggest, with great unelected humility, that our task is to work with it, improve it, hear detailed witness analyses on every issue from likely constitutional challenges — no doubt unavoidable — to electoral systems operation and financing.

[*Translation*]

This bill is not perfect. It does present an excellent opportunity to advance Senate reform based on principles and perspectives of established provincial jurisdictions and respect for the Constitution. We must not miss this opportunity.

[*English*]

Hon. Bert Brown: Will Senator Segal accept a question?

Senator Segal: Given that we are seatmates, I had better accept.

Senator Brown: Is the senator aware of the fact that for 90 years in the United States, all senators were appointed?

The State of Oregon in 1903 decided to hold an illegal, unconstitutional election. They elected two senators to represent Oregon. The members of the Legislative Assembly had always elected their senators and refused to accept the election outcome. Within a year, the MLAs were defeated in an election and they went ahead with another Senate election, which was respected by the electorate.

Senator Segal: Honourable senators, I was not aware of the facts at that level of detail. However, I was aware that, as is the case with many things in Canada, good things begin at the provincial or state level. Tommy Douglas began health care in Saskatchewan, and it spread from there.

Alberta has shown leadership on this issue. Other provinces are giving the issue serious consideration or have legislation in place, as Senator Runciman suggested.

The fact that a few provinces make the decision to fill vacancies in the manner prescribed by this bill will produce a constructive, contagion effect. It will not be radical and it will not happen overnight. It will be evolutionary, which is how we became a democratic society to begin with.

(On motion of Senator Tardif, debate adjourned.)

[*Translation*]

THE SENATE

MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO RECEIVE MS. SUZANNE LEGAULT, INFORMATION COMMISSIONER, AND TO PERMIT ELECTRONIC AND PHOTOGRAPHIC COVERAGE AND FOR THE COMMITTEE TO PRESENT ITS REPORT WITHIN A PRESCRIBED PERIOD OF TIME ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of June 16, 2010, moved:

> That, at the end of Question Period and Delayed Answers on Tuesday, June 22, 2010, the Senate resolve itself into a Committee of the Whole in order to receive Ms. Suzanne Legault respecting her appointment as Information Commissioner;
>
> That television cameras be authorized in the Senate Chamber to broadcast the proceedings of the Committee of the Whole, with the least possible disruption of the proceedings;
>
> That photographers be authorized in the Senate Chamber to photograph the witness, with the least possible disruption of the proceedings; and
>
> That the Committee of the Whole report to the Senate no later than one hour after it begins.

(Motion agreed to.)

BANKRUPTCY AND INSOLVENCY ACT COMPANIES' CREDITORS ARRANGEMENT ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Eggleton, P.C., seconded by the Honourable Senator Tardif, for the second reading of Bill S-216, An Act to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act in order to protect beneficiaries of long term disability benefits plans.

Hon. Percy Mockler: Honourable senators, I would like to go back in time and refer to the English version of the debates of this chamber from 1872. We heard Senator Olivier speak so eloquently about this in French.

We have always taken past debates into account, in an attempt to improve Canadian institutions and to ensure that what we propose in this chamber truly reflects what I would refer to as the great debates.

In 1872, Mr. Sanborn rose in this chamber to speak about insolvency laws. He said:

> . . . the insolvency laws of England, of the United States, and of France, [are] all widely different from one another...

• (1600)

Senator Sanborn went on to say, on page 97:

> . . . if we swept away the regulations now in force in the country we would throw open the door to fraud, and disorganize trade . . .

I would like to focus on the words "disorganize trade" in the context of Bill S-216.

[*English*]

It is an honour for me to rise in debate on Bill S-216. I have never — and will never — doubt that each and every one of us, no matter where we sit in this great chamber and regardless of the fact that we have been appointed by different prime ministers, have a common denominator. That common denominator is to make Canada a better place to live, a better place to raise our children, a better place to work and a better place to reach out to the most vulnerable.

As my mother told me when I was growing up, people do not care who we are until they know what we care for.

[*Translation*]

Honourable senators, as I take part in this debate on Bill S-216 to amend the Bankruptcy and Insolvency Act in order to better protect long-term disability benefits, I would like to start by thanking Senator Eggleton for drawing our attention to this important matter.

There is no doubt in my mind that we all share his concern for the financial well-being of beneficiaries of long-term disability plans. We have great sympathy for the challenges that long-term disability beneficiaries face when their employer commences insolvency proceedings — as in the 1872 debate I just quoted from — under the Bankruptcy and Insolvency Act, also known as the Companies' Creditors Arrangement Act.

Prime Minister Stephen Harper's government has recognized the importance of this issue in the Speech from the Throne and stated that it would explore ways to better protect workers when their employers go bankrupt.

Honourable senators, we will ensure that any steps we take will address the concerns of long-term disability beneficiaries and will not have unintended adverse consequences either for other creditors or for the productivity and competitiveness of all Canadian employers.

[*English*]

Honourable senators, I want to thank the Honourable Senator Eggleton for bringing this matter to our attention. No doubt we all share his concern for the financial well-being of beneficiaries of long-term disability plans. We have great sympathy for the challenges that long-term disability beneficiaries face when their employer commences insolvency proceedings under the Bankruptcy and Insolvency Act, BIA, or the Companies' Creditors Arrangement Act, the CCAA. Such proceedings can have a significant impact on both current and former employees who are facing the prospect of a reduction of their LTD benefits at a particularly vulnerable point in their lives, through no fault of their own. Our government recognized the importance of this issue in the Throne Speech when it stated that it would explore ways to better protect workers when their employers go bankrupt.

As the chamber of sober second thought, we must be mindful that any steps we take are effective in addressing the concerns of LTD beneficiaries and do not have unintended adverse consequences either for other creditors or for the productivity and competitiveness of Canadian employers.

Honourable senators, a fundamental principle of the insolvency system is that of balance and fairness. We must always strive for balance and fairness, regardless of where we come from. The insolvency system must balance competing interests among the creditors of an insolvent business. Each creditor wants to be paid as much as possible from the limited funds available from the assets of the insolvent firm.

While Bill S-216 purports to improve the protection of long-term disability beneficiaries in bankruptcy, it would attempt to achieve this goal by altering the existing balance between creditors and the insolvent company by requiring the payment of long-term disability claims before other creditors and restructuring under the CCAA and the BIA, creating a preferred claim for these amounts in bankruptcy under the BIA.

In the context of the CCAA and BIA restructuring, Bill S-216 would create the equivalent of a super priority, meaning that such claims would be paid ahead of the claims of secured creditors. In a bankruptcy under the BIA, Bill S-216 would provide for LTD

claims to be paid after the claims of secured creditors but before the claims of unsecured creditors such as suppliers and contractors. I am concerned about that, honourable senators.

