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Wednesday, December 18, 1996

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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Wednesday, December 18, 1996

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

Prayers.

[Translation]

SENATOR'S STATEMENT

THE HONOURABLE JEAN B. FOREST

CONGRATULATIONS ON CELEBRATION OF
FIFTIETH WEDDING ANNIVERSARY

Hon. Marcel Prud'homme: Honourable senators, there are sad occasions in our lives, and there are very happy ones. On this last sitting day of the year, I believe that all honourable senators will join me in wishing all the best to a colleague who — I have just been told — will celebrate her fiftieth wedding anniversary this weekend.

[English]

If I am right, honourable senators, this weekend Senator Forest will celebrate her 50th wedding anniversary. I know that all honourable senators will want to congratulate her and wish her the very best.

ROUTINE PROCEEDINGS

STATE OF FINANCIAL SYSTEM

INTERIM REPORT OF BANKING, TRADE AND COMMERCE
COMMITTEE ON STUDY PRESENTED

Hon. Michael Kirby, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Wednesday, December 18, 1996

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

ELEVENTH REPORT

Your Committee, which was authorized by the Senate on Thursday, March 21, 1996, to examine and report upon the

present state of the financial system in Canada, now presents an interim report entitled *Joint and Several Liability and Professional Defendants*.

Respectfully submitted,

MICHAEL KIRBY
Chairman

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

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

• (1340)

QUESTION PERIOD

TRANSPORT

PEARSON INTERNATIONAL AIRPORT—LEASE TO GREATER TORONTO AIRPORTS AUTHORITY—ACCURACY OF NEWS RELEASE REGARDING PREVIOUS AGREEMENTS WITH PRIVATE CONSORTIUM—ACCURACY OF INFORMATION CONTAINED IN DELAYED ANSWER—GOVERNMENT POSITION

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, earlier this month I asked the Leader of the Government in the Senate to explain how the government, in a press release following the transfer of Pearson airport to the Greater Toronto Airports Authority, could justify the blatant inaccuracy that the previous government was to sell Terminals 1 and 2 to the private sector. We all should have known — and, no doubt, whoever wrote this press release knew it as well — that the arrangement between the previous government and the consortium was a lease for two terminals for a specific period of time.

Understandably, the minister could not give a direct response on the day the question was asked. However, a few days later, the Deputy Leader of the Government in the Senate delivered a delayed answer to my oral question, which was reported in *Hansard*.

What troubles me is not so much the answer itself as the nature in which it is given. There are two paragraphs. The first paragraph ends by saying:

The Senator is correct in stating that the T2/T1 deal was a 57-year lease and not a sale.

The point of the question was not to prove me, as a senator, correct. The point of the question was to ask: How could the Department of Transport issue such a press release, knowing that the information it was giving was false? Second, telling me that I was right is not enough by itself. It is those who receive the press release who should be told that the information given was false. I have yet to see that a corrected press release has been issued.

My question to the minister is: You have admitted that you made a "mistake." Let us leave it at that. Will you please correct the mistake by issuing to those to whom you gave the wrong information a new press release and allowing the right information to be disseminated?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will convey my honourable colleague's point to the Minister of Transport.

Senator Lynch-Staunton: Honourable senators, this is the minister's own answer. "Delayed answers" are the Leader of the Government's answers, which cannot be given at the time the questions are asked. The Leader of the Government has an impossible task, for which I do not envy her or anyone in her position, that of taking questions on all facets of the federal government and being expected to answer those questions on the same day. When delayed answers are given, however, they are the responsibility of the minister in this house. She is party to this answer.

Honourable senators, there is another part of this answer that is troubling. It ends up by stating, "the transfer of the entire airport to the GTAA," the Greater Toronto Airports Authority. Well, "the entire airport" was not transferred to the GTAA. There is still Terminal 3, which is in private hands, administered by private enterprise, built by private enterprise, and the land on which it was built by private enterprise is leased to the consortium responsible for its administration.

In the minister's answer there is not only no suggestion that the press release will be corrected, but she also gives another distortion by saying that the entire airport was transferred when, in fact, it was not.

Senator Fairbairn: Honourable senators, I will take responsibility for trying to provide accurate information to this house. I will revisit this matter with the department. I take responsibility for what has been transmitted through me to the Leader of the Opposition, and I will follow up on my honourable friend's comments and send him what clarifications exist.

GOODS AND SERVICES TAX

APOLOGY OF PRIME MINISTER FOR FAILURE TO HONOUR PRE-ELECTION PROMISE—RELIABILITY OF PROMISE—GOVERNMENT POSITION

Hon. Ron Gitter: Honourable senators, it is not often that I rise to ask questions. However, over the last few months I have seen situations that concern me. I have seen a Prime Minister who has waffled and been somewhat questionable in his approach to the GST and in his comments in respect to the homeless; a Deputy Prime Minister who, in the last few days, has waffled on numbers relative to CBC layoffs; a Minister of Defence who resigned for one reason when everyone knew the real reason; and, yesterday, a Minister of Health who suggested that there is glass in our tobacco. This disdain for the facts and this pattern of deception brings politicians, Parliament and our institutions into disrepute and contributes to rising cynicism.

Is it now acceptable for this government to deceive, manipulate facts, spin out untruths and do anything at all to get re-elected?

Hon. Joyce Fairbairn (Leader of the Government): Absolutely not, honourable senators.

Senator Gitter: Honourable senators, is it acceptable for the Prime Minister — instead of giving an apology to the country, as should be the case — to come forward and state that he was tired and exhausted as the reason for his mistake? Is that what we should expect from our Prime Minister?

Senator Fairbairn: Honourable senators, the Prime Minister expressed himself clearly in Newfoundland. I stand by his words, which included an apology and an expression that he was sorry that the misunderstanding had occurred. He has spoken, as has the Minister of Finance, of the difficulties with the issue. He has spoken, as has the Minister of Finance, about the fact that we were mistaken in believing that we could solve that issue as quickly and in the manner in which we had desired.

We have worked very hard in the last three years to find an appropriate response, and we have begun to address the issue with the harmonization of the GST in the three Atlantic provinces. It is not what we had hoped to do, but, after careful consideration, the government concluded that it was the most appropriate action for Canada in a time when we are, and have been, having extreme difficulty with our fiscal situation. The study by the House of Commons Finance Committee came to the same conclusion.

ACCURACY OF HOUSE OF COMMONS HANSARD—
GOVERNMENT POSITION

Hon. Ron Gitter: Honourable senators, I have another somewhat related question: Is it the policy of government to doctor the House of Commons debates in order to make the Prime Minister look better in the comments he makes to the House? Is that the policy of the government?

Senator Gigantès: Do you think Mulroney is still Prime Minister?

Senator Gitter: I refer to Hansard of December 12, 1996. The question by Mr. Manning to the Prime Minister was as follows:

Mr. Speaker, if the Prime Minister is not afraid to attend town hall meetings, will he assure the House and all Canadians that he will not retreat back into his bubble, that he will present himself at more town hall meetings and public forums where Canadian voters can hold him accountable for his actions and his deeds?

The answer reported in Hansard on December 12 is as follows:

Mr. Speaker, not long ago I was challenged by his seatmate. We have a debate here every week and I am in the House more than many other members of Parliament.