The implications of changing the priorities for payment in the insolvency system must be carefully considered and not undertaken hastily. I repeat: The implications of changing the priorities for payment in the insolvency system must be carefully considered and not undertaken hastily, without weighing and analyzing the potential consequences of such a change.

Honourable senators, as we consider this bill, we need to examine not only to what extent it will achieve the goal of better protecting the interests of claimants such as LTD beneficiaries but also what could potentially be the effect on all creditors. I believe that the BIA and the CCAA are fundamental components of Canada's marketplace framework legislation, as was indicated in the quote I read from the Hansard of 1872.

• (1610)

As such, before changes are made to the priorities given to various claims, we need to have a greater awareness of these potential repercussions and potential changes. For example, before changing the priorities in insolvency, we must assess the impact of the costs and also the reduction in the availability of credit to Canadian employers. A significant adverse effect on credit could, in turn, affect competitiveness of the Canadian business world and Canadian businesses in an increasingly globalized marketplace. I am concerned. We must all be concerned.

Honourable senators, another issue we should look at is whether the difference in treatment of long-term disability claims and restructurings in bankruptcy that Bill S-216 provides for can result in fewer successful restructurings, which is important, and more liquidation of otherwise viable companies. Lately, we have had such examples in New Brunswick.

For example, we should ask ourselves: Will secured creditors have an incentive to push an employer into bankruptcy over restructuring if there are large LTD claims? If the regime proposed by Bill S-216 were to be adopted, those are such questions. Yes, I am concerned. It goes without saying that it is in the public interest to promote the restructuring of otherwise viable companies in insolvency, as it results in better protection of jobs and greater return for creditors. We need to take care to ensure that Bill S-216 will not tip the balance toward liquidation of companies when a viable restructuring remains the greatest possibility.

Another point, honourable senators, is that while Bill S-216 aims at protecting LTD beneficiaries or bankrupt employers, before we make such a change to the BIA or CCA we need to look at whether that goal will be met. For example, do we know whether, in the context of a bankruptcy, a preferred claim will result in significant return for LTD beneficiaries? What if there are large, secured claims that rank ahead of the LTD claim?

I also point out a transitional provision clause in Bill S-216. Although it is a transitional clause, it is an important clause. This clause moves away from the principle that amendments to legislation will apply to future situations so as not to interfere retroactively with existing rights. The transitional clause provides that the proposed amendments will apply to all.

[*Translation*]

Honourable senators, before any changes are made to the priority structure, I think we should consider the impact such a change would have on costs and the reduction in the availability of credit to Canadian employers, no matter where we live. A significant reduction in credit could, in turn, make Canadian companies less competitive in an increasingly globalized marketplace.

[*English*]

Honourable senators, the treatment of self-funded LTD benefit claims in bankruptcy deserves serious consideration so that we avoid creating economic harm unintentionally. As honourable senators can see from my remarks, changing the BIA and the CCAA is not without ramifications and we should consider these ramifications carefully.

Honourable senators, our government, the government of the day of Mr. Harper, is consistent with our Speech from the Throne commitment, which is exploring comprehensive and holistic solutions to the problem of uninsured LTD benefits when an employer goes into bankruptcy. Further response will be carefully balanced to protect LTD benefits in insolvency, while continuing to protect the health of our economy as a whole.

[*Translation*]

Honourable senators, the treatment of self-funded long-term disability claims in the event of bankruptcy deserves serious — I repeat, serious — consideration so that we avoid doing unintentional economic damage. I am sure that is not what our colleague, Senator Eggleton, wants.

As you can see from my remarks, any change has ramifications, and we must consider them carefully and seriously.

[*English*]

In conclusion, honourable senators, we must be mindful that any steps we take are both effective in addressing the concern of long-term disability and, at the same time, do not have unintended adverse consequences either for other creditors or for the productivity and competitiveness of Canadian employers.

I believe a committee should undertake this type of careful analysis. The Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act are both fundamental components of Canada's marketplace framework legislation. Before changes are made to the priorities given to various claims, we need to have a greater awareness of these potential repercussions. We should be careful in committee when assessing the impact of these changes.

Honourable senators, our government recognized the importance of this issue in the Speech from the Throne, when the government stated that it will explore ways to better protect workers when their employers declare bankruptcy.

Honourable senators, let us think together because we have the same common denominator: To make Canada a better place to live, work, raise our children and reach out to the most vulnerable.

Hon. Art Eggleton: I wish to put a question.

The Hon. the Speaker *pro tempore*: Will the Honourable Senator Mockler accept a question?

Senator Mockler: Yes.

Senator Eggleton: I appreciate Senator Mockler's desire to have this bill properly examined and to make sure we know what the ramifications are, as he pointed out. That is something that can be well answered at committee. This bill deals only with LTD, which has a limited financial impact.

The one thing I was confused about is where the senator thought this bill placed these creditors on the list. What I have recommended here is preferred creditor status. They would be placed in a position where, for example, outstanding wages are placed but still behind secured creditors, which are banks and government loans, and still behind super priority, which includes the Canada Revenue Agency and various other creditors. It is well down the list from the preferred status.

• (1620)

Honourable senators, the only other thing I want to point out is the transitional provision. The purpose behind the transitional provision is not to go back in history but to deal with those things that are presently in the process. That particularly answers the question of the 400 Nortel people, because there are 400 very sick people out there who have cancers and various other illnesses or diseases. If we do not do something like this to help them, we will be letting Nortel off the hook and putting the taxpayer on the hook because they will have to go on to the social service and welfare system.

In light of that preferred status, can you see your way to support this, certainly to see it go to committee where we can further examine these various ramifications?

Senator Mockler: Honourable senators, our government recognized the importance of this issue and included it in the Speech from the Throne. Our government is exploring ways to provide better protection to workers when their employers enter bankruptcy.

With regard to the company that has been mentioned by the Honourable Senator Eggleton, there is no doubt in my mind that each senator in this great chamber wants to help the most vulnerable. However, I ask Senator Eggleton to stand with me to bring it to committee so that we can assure Canadians in all walks of life that there are no ramifications.

[*Translation*]

Hon. Claude Carignan: I am very pleased that Senator Mockler recognizes the fundamental importance of this bill for those who are ill.

I believe that this bill seeks to deal with the following problem: when someone becomes disabled or suffers from a long-term disability while working for a major corporation that has decided to self-fund the disability benefit, and if this company goes bankrupt, that person ends up with no income. This is a serious problem because, unlike someone who can find another job, the disabled person cannot seek employment or turn to another insurance company.

I urge the committee to study this issue seriously and with a great deal of compassion and to also explore other types of solutions. Preferred claims can have unfortunate consequences and the capital of the bankrupt entity may be insufficient to cover future benefits.

For example, one of my high school friends, who suffers from multiple sclerosis and is an engineer with Nortel, is caught in this exact situation. Imagine the amount of future benefits or the overall amount of such a preferred claim.

Perhaps we should look into requiring companies that self-fund the benefits to secure a guarantee in the event of bankruptcy, or simply require them to use an established insurance company to cover future liabilities.

Senator Mockler: I thank Senator Carignan for the question and for clarifying this aspect of Bill S-216. That is why I am asking for the cooperation of honourable senators on both sides. In order to eliminate all claims against benefits and to help those most affected, any changes to the Act must be made with a view to protecting these individuals. However, we must keep in mind the repercussions on competitiveness and on the restructuring of Canadian corporations. This is very important because without Canadian corporations there will not be programs to help the most vulnerable.

Hon. Roméo Antonius Dallaire: Would Senator Mockler agree to take another question?

Senator Mockler: Yes.

Senator Dallaire: Honourable senators, when the senator talks about long-term disability benefits, does that mean that individuals would receive benefits beyond the age of 65?

Senator Mockler: Honourable senators, that is a very good question that could be studied during review of the bill if it were referred to a committee.

Senator Dallaire: With regard to the argument not to jeopardize companies that face the significant economic implication of taking on such plans, I would simply like to point out to the senator that it is his government that is responsible for implementing the New Veterans Charter.

This new charter is funded by the Canadian government, which is a large entity and does not really have to worry about insolvency. Under the charter, veterans with disabilities — who have lost an arm, both arms, a leg, or the like — will lose all their benefits when they turn 65.

Perhaps the Canadian government has a problem with the concept of long term benefits or with the spirit of the law for veterans. In other words, when veterans are injured in combat and they lose a limb, it is for life and we should be prepared to help them for life.

Senator Mockler: That is another debate and it does not concern Bill S-216. I ask honourable senators to consider Bill S-216, in order to ensure that any amendments will reflect the needs of the people suffering with a long-term disability and so that we can protect the most vulnerable.

Senator Dallaire: I think that before telling the industry what to do, the government should lead by example and protect its own, who are suffering from a disability for life.

• (1630)

I meet such people regularly, and Canadian veterans are quite pleased with the way the current government is looking after their well-being. On this side of the chamber, we will continue to work for the most vulnerable, regardless of who they are, honourable senators.

[*English*]

The Hon. the Speaker *pro tempore***:** Further debate?

Are honourable senators ready for the question?

Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker *pro tempore***:** Honourable senators, when shall this bill be read the third time?

(On motion of Senator Eggleton, bill referred to the Standing Senate Committee on Banking, Trade and Commerce.)

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Martin, seconded by the Honourable Senator Wallin, for the third reading of Bill C-268, An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years).

The Hon. the Speaker *pro tempore***:** Are honourable senators ready for the question?

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

(Motion agreed to, on division, and bill read third time and passed.)

[*Translation*]

SUPREME COURT ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Tardif, seconded by the Honourable Senator Rivest, for the second reading of Bill C-232, An Act to amend the Supreme Court Act (understanding the official languages).

Hon. Marie-P. Poulin: Honourable senators, the issue presented in Bill C-232 is fundamental to our society, our legal system and its equal delivery of justice.

The amendment that would be made to the Supreme Court Act is relatively simple. It provides that those appointed as judges must be able to understand French and English without the assistance of an interpreter. In keeping with the practice of determining fairness, as the term is now used in the legal world, the question is this: is this bill reasonable? My answer is yes, it is reasonable.

Not only is it reasonable to ask the members of the highest court in the land to understand the country's two official languages, but this legislation, if it becomes law, would contribute to one of Canada's best qualities — a just society.

Please allow me to present a summary of my arguments.

[*English*]

Honourable senators, many arguments promote this bill. Permit me to provide a brief overview of a few.

First is the basic principle of the rule of law in Canada. This unwritten tradition can be traced back to the fields of Runnymede where, in 1215, the English nobles forced King John to sign the Magna Carta, thus agreeing to rule for all by the laws of the land. We have inherited this tradition that lead to government by consent of the governed.

In the late 1600s, the great English philosopher John Locke declared that the rule of law meant those who govern must do so: ". . . by declared and received laws . . . interpreted by known authorized judges." It was therefore seen that in fulfilling obligations of the rule of law, where everyone is equal before the law, our judges in the Supreme Court of Canada should have the capacity to understand what is said in their court directly to them by all interveners in English and in French.

That interveners in the Supreme Court of Canada address the judges directly — and never a jury — and that the same judges are responsible for the highest level of application of the rule of law make Bill C-232 an essential prerequisite to an appointment. Indeed, the Commissioner of Official Languages has said: "There is no higher court in Canada to decide on the nuance of legal meaning. Supreme Court judges need to know what the words mean."

Second, honourable senators, in our country, equality and fairness are already applied to drafting legislation. There is no translation, per se. Our tradition is based on statute law. Bills are drafted simultaneously according to each judiciary system. Therefore, to be familiar with both languages in which the laws are equally drafted — neither language having dominance over the other — increases the clarity of a law. The *R. v. Mack* decision rendered in 2002 by the Supreme Court of Canada validates this reality. Honourable senators, many of us in this chamber read both languages of some bills tabled in the Senate to ensure better comprehension.

This reality brings me to my third point. As we all know, our common law and our civil law judiciary systems have evolved side by side, each borrowing from the other over the years, although the two judicial systems are very different. Common law is born out of precedents; civil law is essentially expressed through the written civil code.

As a result, it is essential that the final decision makers in the interpretation of our laws — our judges in the Supreme Court of Canada — are capable of fully understanding the nuances of both languages and even both systems. Legal scholarship in Canada includes training in both judicial systems and the ability to understand the language in which the jurisprudence and the civil code are written. Again, in the Official Language Commissioner's own words:

> I have difficulty comprehending how one could boast "a lifetime of legal scholarship" without being able to understand Canada's jurisprudence in French."

Fourth, Bill C-232 is about fairness in the application of justice. It is evident to me that language is a major component in upholding that principle. As a former broadcast executive, I am keenly aware of the voice of a person — tone, level and rhythm. Often, it is a major factor to the success of a production, movie or radio show. As a lawyer, I am keenly aware that the use and comprehension of language is imperative to clear understanding. Without such clarity there is omnipresent danger of error through miscommunication.