The word “many” is interesting, Your Honour, because the tape confirms that he did not say “more than many other members of Parliament”. The true answer was, “I am in the house more than any other members of Parliament.”

Is this a case, once again, of our Prime Minister being loose with words? What are Canadians to believe? I should like the consent of the Senate to file this tape so that anyone who wishes to hear it may do so.

May I have an answer? Do you manipulate the blues? Do you change the words?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, we have been appointed to the Senate. I am responsible for my actions here in the Senate, as is each senator. I would never touch the *Debates of the Senate*. We have no responsibility or knowledge of the situation in the House of Commons.

Senator Lynch-Staunton: You are defending the Prime Minister.

Senator Fairbairn: My friend may have tapes, and Hansard may say something else. The Prime Minister will stand by his words.

Senator Lynch-Staunton: Which ones?

Senator Gitter: Which words? Who are we to believe?

Senator Fairbairn: Obviously, the words that he uttered.

Senator Gitter: Which words should Canadians believe?

• (1350)

The Hon. the Speaker: Honourable senators, I should like to remind you of rule 46, which prohibits us quoting from speeches made in the other place in the current session.

Senator Gitter: Honourable senators, may I have the consent of the chamber to table this tape?

Some Hon. Senators: No.

Senator Gitter: Is the government refusing me the opportunity to table the tape?

The Hon. the Speaker: Senator Gitter, speeches made in the other place during the current session are not to be quoted in this place.

INFRASTRUCTURE PROGRAM

EFFICACY OF LIST OF PROJECTS CONSTRUCTED—PROPRIETY OF CERTAIN GRANTS—REQUEST FOR ANSWER

Hon. Gerry St. Germain: Honourable senators, my question is also directed to the Leader of the Government in the Senate. Yesterday, I asked her a question about an article entitled “Taxpayers’ Group Documents Continuing Government Waste,” written by Diane Francis and supported by the National Citizens’ Coalition, about the inherent waste of taxpayers’ dollars in building golf courses in Ontario, billiard clubs in British Columbia, coin laundries in Alberta and bowling alleys in Quebec.

Does the minister have an answer on this matter today? Is this waste actually taking place?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I received a copy of the article to which Senator St. Germain refers. I have transmitted it to my colleague Mr. Manley for an answer. I do not have that answer today.

GOODS AND SERVICES TAXRESPONSIBILITY OF SENATE LEADER FOR ACCURACY OF
GOVERNMENT STATEMENTS MADE IN PARLIAMENT

Hon. Gerry St. Germain: Honourable senators, in response to Senator Ghitter, the Leader of the Government in the Senate said that she is responsible only for her activities in this place. I believe that she represents cabinet and the government, and that she must assume that responsibility. She is a member of cabinet. My understanding is that she answers for the government in this place, and not strictly for herself. Does the Leader of the Government in the Senate, in fact, represent the government, or is she only representing herself in this place?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I should like to answer Senator St. Germain's question immediately. I am the Government Leader in the Senate and I represent the government in this place. When answering Senator Ghitter, I was referring to my comments made in the Senate, and my responsibility in terms of the *Hansard* of the Senate. It is that to which I was referring.

As I have said to Senator Lynch-Staunton, of course I take responsibility for the answers provided from the government, through me, to this house. If those answers are incorrect or require more information, they will go back to the source and I will endeavour, to the greatest degree of my ability, to get those answers and to get them right. It is that simple.

That is the way in which I operate in this house, and that is the way my honourable friend Senator Murray operated in this house. I resent the suggestion from my honourable friend that it would be done in any other way.

Senator St. Germain: Honourable senators, as a senator, I resent much of what is currently happening in Canada, as do many other Canadians. However, unfortunately we cannot do much about that until we have another election.

Honourable senators, the Leader of the Government in the Senate says that the information that she brings to this house is accurate. Yesterday, in this place, she said that the government had devised a better way of dealing with the GST, which is fairer; that is, replacing it with a harmonized tax.

However, as is shown in *Debates of the Senate* on November 29, 1990, on that day this same minister was very critical of harmonization of the GST with provincial sales taxes. She said that not only would it be confusing and put much money into the hands of lawyers, but also that it would cost the average taxpayer more.

Why has she changed her mind between then and now? Is she now saying that a harmonized GST is the best and fairest form of taxation for Canadians? If so, should she not apologize for making a mistake similar to the Prime Minister's in saying one thing yesterday and another today?

Canadians need accurate information. I would hate to think that the minister would ever do anything contradictory. Will she please comment on that?

Senator Fairbairn: Honourable senators, I welcome the questions of Senator St. Germain and miss them when he is absent.

Honourable senators will surely know that in the fall of 1990, together with my comrades, I fought as fiercely as possible against the GST. There is no question about that.

I do not know whether my honourable friend was listening earlier when I was explaining, as I have explained over and over to this house, that when we came into government we were faced with a fiscal situation that had placed an absolute responsibility on this government to bring down the deficit in order to restore stability to this country.

In our endeavours to resolve the situation, we studied, publicly and at length across this country, a replacement for the GST. Many different vehicles were explored. I believe the Minister of Finance said that there were 20. None of them was capable of providing the economic stability and security that this country needs to give Canadians the social and other programs they deserve.

We began to change the GST through harmonization after negotiation with the provinces, in order to provide them with a fairer and simpler tax that would enhance opportunities for all Canadians.

Nova Scotia, New Brunswick and Newfoundland have harmonized their taxes. The Minister of Finance is working hard at putting in place a national harmonized tax. I support him thoroughly in his efforts. I hope they will come to fruition much sooner rather than later.

HEALTH

INQUIRY ON SAFETY OF BLOOD SUPPLY—POSITION OF MINISTERS OF HEALTH ON PROTECTION OF BLOOD SYSTEM

Hon. Richard J. Doyle: Honourable senators, in this open season on government apologies, my question is for the Leader of the Government in the Senate and has to do with the much maligned Krever Commission of Inquiry on the Blood System in Canada.

According to the newspapers, the government has apologized for its lengthy — and by “lengthy” I mean 474 pages — report on commission misdeeds and its suggestions that blame might be attached to any of those officials whose errors of omission and commission led to the AIDS epidemic of the 1980s. A government lawyer told Judge Krever that the department’s language was inappropriate, and he apologized for it. He added that government officials are not trying to undermine the judge’s inquiry by reforming the blood system before his report is released in April.

During his apology, the messenger said, “The processes are separate, parallel, and they will converge.” The Oxford dictionary definition of the word “converge” is to “meet in a point.”

• (1400)

My question to the Leader of the Government in the Senate is this: When did the government decide upon a policy of official convergence of the two assessments of blood trouble?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I should like to review Senator Doyle’s question in *Hansard*, if I might, and respond later.

Senator Doyle: That is some small help.

In October of 1993, the appointment of Judge Krever was announced. Indeed, weeks before that day, federal, provincial and territorial ministers of health met in Edmonton and set up a task force to review the blood issues and report not later than September, 1994.