The Dean of Civil Law at the University of Ottawa, Professor Sébastien Grammond, wrote:

> Legal language is highly technical and cannot suffer from imprecision. . . . Lawyers who appear before the Supreme Court finely hone their arguments and rehearse several times. Each sentence is carefully crafted, especially as time is short. It is not too much to ask that judges understand all the subtlety and the nuance of what is being said in the language in which it is said.

• (1640)

[*Translation*]

Fifth, honourable senators, we all know that the calibre of judges at the Supreme Court of Canada should be second to none. Their legal knowledge, experience within the legal system, reputation and integrity are of utmost importance.

If they have these qualities, should our judges not also have the linguistic competencies to be able to understand all of the cases being tried before them? A resolution of the Canadian Bar Association, distributed to all its members on May 12, 2010, indicated that bilingualism should be considered as an important element of the merit criteria used in the selection of judges appointed to the Supreme Court.

Graham Fraser, the Commissioner of Official Languages, said:

> Understanding both official languages must be among the qualifications required for these positions, because linguistic duality is one of Canada's most fundamental values.

Furthermore, Jean Leclair, professor of constitutional law at the University of Montreal, said that not only was this bill necessary from a symbolic point of view, but it was also simply a matter of competence. A unilingual judge has only a limited access to the vast corpus of legal commentary and knowledge in the other language.

Professor Leclair added that if an entire section of legal thinking or doctrine is inaccessible because the individual cannot consult those documents, then that is a huge problem.

Sixth, honourable senators, it has been pointed out that it takes decades for a lawyer to obtain the stature and renown needed to be considered as a candidate for a Supreme Court position.

During those years, a person would have had many opportunities and had access to a number of resources to learn a second language. Openings at the Supreme Court of Canada are rare. There are nine judges, who are appointed until the age of 75. On average, a position opens up every five years. Lawyers certainly have enough time to adapt to the selection criteria they would have to meet.

A friend who specializes in learning told me that it is always possible to learn a language, but nearly impossible to acquire moral attributes such as the generosity, empathy and integrity required for this position. If that is true, then I think an experienced lawyer would be motivated to overcome any linguistic deficiency that stood in the way of a nomination.

In fact, learning another language is a reward in and of itself. I am sure that the men and women who practice law and aspire to sit on the Supreme Court one day would find that having access to so much more doctrine, case law and research, in English and French, adds greatly to their knowledge.

Finding qualified candidates across Canada will not be an obstacle. We already do it in the realms of politics and administration. Why would we be unable of finding lawyers, people who have a capacity for learning and are some of our leading minds?

My seventh and final point brings me to the Charter of Rights and Freedoms entrenched in the Constitution in 1982, which guarantees us the right to be heard in the official language of our choice. This assurance is found in section 19, which allows any person to use either English or French in any pleading in or process issuing from any court established by Parliament. In the spirit of the Charter, it seems to me that if litigants appearing before the Supreme Court of Canada have the right to use either language, then judges have a corresponding responsibility to ensure that litigants are heard and understood without benefit of an interpreter. The important word in what I just said is "understood."

The term used in the bill is "understanding." In a ruling handed down by the Manitoba Court of Appeal and cited by the Supreme Court of Canada, Chief Justice Monnin explains that there are four phases to the comprehension of a language: understanding of the written language; understanding of the spoken language; the ability to express oneself orally in the language; and the ability to write in the language. The chief justice says that it is not necessary for judges to qualify in the third or fourth phases, but it is essential that they understand the language.

Thus, it is surprising to hear people say that the bilingual requirement is unconstitutional because it discriminates against unilingual lawyers.

This discrimination is justified by subsection 16(3), which stipulates that, although a provision is discriminatory, nothing in the Charter:

> . . . limits the authority of Parliament. . . to advance the equality of status or use of English and French.

This clause allows the use of positive discrimination regarding language.

In an article published recently in *Lawyer's Weekly*, the Dean of Civil Law at the University of Ottawa, Sébastien Grammond, said that the reform proposed in Bill C-232 is long overdue in a country that boasts about its bilingual character.

Honourable senators, I believe that these arguments in support of Bill C-232 speak for themselves. This bill is a reflection of Canada's linguistic duality and our bijural system. As parliamentarians, as sworn members of this upper chamber and as representatives of all regions of Canada and all of Canada's linguistic and cultural minorities, we must come together to affirm that it is unacceptable for Canada to be the only country in the world whose Supreme Court judges are not required to understand both official languages of the country.

No other country in the world would accept that its highest court does not speak the country's official language.

[*English*]

The Hon. the Speaker *pro tempore***:** On debate.

[*Translation*]

Hon. Michael A. Meighen: Would the honourable senator accept a question?

Senator Poulin: With pleasure, although Senator Meighen always frightens me, because I know he pays close attention.

Senator Meighen: I pay very close attention, but that is not to say that my colleagues around me do not pay attention.

[*English*]

The Hon. the Speaker *pro tempore***:** I regret to advise the honourable senator that she will have to ask for more time because the scheduled time for this debate has expired. Is the honourable senator asking for more time?

[*Translation*]

Senator Poulin: I ask honourable senators for five more minutes.

Hon. Senators: Agreed.

Senator Meighen: I understand that Senator Poulin very much wants bilingualism or knowledge of the other language to be required for Supreme Court appointees. I would like her to clarify something: is it not a fact — and this does not contradict what she said — that bilingualism or the ability to understand the other official language is already among the selection criteria? It may not be an essential requirement, but if, for example, there were two equally qualified judges, and if one had mastered both languages while the other knew only one language, those making the selection would have to select the bilingual judge.

Senator Poulin: I have never been responsible, honourable senators, for making the kind of important decision the senator has described.

• (1650)

If I understand the honourable senator's question, he is asking whether that is how it already works and, if so, why we need a law.

Senator Meighen: Not exactly. I understand that bilingualism is not a *sine qua non* requirement for appointment, but it is one of the selection criteria. If we were equally qualified judges, the only difference being that you were bilingual and I was not, you would be selected and I would not.

Senator Poulin: However, based on the honourable senator's skills, extensive experience and eloquence, and on the fact that he understands this country's two official languages, there can be no doubt that the current Prime Minister would appoint him to the Supreme Court of Canada.

Senator Meighen: I have never had any interest in becoming a judge.

(On motion of Senator Meighen, debated adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Moore, for the second reading of Bill C-464, An Act to amend the Criminal Code (justification for detention in custody).

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, Senator Cools unfortunately had to excuse herself for a little while this afternoon. She was here earlier and should be back later today.