Since then, honourable senators, we know where Judge Krever has been, but where have the health ministers been between apologies? Apparently, they have been whirling about from

report to report, until we are now expecting them to meet Judge Krever without any opportunity to profit by the inquiry’s patient examination of the tragedy.

Senator Fairbairn: Honourable senators, I will take that question under advisement, along with Senator Doyle’s earlier question. I know the honourable senator is aware that the federal minister has met with the provincial and territorial ministers over many months on the question of putting together plans for protection of the blood system. I know he knows that, but he is obviously referring to something else here.

SOLICITOR GENERAL

DISPROPORTIONATE NUMBER OF ABORIGINAL INMATES IN PENITENTIARIES—POSSIBILITY OF PLANS TO COUNTERACT CURRENT TREND—GOVERNMENT POSITION

Hon. Mira Spivak: Honourable senators, a recent devastating report on the condition of a provincial jail in Manitoba highlighted the urgent need for a national strategy to attack the roots of crime. Ted Hughes, the retired judge and author of the report, pointed out that 70 to 80 per cent of the inmates in Manitoba’s jails are aboriginals, and he urged Manitobans to take the lead in bringing to national attention the social inequities that have led to a disproportionately large number of aboriginal people being imprisoned across the country. He termed it an explosive situation that could threaten, in Manitoba at least, the breakdown of control of our streets.

One of his recommendations is that Canada, and Manitoba in particular, must commit more resources to attack the roots of crime.

Can the Leader of the Government in the Senate tell us whether the Government of Canada has taken note of this situation, whether there have been talks with the Manitoba government officials on this matter, whether the Government of Canada will take the initiative in solving this crucial problem, and, I must add, prod seemingly complacent provincial governments into action?

The question, in short, is: Will the federal government play a leadership role in this very important problem?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I cannot answer the honourable senator’s questions either on the specific case or on what communications took place between levels of government. However, I will try to get that information for her.

In terms of the overall question she has posed, it is an incredibly serious question for this country. One only needs to visit any urban community, particularly in Western Canada, to understand the dimensions of the problem. I know the city of Winnipeg is a very sad example of it. The simple answer to her question as to whether the federal government will take a leadership role on this issue is yes.

Senator Spivak: Honourable senators, I have a supplementary question. What Ted Hughes did was simply call attention to a very shocking situation that everybody knew about anyway. However, he documented it very well. I know there is some sort of initiative being considered within the Department of Justice with regard to children. Could the Leader of the Government tell us whether that initiative has elements broader than that? Does it, for example, involve any other department, such as the Department of Human Resources Development? Will it address this particular issue, raised by Mr. Hughes, that it is of no use just putting people in jail, unless we attack the roots of crime and poverty?

Senator Fairbairn: Honourable senators, I can assure my honourable friend that this issue is being given serious and urgent consideration among many ministers who have certain responsibilities in that area, in addition to the Minister of Justice.

That effort also involves a number of ministers who do not have responsibilities in that area but who feel very strongly about this issue.

HEALTH

STATEMENT OF MINISTER ON SAFETY OF CHEWING TOBACCO—GOVERNMENT POSITION

Hon. Terry Stratton: Honourable senators, I should like to ask a question of the Leader of the Government in the Senate, following on from an article in *The Globe and Mail* today entitled, "Dingwall joins tall-tale ministers." That article talks about how the Prime Minister and the Deputy Prime Minister have been misquoted — to be nice — about certain statements they have made. It then discusses statements by Minister Dingwall about chewing tobacco.

Mr. Dingwall was quoted on both *Canada AM* and at a press conference in front of the national media as saying that the product "has tobacco and glass. When you put that in your mouth, it will cut the inner cheek, and the nicotine will go into the blood stream much quicker."

My question is: Is there really glass in our country's chewing tobacco?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, the story in *The Globe and Mail* was

brought to my attention today as well. Obviously my honourable friend knows that an analysis of a sample of the product determined that the information concerning the presence of glass was incorrect. Indeed, it is indicated that it was a form of sand.

The minister's initial answers were based on information that he had been given by one of his officials. Those answers have now been shown to be incorrect.

Senator Stratton: Honourable senators, we should know whether the Leader of the Government in the Senate received her information about glass from *The Globe and Mail* article or from a member of the department.

Senator Fairbairn: Honourable senators, I got my information from the department.

Senator Stratton: Honourable senators, as I understand it, Minister Dingwall originally said that there was glass in our chewing tobacco, and then that there was sand in it. Now it turns out there is not sand in it at all. As a matter of fact, the tobacco is not sold in this country at all.

Does the Leader of the Government not think there might be something wrong with the credibility of the ministers in her government when they make statements such as that?

Some Hon. Senators: Shame!

Senator Fairbairn: Honourable senators, my answer to the honourable senator stands. The minister was commenting, based on information that he had received. The information was incorrect, which of course does not at all detract from the fundamental point of raising the matter in the first place, which was to underline that the government has as its objective the regulation of tobacco products and the protection of Canadians from these kinds of substances.

My answer was simple and it remains.

• (1410)

JUSTICE

REFUSAL OF ENTITLEMENT OF FORMER MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT TO HAVE LEGAL FEES PAID BY DEPARTMENT—LEGAL OPINION RENDERED BY FORMER SUPREME COURT JUSTICE—GOVERNMENT POSITION

Hon. Eric Arthur Berntson (Deputy Leader of the Opposition): Honourable senators, my question is addressed to the Leader of the Government in the Senate. Although I had not intended to ask a question today, I must do so to correct the record regarding an earlier question that I asked.

My question concerns Mr. Munro, a man who served for 22 years as the member of Parliament for Hamilton East. He spent some 15 of those years in cabinet, part of that time as the well-known Minister of Indian Affairs and Northern Development.

I believe that last week I described him as a man who had made a great contribution to Canada. Much of what I said about him was agreed to by my colleague the Leader of the Government in the Senate. However, I also said that, not only had he left public life with his reputation in tatters, but that he was bankrupt. I understand that that is not the case. He is, in fact, on the brink of bankruptcy. I apologize for my error. However, the fact that he is on the brink of bankruptcy brings some new urgency to the question.

On December 4, I asked if we could have an answer as expeditiously as possible because other questions may arise from any answers we might receive. As I said, we are not in the business of ruining people's reputations.

I understand that Mr. Willard Estey, retired judge of the Supreme Court of Canada, was asked by the Privy Council Office for an opinion as to whether Mr. Munro was deserving of having his legal costs paid. He rendered an opinion. He said that he could not comment on that opinion. However, in an interview, he said that, while he could not reveal the advice that he gave to the Privy Council Office, he was surprised to learn recently that the government was refusing to pay Mr. Munro's bill. Stressing that he was expressing his own personal view, he said, "I am sorry I cannot help." To paraphrase what Mr. Estey said, it is unfair that Mr. Munro should be left in such financial straits after having served loyally for so many years.

I do not expect to receive an answer to my question today. However, we may well not be here next week to receive an answer.

Will the Leader of the Government in the Senate assure me that she will pursue these answers with some vigour? In the event that answers to these questions are available while the Senate is adjourned, will she undertake to forward them to all honourable senators?

It seems we are agreed that Mr. Munro has made a significant contribution, and that he has been found not only to be not guilty, but the arguments of the Crown were dismissed by the judge who

ruled that the evidence and arguments presented by Crown did not, in any way, shape or form, support their theory.

Mr. Munro's reputation is in tatters. He is on the verge of bankruptcy. It seems to me that we should make an extraordinary effort to at least save him from bankruptcy.

Would the Leader of the Government in the Senate pursue this matter with some vigour?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I have indicated to my honourable friend, and I have done so most sincerely, that I consider this to be an important question. I am seeking all the answers that I can to his questions, and others'. Until I receive those answers I am sure he will understand that I do not wish to comment. If I am able to accede to his request during the break, I will.

FOREIGN AFFAIRS

STATEMENT OF MINISTER ON REFORM OF UNITED NATIONS AND EXPANSION OF NORTH ATLANTIC TREATY ORGANIZATION TO INCLUDE EASTERN EUROPEAN COUNTRIES— GOVERNMENT POSITION

Hon. Stanley Haidasz: Honourable senators, yesterday we all received a copy of a speech delivered by the Minister of Foreign Affairs in Winnipeg at a national Foreign Affairs policy meeting on December 13 last. I was so startled when I first read the speech that I read it again. I could not believe my own eyes.

The minister went through a long list of what is Canadian foreign policy, although I thought the items were merely secondary issues in terms of policy. What was missing in his speech was Canada's stand on the reform of the United Nations and Canada's policy concerning NATO's expansion into the Central and Eastern European countries.

Will the minister clarify whether it is still Canada's policy to support reforms of the United Nations and to see NATO extended to include the Central and Eastern European countries?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, in terms of the United Nations, I think it is fair to say that Canada has been in the forefront of recommendations for reforms to the United Nations in various areas. That has been brought forward by Mr. Axworthy, as well as by his predecessor, Mr. Ouellet.

As to NATO, the Canadian government has been open to its expansion. The Prime Minister has been one of those who, from the beginning, has been favourable to that idea, and will continue to be so.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I have a response to a question raised in the Senate on September 25, 1996, by the Honourable Senator LeBreton, regarding conflict of interest, influence of lobbyists on cabinet decision-making process. I have a response to a question raised in the Senate on October 3, 1996, by the Honourable Senator Corbin, concerning charges levied on senators for documents. I also have a response to a question raised in the Senate on October 22, 1996, by the Honourable Senator LeBreton, regarding the Pearson Airport Agreements, items of expenses in Public Accounts.

CONFLICT OF INTEREST

INFLUENCE OF LOBBYISTS ON CABINET— DECISION-MAKING PROCESS

(Response to question raised by Hon. Marjory LeBreton on September 25, 1996)

In response to a request from Minister Collenette's office for assistance in handling communications issues and a proposal from Thornley Fallis Communication Counsel, a \$50,000 contract was processed by the Department of National Defence in accordance with Treasury Board policy. To ensure that the industry was aware of the intent to award a sole source contract, an Advance Contract Award Notice (ACAN) was placed on the Open Bidding System to provide the industry with an opportunity to challenge this decision. The ACAN was posted on the Open Bidding System on September 24, 1996 with a closing date of October 8, 1996. The Notice stated the nature of the work:

“The Department of National Defence has a requirement for the provision of advice to the Minister on short and long term communications strategies. This will include providing advice on complex and sensitive issues affecting the Department, particularly in the development of announcements and participating in senior level meetings to discuss communications plans.”

The contract has been cancelled by the new Minister of National Defence.

THE SENATE

CHARGES LEVIED ON SENATORS FOR DOCUMENTS ESSENTIAL FOR RESEARCH—GOVERNMENT POSITION

(Response to question raised by Hon. Eymard G. Corbin on October 3, 1996)

Statistics Canada's approach to cost recovery is in conformity with the government's overall cost-recovery policy. The essence of that policy is that users who directly benefit from a government-provided product or service should bear the cost of such, rather than the taxpayer at large.

On the other hand, Statistics Canada is very cognizant of its “public good” responsibilities and fulfills these in a number of ways:

The Daily, the official release vehicle in which summary survey results are published, is provided free of charge to the media and to anyone having Internet access. In addition, the agency is very proactive in facilitating the media's role in informing the general public.

The agency provides all of its publications free of charge under the Depository Services Program. Under this program, a cross-section of some 700 libraries across the country receive Statistics Canada publications for use by their patrons. Likewise under this program, all Members of Parliament and all Senators' offices are entitled to receive two copies free of charge of any Statistics Canada publication in which they are interested.

The agency's Internet site also contains a Public Good Data Base featuring some 160 tables of information of general interest to the public.

Lastly, Statistics Canada responds to well over 500,000 inquiries annually through its nine reference centres, the vast majority of which are handled free of charge.

While the costs of delivering the public good as described above are covered by Parliamentary Appropriations, certain dissemination services such as “special requests”, as is the case in point, are not. These must be funded on a cost-recovery basis.

In this particular case, research had to be conducted from a number of sources, assembled and forwarded to the person requesting the information. The same charge for this particular service would have been levied regardless of the source of the request, whether it be the Department of Finance or a member of the general public.

It should be pointed out that the Special Collections Section of the Library of Parliament, through its own limited budget, provides a service to Parliamentarians by paying for the cost of responding to such special requests that they may have.

It should also be noted that since a Senate Committee is part of the functioning of Parliament and Statistics Canada reports to Parliament through the minister responsible for it, no fee would have been charged if Statistics Canada had been called to appear and provide information to a Senate Committee.

TRANSPORT

PEARSON AIRPORT AGREEMENTS—ITEMS OF EXPENSES IN PUBLIC ACCOUNTS—REQUEST FOR DETAILS

(Response to question raised by Hon. Marjory LeBreton on October 22, 1996)

On September 6, 1995, settlements were reached with four third parties for claims respecting the Pearson Airport Terminals I and II redevelopment project.

The settlements released the Crown and its agents from any claims the third parties may have in relation to the agreements of October 7, 1993 between the Crown and T1T2 Limited Partnership and its cancellation.

The total was for \$1,561,000. The amount paid to each party is as follows:

Acres International Limited	\$140,000
DMR Group Inc.	101,000
Luchthaven Schiphol	1,170,000
Phillips Group	150,000

The amount paid to Mr. Goudge in Trust covers legitimate costs incurred by the third parties in the performance of their contractual obligations or as a direct consequence of the decision of the government to cancel the agreements.

None of the settlements include compensation for lost profits or lobbying fees.

Further details of the government's expenditures relating to the Pearson Airport Agreements are provided in

Senate Question 55 through 59, which were tabled on November 6, 1996.

THE SENATE

SENSITIVITY OF MICROPHONES IN CHAMBER

The Hon. the Speaker: Honourable senators, before I call Orders of the Day, I would draw to your attention a matter that the Honourable Senator DeWare raised with me. It relates to the very sensitive nature of the microphones on all your desks. If a senator inadvertently comes in contact with them, or if paper rubs against them, it is very difficult for the interpreters to hear what is being said, as well as for anyone else who is listening. I would caution you, if I may, honourable senators, to be careful with the microphones.