She asked that I move adjournment in her name. I do not wish to make any comments on behalf of Senator Cools because she can certainly give a much better presentation than I. Therefore, with your permission, I move adjournment of the debate in her name.

(On motion of Senator Comeau, for Senator Cools, debate adjourned.)

[*English*]

CONTRABAND TOBACCO

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Segal calling the attention of the Senate to the seriousness of the problem posed by contraband tobacco in Canada, its connection with organized crime, international crime and terrorist financing, including the grave ramifications of the illegal sale of these products to young people, the detrimental effects on legitimate small business, the threat on the livelihoods of hardworking convenience store owners across Canada, and the ability of law enforcement agencies to combat those who are responsible for this illegal trade throughout Canada, and the advisability of a full-blown Senate committee inquiry into these matters.

Hon. Jane Cordy: Honourable senators, I rise to speak today to Senator Segal's inquiry on the increasing problem of contraband tobacco in Canada and, in particular, the availability of these products to Canada's youth and the negative financial effect on convenience store owners and taxpayers of Canada. I would like to thank Senator Segal for the work that he has done on this file and for bringing the inquiry on contraband tobacco to the Senate.

We know that tobacco is the leading preventable cause of death. Tobacco does a great deal of harm and is responsible for the deaths of about 37,000 Canadians every year. These are deaths that could be prevented. More than 5 million people die from the effects of tobacco every year worldwide.

Tobacco is the only legal consumer product that kills when it is used exactly as intended. Up to half of all smokers will die from some tobacco-related disease, all the more reason to take action to prevent young people from taking up the habit of smoking, and to encourage current smokers to quit.

Honourable senators, the growing contraband tobacco industry increasingly undermines the efforts of Canada's legislative bodies to curb youth smoking. It is the number one threat to decreasing tobacco use in Canada, especially among teens. The contraband tobacco market also fuels organized crime and threatens the livelihoods of legitimate small business owners who rely on tobacco sales for the majority of their profits.

In 2008, it was reported that nearly 3 billion more contraband cigarettes were sold in Canada than were sold in 2007. That is a shocking number, and all evidence indicates that these numbers are continuing to rise.

Nowhere does the availability of cheap, contraband tobacco have as high an impact as on the young people in our communities. We know that the number one deterrent to youth smoking is the price factor; but with bags of 200 contraband cigarettes selling for as low as $10, compared to the retail price for the same quantity being between $50 and $55, the price deterrent is eliminated. The result is that more young people take up smoking, and they smoke more frequently because of the cheaply priced cigarettes.

The National Coalition Against Contraband Tobacco, in 2009, conducted a study of the concentration of contraband cigarettes on 110 high schools around Ontario and 85 schools in Quebec. They found that over 30 per cent of cigarette butts collected in Ontario and 45 per cent collected in Quebec were contraband. The Centre for Addiction and Mental Health's Ontario Student Drug Use and Health Survey claims that 60,000 Ontario high school students smoked contraband cigarettes at some point in 2009.

Honourable senators, that is an astounding number. These results clearly indicate that Canada's youth are being targeted by the contraband tobacco industry — and, honourable senators, it is an industry. The smoking rate among our teens is on the rise.

Over the past several years, the illegal tobacco trade has been allowed to get a solid foothold in Canada. The economic trickle-down of the illegal cigarette industry has seen small convenience store operations close at an alarming rate. Last year, 285 stores closed in Atlantic Canada and, in Ontario 800 stores shut down. The Ontario industry also saw 5,000 employees let go from convenience store jobs. Tobacco products make up a large percentage of these small business profits and, without these sales, their businesses are no longer financially feasible.

The contraband industry is not the sole factor in these stores closing, as a poor economy has had its effect as well. However, when a person bypasses purchasing legal tobacco and buys contraband cigarettes, the small store owners lose a customer who would normally purchase add-on items, such as milk or juice.

It goes without saying that the financial loss to federal and provincial governments is quite substantial. Persons purchasing an illegal product of any kind are obviously not paying tax. If the

government needs motivation to act now, how about the nearly $2.4 billion in tax revenues lost to the contraband tobacco industry each year.

Honourable senators, I would like to add that this is not just lost revenue to governments, but revenue lost to the taxpayers of Canada.

Last fall, I participated as a member of the Social Affairs, Science and Technology Committee which studied Bill C-32, An Act to amend the Tobacco Act, banning the sale of flavoured tobacco in Canada. As well, I was the opposition critic for the bill. I supported the bill and its intentions and I spoke at second and third readings in favour of banning the sale of flavoured tobacco. I still support it. Fewer tobacco products available on the market to entice new users is always a good thing.

Unfortunately, with Bill C-32 becoming law, it had unintended, but certainly not unforeseen, consequences. The fear was always that banning these products would not remove them from society, but rather push them into the black market, where now organized criminals hold a monopoly on the market. Bill C-32 was quite limited in its powers. I noted as much in my speech at third reading of Bill C-32.

• (1700)

What is required is a serious and concerted effort at the federal level to address the problem of contraband tobacco and develop a national action plan.

Honourable senators, I was encouraged to hear the government's May 28 announcement regarding contraband tobacco initiatives, which include a public awareness campaign by the Canada Revenue Agency to raise awareness of the impacts of buying contraband tobacco, the Dog Detector Service in Montreal and Vancouver and the establishment of the RCMP Special Contraband Tobacco Team.

As Mike Hammoud, President of the Atlantic Convenience Stores Association stated, this is a very good starting point. I do agree that this is a good start.

Honourable senators, there must be better consultation between federal departments and agencies with stakeholders when developing government policies. During the hearings on Bill C-32, I was discouraged by the frequency with which witnesses testified that no consultation took place with them in conjunction with developing Bill C-32. They had requested inclusion, but they were ignored or flatly refused.

This is where I believe the Senate is in a position to act. The Senate has the benefit of being able to provide a focused and extensive analysis of the issue of contraband tobacco. A Senate committee inquiry would allow for a comprehensive study of the issues and provide a forum for stakeholders to participate in the debate at the federal level to provide valuable insight and perspective. It will take the input and the inclusion of many groups, from law enforcement, from anti-tobacco and health advocates and from First Nations stakeholders, as well as those who rely on the legal tobacco sale industry for their livelihoods.

I applaud Senator Segal's efforts to initiate a Senate study on the issue of contraband tobacco, and the honourable senator has my full support.

The Hon. the Speaker *pro tempore***:** Further debate?

(On motion of Senator Comeau, debate adjourned.)