• (1420)

ORDERS OF THE DAY

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Milne, seconded by the Honourable Senator Mercier, for the third reading of Bill C-45, to amend the Criminal Code (judicial review of parole ineligibility) and another Act;

And on the motion in amendment of the Honourable Senator Nolin, seconded by the Honourable Senator LeBreton, that the Bill be not now read the third time but that it be amended:

(a) in clause 1, by replacing line 7, on page 1, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief”;

(b) in clause 2, by replacing line 20, on page 6, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief” ;
and

(c) in clause 2, by replacing line 41, on page 10, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief”.

And on the subamendment of the Honourable Senator Ghitter, seconded by the Honourable Senator Stratton, that the motion in amendment be amended in paragraphs (a), (b) and (c) thereof by substituting the words “Governor in Council” for the words “Attorney General of Canada.”

Hon. Anne C. Cools: Honourable senators, I rise today to speak to Senator Ghitter’s amendment on Bill C-45.

The history of crime and punishment and capital punishment is a profound one and one about which much has been written. It is a violent and brutal history, and the humane advances have come relatively recently. Until quite recently, the 1790s, death sentences were multiple, such that the condemned were often killed in many different ways, not to mention that they were frequently executed for even trivial offences. In the 1790s, a great humanitarian advance was achieved with the guillotine and its humane notion that the condemned ought to die once only and as swiftly as possible. Michel Foucault, in his 1979 masterpiece *Discipline & Punish: The Birth of the Prison*, on the origin of the guillotine, said:

The celebrated article 3 of the French Code of 1791 — “Every man condemned to death will have his head cut off” — bears this triple signification: an equal death for all (“Crimes of the same kind will be punished by the same kind of punishment, whatever the rank and state of the guilty man may be,” in the words of the motion proposed by Guillotin himself and passed on 1 December 1789); one death per condemned man, obtained by a single blow, without recourse to those “long and consequently cruel” methods of execution...

Honourable senators, I refer to that so that I can put on the record the work of men like Cesare Beccaria, who, as you will recall, is attributed with starting the modern movement for the abolition of capital punishment.

Honourable senators, there is no doubt that the exercise of the sovereign power in the punishment of crime is one of the essential parts of the administration of justice. Michel Foucault, in the same work, spoke to the issues of the sovereign’s rights and powers in justice, and revenge, saying:

The right to punish, therefore, is an aspect of the sovereign’s right to make war on his enemies: to punish belongs to “that absolute power of life and death which Roman law calls *merum imperium*, a right by virtue of which the prince sees that this law is respected by ordering

the punishment of crime.” ...but punishment is also a way of exacting retribution that is both personal and public, since the physico-political force of the sovereign is in a sense present in the law...

Foucault is one of the great writers on crime and punishment and capital executions.

There is no doubt that sentences also included the sovereign’s right to revenge and retribution; however, the sovereign’s mercy tempered revenge, retribution and justice with mercy with the sovereign’s royal powers of mercy. Parole is an act of royal mercy. It is the sovereign exercise of prerogative powers of mercy and clemency. Parole is an act of grace of Her Majesty. Parole was introduced in Canada by the Liberal government of Sir Wilfrid Laurier. Laurier’s act, An Act to provide for the Conditional Liberation of Penitentiary Convicts, 1899, was short-titled the “Ticket of Leave Act.” He patterned this act on the United Kingdom’s Prime Minister William Gladstone’s act.

Laurier’s act, clause 1, stated:

It shall be lawful for the Governor General by an order in writing under the hand and seal of the Secretary of State to grant to any convict under sentence of imprisonment in a penitentiary a license to be at large in Canada...

That is why it was called a ticket of leave.

Honourable senators, I include this because Laurier, even though he was French Canadian, saw himself as a Gladstone-type Liberal. He tried to pattern himself after the great British Liberals of the 19th century.

Clause 12 of Laurier’s act stated:

It shall be the duty of the Minister of Justice to advise the Governor General upon all matters connected with or affecting the administration of this act.

On August 5, 1899, in the House of Commons, Sir Wilfrid Laurier himself moved second reading of the Ticket of Leave Act.

He said:

The Bill provides generally that the Governor in Council may allow a convict to be set at large on condition of good behaviour. The convict so set at large is not free; he can be re-arrested at any time...

Laurier continued:

Under the Bill power is given to the Governor General to order his liberation — of course, under certain rules to be established...

Laurier added:

But in practice, it is to be assumed, the privilege would not be allowed to those guilty of heinous offences.

Conditional freedom from imprisonment for convicted persons as an act of mercy has been in use for centuries, whether it was transportation of criminals to colonies, criminals as indentured servants, pardons, commutations of death sentences, or remission of sentence — which is what parole is, or the modern concept of earned or statutory remission. Take for example earned remission. A sentence of 12 years really meant eight. There was a concept that inmates should not serve on weekends. Service on Sundays was remitted. Earned remission is why a 12-year sentence really means eight years.

In a recent amendment to the Parole Act, the obligation of the Parole Board to impose supervision on that last third, called mandatory supervision, was enacted into law, but that is another issue.

Remission of part of a prison sentence as an act of clemency was an ancient royal prerogative. Parole is the business of sentence mitigation. It is the remission of the sentence to provide a means of placing a convicted offender into the community while still under sentence — that is, under Her Majesty's warrant of detention by imprisonment.

• (1430)

Parole remits the portion of the sentence that the inmate must serve in prison. It does not alter the final sentence given, but remits the sentence so that the inmate can serve that portion in the community. Until 1959, the service within the Department of Justice that looked after matters of parole-granting was called the Remission Service of Canada.

Parole is not a right; it is an act of grace based on societal humanity and compassion. The statutory rights are the right to apply for, and to be heard for, parole.

In 1956, then Liberal Prime Minister Louis St. Laurent appointed Supreme Court of Canada Justice Gerald Fauteux to inquire into the principles and procedures followed in the remission service of the Department of Justice of Canada in connection with the exercise of clemency. The famous Fauteux

report resulted in the passage of the Parole Act in 1959 under Conservative Prime Minister John Diefenbaker. He enacted it, but Prime Minister St. Laurent had begun the initiative.

The Parole Act created the National Parole Board. The National Parole Board remains the current parole-granting authority of Canada, and is a quasi-judicial tribunal. It is important to understand that it is a political tribunal, and the appointments are political appointments by Order in Council. Basically, Mr. Fauteux's concept was to separate the actual decision-making of the granting of parole from political partisan pressures, but still keep it under the responsibility of a political minister.

The issue before us in Bill C-45 is the proper treatment of persons convicted of capital offences, now called first and second degree murder, and their parole eligibility and parole. I would remind honourable senators of the origins of some of these terms: "capital offences" derived from "decapitation." These terms were part of the language of corrections.

Parole is an agreement and trust for conditional release from prison during sentence, and while under Her Majesty's warrant of detention in prison on the condition of the convict's word that he or she will not re-offend society, society's laws, or Her Majesty's moral person. The very word "parole" originated in French penal history. That is why I quoted Foucault's 1979 book: *Discipline & Punish*.

In the convict's pledge "Je donne ma parole" translated to "I give my word." The very word "parole" is the giving of the convict's word to Her Majesty. The convicted person commits himself, on his word, to his good behaviour in receipt of the sovereign's trust. In return for this trust, the sovereign releases him and amends the sentence, amends the amount of time to be served inside the prison and releases the convict to the community.

Parole is a moral and humane concept and must be so processed administratively. Parole is a worthy objective. It is a worthy instrument of penal rehabilitation and should be supported. The philosophy of parole is the moral belief that human beings can and do change, and that prison sentences should be adjusted and mitigated to accommodate such humane considerations.

Society has a duty to reform and rehabilitate offenders; but the issue of the administration and the application of these noble principles and their proper implementation are matters for the proper supervision of the executive and Parliament on the advice of responsible ministers, under the notion of ministerial responsibility to Parliament.

The business of parole eligibility for capital crimes is not the proper business of the courts. Honourable senators, we must remember that the function of the criminal courts is to adjudicate innocence and guilt and to impose sentences. Parole knows that the offenders are guilty. There is no innocence in the issue of parole. Parole knows and moves on the premise that the offenders are guilty and that it is their degree of personal reformation which must be considered and supported.

The business of parole eligibility is a political issue. It is not the proper business of the courts but the proper business of Her Majesty's cabinet, and has been so constitutionally and historically for quite some time in Canada.

Honourable senators, these issues are complex. Many years ago, I spent much time reading up on this subject-matter.

A reason that this issue has captured my imagination is that we are in an era of aggressive judicial lawmaking, a phenomenon of the courts venturing into areas that are really not their purview. This preoccupies me. Some weeks ago I quoted a judgment of one judge, Mr. Justice McClung, who was particularly insightful on judicial lawmaking.

The Senate would do well to look at what is going on in the courts, at the issue of judicial lawmaking and its impact on the other prerogative powers and parole. One can hardly deny that, as we strive today to make decisions about the futures of such murderers as Clifford Olson, Paul Bernardo and Karla Homolka, we are on political ground. At the abolition of capital punishment in 1976, no one contemplated at that time that the proliferation of Legal Aid would be so great, or that the proliferation of lawyers in the parole systems, and in the entire prison system, would have been so rampant. No one contemplated Charter rights and these other protections. It is time for a reconsideration of many of these issues. I had hoped for such a reconsideration before section 745 was amended. The bottom line is that the business of dispensing Her Majesty's clemency and remission to inmates who have already been sentenced is the business of politics, cabinet and Parliament.

Senator St. Germain: I have a question.

The Hon. the Speaker: Honourable senators, the time has elapsed. Is leave granted for Senator Cools to continue?

Hon. Senators: Agreed.

Hon. Gerry St. Germain: Honourable senators, did I understand correctly that, at its inception, parole was not to be considered for heinous crimes?

Also, I would gather from your presentation, Senator, that you feel the supremacy of Parliament is totally undermined by the

direction we are taking in allowing the judiciary to enter into decision-making under the guise of the parole system as we see it?

Senator Cools: Some of those words are yours and not quite mine. I tried to cite precisely for the record Sir Wilfrid Laurier's words. I also cited the old act. Did the honourable senator say the word "undermine" or "undercut"?

• (1440)

Senator St. Germain: I said, "undermine the supremacy of Parliament."

Senator Cools: In any event, there is a movement afoot in this country by those who would shift the powers of Parliament and cabinet, bit by bit, into the hands of the courts. The nature of power is such that, when some people abdicate it, someone usually appropriates it. In this country, there is extensive movement within the courts to usurp the power of Parliament. Unless checked and considered, the erosion will continue.

I am not a Republican, honourable senators. I was raised as a genuine, British-type, nineteenth century Liberal. As I cited Cesare Beccaria, I recalled that his counterpart in England was a man named William Wilberforce, who is attributed with founding the movement for the abolition of slavery in the colonies. Even when I was a child growing up in the British West Indies, the name of William Wilberforce, this British Liberal, was very alive and magical. Therefore, I say that Parliament is supreme; Parliament is sovereign. Cabinet should exercise its business under the notion of ministerial responsibility and judges should judge and leave politics to us.

Senator Ghitter: Honourable senators, may I have the opportunity to close debate on my subamendment?

The Hon. the Speaker: Honourable senators, there is no closing of debate on an amendment. It is not a substantive motion.

[Translation]

Hon. Pierre Claude Nolin: Honourable senators, I will comment somewhat briefly on the current debate.

A number of questions were raised during this debate at third reading. I should like to thank Senator Wood, for instance, for drawing our attention to the weaknesses in the parole system. Several years ago, the Auditor General of Canada conducted an in-depth study of the parole process. He put his findings and recommendations in a report that was published not long ago. Again, my sincere thanks to Senator Wood for making us aware of this matter.

I believe that in this debate it is important to examine the process, because in committee Canadians expressed their concerns about the parole process. More and more Canadians have lost confidence in the way justice is done in Canada.

During consideration of Bill C-45 we were compelled to examine the way this provision of the Criminal Code is enforced, and we also had an opportunity to listen to and examine the perception that Canadians have of this process. At the beginning of my speech last week, when I moved the motion in amendment, I explained to you that as parliamentarians we should consider not only the technical aspects but also how Canadians have reacted to these provisions. We should also consider how the will of Parliament is not enforced in this case, and how the Canadian public perceives the way justice is done.

I also want to thank Senator Cools for her comments on the history of the parole system.

The gist of her comments is that, as this process has evolved, parole is now recognized by the courts and Parliament as an offender's right. Nevertheless, I was very interested in Senator Cools' comments on the history of the parole system. In fact, it is a right that belongs to the Sovereign. It is part of the royal prerogative.

Parliament, on the initiative of Prime Minister Laurier, decided to enshrine, to detach this royal prerogative, and to establish a parole process and make it subject to the legislative process. However, honourable senators, it is still an offshoot of the royal prerogative of mercy.

All studies on the royal prerogative tell us today that this prerogative is now the Governor in Council's. Parliament never wanted to take it away from the Sovereign. That is why the amendment of Senator Ghitter is very appropriate. The royal prerogative belongs to the Governor in Council. Parliament never decided to take away the Governor in Council's power to intervene in the parole process.

To illustrate what I just said with a legal text, may I draw your attention to a provision of the Corrections and Conditional Release Act passed by Parliament not long ago.

[English]

I will read the English version of section 110 of the Corrections and Conditional Release Act to demonstrate to you that Parliament never decided to totally take away the royal prerogative of clemency and mercy from the Governor in Council.

Senator Cools must understand the quasi-board to which she refers in her speech. Section 110 reads as follows:

The Board shall, when so directed by the Minister, make or cause to be made any investigation or inquiry desired by the Minister in connection with any request made to the Minister for the exercise of the royal prerogative of mercy.

That exists in the corpus of our law.

[Translation]

Honourable senators, Parliament never intended to withdraw the royal prerogative from the Governor in Council.

Last week, I tabled a motion in amendment in the Senate on behalf of the Canadians who appeared before the committee. That amendment seeks to reintroduce an element of this royal prerogative into the process in section 745. At present, this royal prerogative is applied based on the theory of responsible government by individuals, men and women, who have been elected by the people. The people are entitled to question the application of this prerogative. That is the reason I believe it would be wise for us to introduce into the process in clause 745.6 an element of governmental responsibility.