[*Translation*]

THE SENATE

MOTION TO ESTABLISH NATIONAL DAY OF REMEMBRANCE AND ACTION—ORDER STANDS

On the Order:

> Resuming debate on the motion of the Honourable Senator Dallaire, seconded by the Honourable Senator Robichaud, P.C.
>
> That in the opinion of the Senate, the government should establish a National Day of Remembrance and Action on Mass Atrocities on April 23 annually, the birthday of former Prime Minister Lester B. Pearson, in recognition of his commitment to peace and international cooperation to end crimes against humanity.—(*Honourable Senator Comeau*)

Hon. Roméo Antonius Dallaire: Honourable senators, the motion has reached day 12 on the Notice Paper, whereas in the other place they have already voted unanimously on this point the same day. I have difficulty accepting that we are having such trouble dealing with this motion. April 23 has already passed. Can we be given an idea of how long it will take to conclude this matter?

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, on this side of the chamber we also have items that have been lingering on the Order Paper for months. Senator Wallin's motion to recognize the events of September 11 is in its second session. We are wondering what the problem is with her bill. Perhaps it is the same type of problem with your motion. We would like to have answers from both sides.

Senator Dallaire: The strength of Senator Comeau's leadership might help speed up the process.

Senator Comeau: I sincerely thank the honourable senator for describing me that way, but given that he is also a man of great influence, perhaps he could discuss this with his colleagues. It is possible that by putting less pressure on Senator Wallin, for instance, things might move more quickly. There is a wonderful expression in English:

[*English*]

If you scratch my back, I will scratch yours, and we may arrive at something.

[*Translation*]

Senator Dallaire: In Quebec, we call that blackmail. We will work it out together if you do not mind.

Senator Comeau: I would like to discuss this further with the honourable senator. I will be back on Monday. We could meet in my office to discuss this over a cup of coffee.

(Order stands.)

[*English*]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

Leave having been given to revert to Notices of Motions:

Hon. Joan Fraser: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

> That the Standing Senate Committee on Legal and Constitutional Affairs have the power to sit on Tuesday, June 22 and Wednesday, June 23, 2010, even though the Senate may then be sitting, with the application of rule 95(4) being suspended in relation thereto.

RETENTION OF PHYSICIANS

CHANGES TO FEDERAL TAX LAWS TO ALLOW PROVINCES TO NEGOTIATE VOLUNTARY PENSIONS WITH SELF-EMPLOYED PHYSICIANS— INQUIRY—DEBATE CONCLUDED

Hon. Mac Harb rose pursuant to notice of June 10, 2010:

> That he will call the attention of the Senate to the fact that to retain physicians and protect our investment in the doctors we train, Canada should change federal tax laws to allow provinces to negotiate for voluntary pensions with self-employed physicians which would increase retention without necessitating increased funding and reduce federal involvement in this provincial area of jurisdiction.

He said: Honourable senators, we were all overjoyed when the federal government recently came to its senses and decided to come on board with pension reform. I understand that some of the proposed changes will be complex and will take negotiations and compromise.

However, I rise today to call on the government to act swiftly on one aspect of pension reform that will have a dramatic impact on health care in our country. There are two major issues involving physicians in Canada today. One is a well-documented shortage of doctors that is endangering the health care and well-being of Canadians. The second issue is the fact that many self-employed physicians cannot adequately prepare for retirement because of federal tax laws that prevent their access to registered pension plans. Both of these issues can be at least partially resolved by making changes to the tax laws to allow for voluntary participation in registered pension plan options for self-employed physicians.

Honourable senators, let us look at the facts. When it comes to the number of doctors per capita, Canada is ranked at a lowly 26 out of 30 OECD countries. Furthermore, 5 million Canadians do not have a family doctor. Doctor shortages are linked to premature mortality, infant and perinatal mortality. Although we have seen the actual number of physicians increase slightly, many of them are working fewer hours, splitting practices and opting for a better work-life balance, and rightly so.

While medical school enrolment in Canada is up, experts are predicting a shortfall of 200,000 doctors in the United States by 2020. It is pretty obvious that this will pull more and more of these Canadian-trained doctors across the border for higher pay and better opportunities. There are already over 10,000 Canadian physicians practicing in the United States. Part of the attraction of the United States and part of the reason that Canada is suffering from a doctor shortage is the fact that doctors in Canada must rely on inadequate individual registered retirement savings plans for their financial security after retirement.

• (1710)

The recent economic downturn highlighted the cracks in this outdated retirement option for self-employed physicians. When Canadian doctors' investments go south, so to speak, too often these Canadian-trained doctors end up going south as well to recoup their losses.

Here is the situation facing doctors: The vast majority of physicians are self-employed and, therefore, cannot participate in workplace registered pension plans, despite the fact that they are in a unique category of the self-employed, paid on a fee-for-service basis by a single client, the provincial government. Physicians must depend on registered retirement savings plans, RRSPs, which are vulnerable to the global markets. This vulnerability is even worse when RRSPs reach maturity when markets are low and holders must sell low, as we have seen and experienced recently.

Maximum limits on RRSP contributions mean that retirement income for many doctors falls well below the accepted goal of 60 per cent of pre-retirement income. Doctors in all countries with national medical systems are allowed, through tax law variation, to contribute to a pension plan. For example, all doctors in the United Kingdom, the Netherlands and Germany are allowed to have their own pension plans. Canadian doctors are left high and dry.

A small change to the federal tax law deeming self-employed physicians eligible for pensions will remove the legal obstacle that prevents doctors from negotiating for pensions. Access to a pension plan will attract doctors and encourage Canadian-trained doctors to stay and work at home.

I have met with the Canadian Medical Association, which represents close to 72,000 physician members. The Canadian Medical Association has prepared and submitted to the Standing Senate Committee on Banking, Trade and Commerce a submission that fully supports measures that will allow organizations to sponsor registered plans and supplementary employee retirement plans on behalf of self-employed physicians.

I have also met and worked with Dr. Mary Fernando, who initially brought this issue to my attention. She is a long-time advocate for giving self-employed physicians the right to pensions if they so choose. She has worked hard to convince the

government to make this change so that pensions can be used as a means to attract and retain physicians in Canada. As she has pointed out, there is a significant retention potential in pensions that RRSPs lack.

A 2007 poll by the Canadian publication *The Medical Post* found that 91 per cent of physicians wanted pensions, and we can see why. I recently received an email from a doctor in British Columbia who said this:

> I am a family physician in British Columbia and . . . have found during my 20-plus years of practice that the earnings I expected never materialized and that one's practice which was once a physician's "nest egg" for retirement . . . can no longer be given away, much less sold . . ."

He goes on to say that:

> We are neither fish nor fowl in terms of payment, being self-employed but unable to raise our rates or charge user fees . . ."