This is nothing new in law. It is not an invention that would create a conflict of interest, as Senator Milne has tried to demonstrate to us. There is no conflict of interest in that. This is so much the case that the Corrections Act already calls for the minister to be able to introduce it, when he wishes, into the parole process.

As I told you last week, the Minister of Justice or the Governor in Council will not have an easy job of it, because the government will have to be answerable to Parliament and to other elected representatives for its decisions. I believe this would be a good thing. There is no question of usurping the judicial or quasi-judicial process. What is involved is giving back to Canadians, who are, in my opinion, justified in questioning how the judicial process is implemented and whether it is fair, the right to do so. Canadians are entitled to ask those who possess this prerogative why and how they exercise it. That is why I presented my motion in amendment. I believe that that is also why Senator Ghitter has presented an amendment to the amendment, which I totally support.

I do not intend to go into any further detail since just about everything has been said on the mechanism provided for in section 745.6. Arguments have been raised on both sides, questions have been asked, and answers have been given. I believe that we are now ready to submit the question to the honourable senators.

[English]

The Hon. the Speaker: Does any other honourable senator wish to speak?

There being no other honourable senator who wishes to speak, we shall proceed with the calling of the vote.

It was moved by the Honourable Senator Milne, seconded by the Honourable Senator Mercier, that this bill be read the third time.

In amendment, it was moved by the Honourable Senator Nolin, seconded by the Honourable Senator LeBreton, that the bill be not now read the third time but that it be amended:

(a) in clause 1, by replacing line 7, on page 1, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief”;

(b) in clause 2, by replacing line 20, on page 6, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief”; and

(c) in clause 2, by replacing line 41, on page 10, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief.”

It was moved in subamendment by the Honourable Senator Ghitter, seconded by the Honourable Senator Stratton, that the motion in amendment be amended in paragraphs (a), (b) and (c) thereof by substituting the words “Governor in Council” for the words “Attorney General of Canada.”

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Will those in favour of the subamendment please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those opposed to the subamendment please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen.

The Hon. the Speaker: Call in the senators.

I understand that there is an agreement for a half-hour bell, in which case the vote will take place at 3:25 p.m.

• (1530)

Motion in subamendment by the Honourable Senator Ghitter negated on the following division:

YEAS

THE HONOURABLE SENATORS

Atkins	Kelly
Berntson	Keon
Buchanan	Kinsella
Cochrane	Lavoie-Roux
Cogger	LeBreton
Cohen	Lynch-Staunton
Comeau	MacDonald (<i>Halifax</i>)
DeWare	Nolin
Di Nino	Phillips
Doody	Rivest
Forrestall	Robertson
Ghitter	Rossiter
Jessiman	Spivak
Johnson	Stratton
Kelleher	Tkachuk—30

NAYS

THE HONOURABLE SENATORS

Adams	Landry
Anderson	Lawson
Austin	Lewis
Bacon	Losier-Cool
Bonnell	Maheu
Bosa	Marchand
Bryden	Mercier
Carstairs	Milne
Corbin	Moore
De Bané	Pearson
Fairbairn	Perrault
Forest	Petten
Gigantès	Poulin
Grafstein	Rizzuto
Graham	Robichaud
Haidasz	Sparrow
Hays	Stanbury
Hébert	Stewart
Hervieux-Payette	Stollery
Kenny	Taylor
Kirby	Whelan—43
Kolber	

ABSTENTIONS

THE HONOURABLE SENATORS

Andreychuk	Prud'homme
Beaudoin	St. Germain—5
Doyle	

The Hon. the Speaker: The question before the Senate now is the motion in amendment by the Honourable Senator Nolin seconded by the Honourable Senator LeBreton that the bill be not now read the third time but that it be amended:

(a) in clause (1) by replacing line 7 on page 1 with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief”;

(a) in clause 2, by replacing line 20, on page 6, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief”; and

(c) in clause 2, by replacing line 41, on page 10, with the following:

“may, with the consent of the Attorney General of Canada, apply in writing to the appropriate Chief.”

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

Some Hon. Senators: Yea.

Some Hon. Senators: Nay.

The Hon. the Speaker: Will those honourable senators in favour of the motion please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those honourable senators who are against the motion please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen.

The Hon. the Speaker: Call in the senators.

Motion in amendment by the Honourable Senator Nolin negatived on the following division:

Atkins
Berntson
Buchanan
Cochrane
Cogger
Cohen
Comeau
DeWare
Di Nino
Doody
Forrestall
Ghitter
Jessiman
Johnson
Kelleher

YEAS

THE HONOURABLE SENATORS

Kelly
Keon
Kinsella
Lavoie-Roux
LeBreton
Lynch-Staunton
MacDonald (*Halifax*)
Nolin
Phillips
Rivest
Robertson
Rossiter
Stratton
Tkachuk—29

NAYS

THE HONOURABLE SENATORS

Adams
Anderson
Austin
Bacon
Bonnell
Bosa
Bryden
Carstairs
Corbin
De Bané
Fairbairn
Forest
Gigantès
Grafstein
Graham
Haidasz
Hays
Hébert
Hervieux-Payette
Kenny
Kirby
Kolber

Landry
Lawson
Lewis
Losier-Cool
Maheu
Marchand
Mercier
Milne
Moore
Pearson
Perrault
Petten
Poulin
Rizzuto
Robichaud
Rompkey
Sparrow
Stanbury
Stewart
Stollery
Taylor
Watt
Whelan—45

ABSTENTIONS

THE HONOURABLE SENATORS

Andreychuk
Beaudoin
Doyle

Prud'homme
St. Germain
Spivak—6

The Hon. the Speaker: Honourable senators, the question before the Senate now is on the main motion.

It was moved by the Honourable Senator Milne, seconded by the Honourable Senator Mercier, that this bill be read the third time. Is it your pleasure, honourable senators, to adopt the motion?

Senator Lynch-Staunton: On division.

And two honourable senators having risen.

The Hon. the Speaker: I see two honourable senators standing. We shall have a standing vote.

Motion agreed to and bill read third time and passed on the following division:

YEAS

THE HONOURABLE SENATORS

Adams	Kirby
Anderson	Kolber
Atkins	Landry
Austin	Lavoie-Roux
Bacon	Lawson
Berntson	LeBreton
Bonnell	Lewis
Bosa	Losier-Cool
Bryden	Lynch-Staunton
Buchanan	MacDonald (<i>Halifax</i>)
Carstairs	Maheu
Cochrane	Marchand
Cogger	Mercier
Cohen	Milne
Comeau	Moore
Corbin	Nolin
De Bané	Pearson
DeWare	Perrault
Fairbairn	Petten
Forest	Poulin
Forrestall	Rivest
Ghitter	Rizzuto
Gigantès	Robertson
Grafstein	Robichaud
Graham	Rompkey
Haidasz	Rossiter
Hays	Sparrow
Hébert	Spivak
Hervieux-Payette	Stanbury
Jessiman	Stewart
Johnson	Stollery
Kelleher	Taylor
Kelly	Tkachuk
Kenny	Watt
Keon	Whelan—71
Kinsella	

NAYS

THE HONOURABLE SENATORS

Doody
Phillips
St. Germain—3

ABSTENTIONS

THE HONOURABLE SENATORS

Andreychuk	Doyle
Beaudoin	Prud'homme
Di Nino	Stratton—6

[*Translation*]

ROYAL ASSENT

NOTICE

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

18 December 1996

Sir,

I have the honour to inform you that The Right Honourable Antonio Lamer, Chief Justice of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 18th day of December 1996, at 6:30 p.m., for the purpose of giving Royal Assent to certain Bills.