The writing is on the wall and it appears the federal government has finally taken notice.

[*Translation*]

A few months ago, I wrote to the Minister of Finance, urging him to amend a small section in the tax law that affects self-employed physicians. In the response he sent me on April 16, 2010, he systematically opposed my suggestion, claiming that there could not be other pension plans for self-employed workers in Canada and that they should use RRSPs.

The honourable senators on the Standing Senate Committee on Banking, Trade and Commerce have heard the calls for reform. The Canadians who participated in the town hall and round table meetings organized by the federal government across the country were also quite vocal about their views.

As a result, the minister changed his mind, and pension reform is now front and centre. This reform offers more possibilities for the growing number of self-employed Canadians. At least this was an about-face in the right direction for once. However, I still urge the minister to ensure that this minor change to federal tax laws, which would give self-employed physicians access to a pension plan, be made as quickly as possible.

[*English*]

Much is at stake for Canada's health care system. This amendment cannot afford to be delayed due to the complex changes required for other aspects of the government's pension reform package.

In the minister's statement last week, he also spoke in favour of expanding the Canada Pension Plan. According to our Constitution, the support of seven of ten provinces and two thirds of the country's population needs to agree to increase benefits. I think we all realize that this level of agreement on such a complex issue can take time.

While that process unfolds, it is vital that the government move ahead with the changes over which it has jurisdiction. With a simple change in wording in the federal tax law, the doctors will have a green light to proceed with negotiations with their individual provinces and associations if they choose to do so.

Back in October 2008, Prime Minister Harper's party platform included a $20 million fund to repatriate Canadian-trained doctors. Such a plan may have great merit, and I look forward to seeing this program up and running. In the meantime, it is obvious that we should make a small change to the tax law today that, at no cost to the federal government, will attract and retain doctors, encourage the repatriation of those doctors currently practicing in the United States, increase provincial autonomy in health care and ultimately save lives. Delaying is simply not an option.

The Hon. the Speaker: Is there further debate? If no senator wishes to enter the debate, this inquiry will be considered debated.

[*Translation*]

NATIONAL SECURITIES REGULATOR

INQUIRY—DEBATE CONCLUDED

Hon. Céline Hervieux-Payette rose pursuant to notice of June 10, 2010:

> That she will call the attention of the Senate to the national securities regulator.

She said: Honourable senators, I would like to briefly come back to the recommendations made by the Standing Senate Committee on Banking, Trade and Commerce in 2006 — I was a member of that committee then and I still am — concerning a national securities regulator. A report from this Senate committee clearly states on page 88 that:

> . . .oversight of securities markets is the responsibility of the provinces/territories, and each province/territory has its own securities commission or administrator that regulates the securities industry. . .

This report is very clear about consumer protection in the financial services sector. The committee would encourage the federal government to be a leader for the provinces and territories, but not to interfere in provincial jurisdictions and to be a leader in encouraging the provinces and territories as well as the securities commissions to choose how to improve regulations in Canada.

In addition, in this same report, the Investment Dealers Association of Canada stated that there were two ways of improving regulations in Canada. The first is the current system — but more harmonized — which has happened, thanks to the passport system that is currently in place in Canada and which has been improved, allowing business registration requirements and exceptions to be simplified and harmonized, or a national system that recognizes regional markets. I would like to emphasize the word "recognize."

We all know now that it was through the passport system that we managed to harmonize the Canadian markets for issuers here and abroad. As for the second option, we know that efforts are being made, by the Minister of Finance in particular, to come to a consensus with all of the provinces but they, quite legitimately, did not want it to happen this way.

While the Prime Minister and the Minister of Finance are proclaiming that the banking system works very well, and even that it is a model, the same Prime Minister and Minister of Finance are calling for a national securities regulator, apparently to improve that system, without proposing any alternatives.

• (1720)

The Conservatives' proposal makes even less sense in light of the fact that, in his most recent budget, the Minister of Finance, Mr. Flaherty, stated that Canada's existing financial regulatory regime was a model to other countries. That was quoted in *La Presse* on May 17, 2010.

I should point out that the national regulators in the United Kingdom and the United States did not see the crisis coming, even though it originated in those countries and dragged us down with it.

A single securities regulator in Canada would not have seen the crisis coming either. It would not have been any more able to do anything to ensure that existing federal institutions worked properly. In fact, according to an article by Gilbert Lavoie in *Le Soleil*:

> The Governor of the Bank of Canada and the Deputy Minister of Finance are members of a committee of the Office of the Superintendent of Financial Institutions of Canada. The committee, whose mandate is to oversee financial institutions, did not see the commercial paper crisis coming, a crisis that is still affecting several federal agencies, including the Canada Mortgage and Housing Corporation and Canada Post, which bought commercial paper.

Now we know that those investments were very poor, if not entirely fraudulent.

[*English*]

Minister Flaherty uses the example of Earl Jones, of Quebec, as a pretext to demonstrate the necessity of a national securities regulator. He voluntarily or involuntarily forgets to tell the Canadian population that Mr. Jones was not registered with the Autorité des Marchés Financiers. Thus, under these conditions, a national commission would have changed nothing.

I understand more than ever that the Conservative government is ready to use false pretexts and arguments to persuade us of the necessity of its centralist policy. Besides being ineffective, this policy would be useless and would serve only the interests of one province, Ontario, which might represent an electoral potential for the Harper government, but has nothing to do with the greater protection for investors. The true nature of the Prime Minister's open federalism has been revealed, or perhaps endangered.

I would like to add that this week the Premiers of Quebec and Alberta said that they would rather add more police, RCMP and experts to go after white collar criminals than intrude into provincial jurisdiction.

[*Translation*]

The Hon. the Speaker: If no other honourable senator wishes to speak, this inquiry will be considered debated.

CRIMINAL RECORDS ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-23A, An Act to amend the Criminal Records Act.

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

(On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.)

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Maria Chaput, pursuant to notice of June 16, 2010, moved:

> That, pursuant to rule 95(3)(a), the Standing Senate Committee on Official Languages be authorized to sit between Monday, September 13, 2010 and Friday, September 17, 2010, inclusive, even though the Senate may then be adjourned for a period exceeding one week, for the purposes of meeting outside the city of Ottawa in relation to its study of the application of the *Official Languages Act* and of the regulations and directives made under it.

(Motion agreed to.)

[*English*]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Art Eggleton: Honourable senators, I move:

> That the Standing Senate Committee on Social Affairs, Science and Technology have the power to sit on Tuesday, June 22, 2010, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

(Motion agreed to.)

[*Translation*]

ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Monday, June 21, 2010, at 8 p.m.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Monday, June 21, 2010, at 8 p.m.)

THE SENATE OF CANADA
PROGRESS OF LEGISLATION

(*indicates the status of a bill by showing the date on which each stage has been* ***completed***)

(3rd Session, 40th Parliament)

Thursday, June 17, 2010

(**Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.*)

GOVERNMENT BILLS
(SENATE)

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-2	An Act to amend the Criminal Code and other Acts	10/03/17	10/03/29	Legal and Constitutional Affairs	10/05/06	0	10/05/11		
S-3	An Act to implement conventions and protocols concluded between Canada and Colombia, Greece and Turkey for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	10/03/23	10/03/31	Banking, Trade and Commerce	10/04/29	0	10/05/04		
S-4	An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves	10/03/31	10/05/05	Human Rights	10/06/15	9			
S-5	An Act to amend the Motor Vehicle Safety Act and the Canadian Environmental Protection Act, 1999	10/04/14	10/05/12	Transport and Communications	10/06/03	0	10/06/08		
S-6	An Act to amend the Criminal Code and another Act	10/04/20	10/05/05	Legal and Constitutional Affairs					
S-7	An Act to deter terrorism and to amend the State Immunity Act	10/04/21	10/06/17	Special on Anti-terrorism					
S-8	An Act respecting the selection of senators	10/04/27							
S-9	An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)	10/05/04	10/05/26	Legal and Constitutional Affairs	10/06/03	0	10/06/08		
S-10	An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts	10/05/05							
S-11	An Act respecting the safety of drinking water on first nation lands	10/05/26							

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-2	An Act to implement the Free Trade Agreement between Canada and the Republic of Colombia, the Agreement on the Environment between Canada and the Republic of Colombia and the Agreement on Labour Cooperation between Canada and the Republic of Colombia	10/06/15	10/06/16	Foreign Affairs and International Trade	10/06/17	0			
C-6	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 (*Appropriation Act No. 5, 2009-2010*)	10/03/24	10/03/29	—	—	—	10/03/30	10/03/31	1/10
C-7	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2011 (*Appropriation Act No. 1, 2010-2011*)	10/03/24	10/03/29	—	—	—	10/03/30	10/03/31	2/10
C-9	An Act to implement certain provisions of the budget tabled in Parliament on March 4, 2010 and other measures	10/06/08	10/06/10	National Finance					
C-11	An Act to amend the Immigration and Refugee Protection Act and the Federal Courts Act	10/06/15	10/06/17	Social Affairs, Science and Technology					
C-13	An Act to amend the Employment Insurance Act	10/06/17							
C-23A	An Act to amend the Criminal Records Act	10/06/17							
C-24	An Act to amend the First Nations Commercial and Industrial Development Act and another Act in consequence thereof	10/06/15	10/06/17	Aboriginal Peoples					
C-34	An Act to amend the Museums Act and to make consequential amendments to other Acts	10/06/15	10/06/17	Social Affairs, Science and Technology					
C-40	An Act to establish National Seniors Day	10/06/17							

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-232	An Act to amend the Supreme Court Act (understanding the official languages)	10/04/13							
C-268	An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)	10/03/04	10/04/21	Social Affairs, Science and Technology	10/06/03	0	10/06/17		
C-288	An Act to amend the Income Tax Act (tax credit for new graduates working in designated regions)	10/05/06							

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-302	An Act to recognize the injustice that was done to persons of Italian origin through their "enemy alien" designation and internment during the Second World War, and to provide for restitution and promote education on Italian-Canadian history	10/04/29							
C-311	An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change	10/05/06							
C-464	An Act to amend the Criminal Code (justification for detention in custody)	10/03/23							
C-475	An Act to amend the Controlled Drugs and Substances Act (methamphetamine and ecstasy)	10/06/10							

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-201	An Act to amend the Office of the Superintendent of Financial Institutions Act (credit and debit cards) (Sen. Ringuette)	10/03/04	10/03/30	Banking, Trade and Commerce					
S-202	An Act to amend the Canadian Payments Act (debit card payment systems) (Sen. Ringuette)	10/03/04	10/04/20	Banking, Trade and Commerce					
S-203	An Act respecting a National Philanthropy Day (Sen. Mercer)	10/03/04	10/04/29	Social Affairs, Science and Technology	10/06/08	2	10/06/10		
S-204	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-205	An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-206	An Act to establish gender parity on the board of directors of certain corporations, financial institutions and parent Crown corporations (Sen. Hervieux-Payette, P.C.)	10/03/09	10/05/13	Banking, Trade and Commerce					
S-207	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	10/03/09							
S-208	An Act to amend the Conflict of Interest Act (gifts) (Sen. Day)	10/03/09							
S-209	An Act respecting a national day of service to honour the courage and sacrifice of Canadians in the face of terrorism, particularly the events of September 11, 2001 (Sen. Wallin)	10/03/09							

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-210	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament) (Sen. Banks)	10/03/09	10/03/18	Energy, the Environment and Natural Resources	10/04/22	0	10/04/27		
S-211	An Act respecting World Autism Awareness Day (Sen. Munson)	10/03/10	10/04/20	Social Affairs, Science and Technology	10/06/08	4			
S-212	An Act to amend the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	10/03/10	10/03/31	National Finance					
S-213	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Murray, P.C.)	10/03/23	Bill withdrawn 10/05/27						
S-214	An Act to amend the Bankruptcy and Insolvency Act and other Acts (unfunded pension plan liabilities) (Sen. Ringuette)	10/03/24	10/06/10	Banking, Trade and Commerce					
S-215	An Act to amend the Criminal Code (suicide bombings) (Sen. Frum)	10/03/24	10/03/31	Legal and Constitutional Affairs	10/05/06	0	10/05/11		
S-216	An Act to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act in order to protect beneficiaries of long term disability benefits plans (Sen. Eggleton, P.C.)	10/03/25	10/06/17	Banking, Trade and Commerce					
S-217	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	10/04/14	10/06/15	Social Affairs, Science and Technology					
S-218	An Act respecting Canada-Russia Friendship Day (Sen. Stollery)	10/05/12							
S-219	An Act to amend the Canada Post Corporation Act (rural postal services and the Canada Post Ombudsman) (Sen. Peterson)	10/06/01							
S-220	An Act to amend the Official Languages Act (communications with and services to the public) (Sen. Chaput)	10/06/09							
S-221	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	10/06/10							

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.

CONTENTS

Thursday, June 17, 2010

ORDERS OF THE DAY

Available from PWGSC – Publishing and Depository Services
Ottawa, Ontario K1A 0S5