Yours sincerely,

Judith A. LaRoque
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

[English]

NATIONAL ORGAN DONOR WEEK BILL

SECOND READING—DEBATE ADJOURNED

Hon. Wilbert J. Keon moved the second reading of Bill C-202, respecting a National Organ Donor Week in Canada.

He said: Honourable senators, it is with great personal conviction that I stand before you today to voice my support for Bill C-202. This bill was introduced in the House of Commons by Dan McTeague, MP, and passed on December 12, 1996.

Over the course of my career as a physician, I have been fortunate to have witnessed tremendous advances in the diagnosis, treatment and care of disease. One of the most intriguing advancements that has taken place in the field of medicine during my career relates to the success and “routineness” of transplant surgery. Today transplant surgery has become an accepted treatment for selected people, those for whom no other treatment is appropriate.

Ontario’s transplant program did 313 transplants in 1993. Today in Canada we perform 160 heart transplants per year in ten centres. We do an average of one transplant every two weeks here in Ottawa at the Heart Institute.

Honourable senators, what many people do not know is that in many cases today transplant surgery has become one of the most cost-effective treatment options for people who qualify. Transplants offer the best possible quality of life. Kidney transplants, for example, are significantly less expensive than dialysis. Over a 10-year period the system will spend about \$150,000 less on each patient who has a transplant than on a patient undergoing haemodialysis.

The gift of an organ from a grief-stricken family to prolong the life of another human being is an act of giving that words alone cannot adequately describe. The ability to do transplants, however, is limited by the supply of donor organs. There are two types of donated organs: those donated after death, or cadaveric, and those donated by living relatives. The number of cadaveric organs available seems to have plateaued and is not keeping pace with the increased need.

Today there are active campaigns to increase access to organs. Very sophisticated and international organ matching services, including the Multiple Organ Retrieval and Exchange Program, or MORE, in Ontario, and the national Organ Waiting List, or

OWL, based in Winnipeg, have increased the likelihood that organs that are available will be used. The people who manage the Multiple Organ Retrieval and Exchange Program of Ontario believe the greatest potential for the future may be in getting organs from living donors.

Despite these organizations, education of the public about donor awareness, and even provincial legislation, have not increased the number of donors. Supply of organs for transplants, whether kidneys, hearts, livers or lungs, continues to be routinely less than demanded. Indeed, it is said that perhaps we are utilizing only about 25 per cent of the organs that we could be utilizing.

Honourable senators, I respectfully call for your support for Bill C-202, a bill that will recognize, from coast to coast, the last full week of April as National Organ Donor Week and, I hope, increase awareness that the gift of life is frequently possible.

Hon. Senators: Hear, hear!

On motion of Senator Bosa, debate adjourned.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

MOTION TO AUTHORIZE COMMITTEE TO STUDY QUESTIONS ON MANGANESE-BASED FUEL ADDITIVES BILL—DEBATE ADJOURNED

Hon. Noël A. Kinsella, pursuant to notice of December 17, 1996, moved:

That, notwithstanding rule 98, the Standing Senate Committee on Energy, the Environment and Natural Resources present an interim report, before submitting its final report on the Bill C-29, An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances, relating to its findings on the following questions:

- (1) Is MMT-based petroleum the cause of OBD malfunctioning?
- (2) Does MMT in gas cause a health hazard to Canadians?
- (3) Does MMT in gas cause direct damage to the environment?

He said: Honourable senators, the importance of my motion centres around the state of knowledge concerning MMT, the additive put into gasoline to raise its octane level.

Bill C-29, as was pointed out during debate at second reading, rests upon some assumptions. One of the assumptions is that, when MMT is put into gasoline during the refining process to raise the octane level, it has the effect of causing the new, on-board detection devices, which have been placed by automobile engineers into automobiles dating from 1994, not to work. They are being “gummed up” by the MMT, to use the phrase of Senator Kenny. That assumption must be examined in and by itself. It must be separated out in order for us to make an intelligent judgment on this bill.

We have a peculiar situation in which two of the titans of Canadian industry have faced off against each other. We have the oil industry on the one hand and the automotive manufacturers on the other hand. In a sense, perhaps, the government is caught in between. Either government has its own knowledge base as to whether it is true that these detection devices are gummed up by the manganese placed in the gasoline, or there is a level of probability that it does or does not gum up these devices. From what we have heard so far, the government, the automotive industry and the oil industry seem to be in conflict over this matter.

Therefore, it is necessary for this chamber to conduct a discrete analysis of that question. We must know what the science and the knowledge base is for putting forward this legislation, in order for the Senate to examine this bill in a meaningful way. The same applies to the other two questions in my motion. The Standing Senate Committee on Energy, the Environment and Natural Resources must do a discrete study on the question of whether the MMT in gasoline causes an environmental hazard.

When these two questions are dealt with together during the examination of the bill, the whole question will become quite confusing. Indeed, because the technical nature of the matter surrounding the bill is fairly complex, it seems to me that the intelligent thing to do is to separate out the fundamental questions and get the discrete information on whether or not it is an environmental threat. The Senate will only be able to do a good job of examining this bill if it has a discrete study done on the state of the science as to whether or not the environment is damaged by this chemical placed in the gasoline. If the committee discovers that there is clearly an environmental hazard, then perhaps the committee could recommend amendments to environmental legislation.

The third question is an important one. There are those who claim in the heat of the argument around Bill C-29 and its predecessor bill that this substance is a health hazard. Let us gather the data concerning that question. Health Canada is saying that it is not a health hazard, whereas some proponents of the bill are saying that it is a health hazard and, therefore, it must be banned.

Honourable senators, no one in this chamber would hesitate for a moment to ban any substance hazardous to the health of Canadians. Indeed, that is why such a study needs to be done, segregated from the analysis of the bill itself, in order that a recommendation to amend public health statutes might flow from it.

Honourable senators, that is the motivation behind having this committee make an interim report on the questions set out in my motion. In this way, we will have this data before the committee brings back to us its report on the bill, with or without amendments.

Both proponents and opponents of this bill here and in the other place have been in controversy as to what the state of knowledge is on these issues. Our committee would do a service, not only to this chamber, but to the Canadian public at large, by taking the time to carry out a study on these three questions. Our knowledge base would then be clear. It would allow those interested in this bill to have a third-party analysis of these questions.

Honourable senators, quite simply, that is what motivates me to ask the committee to do this study. As we know, eight provinces have grave difficulties with this bill. Let us separate out at least the science issues and have an interim report on these questions.

On motion of Senator Kenny, debate adjourned.

The Hon. the Speaker: Honourable senators, that brings us to the end of the Order Paper. We have a scheduled vote at 5:30 p.m. The bells will ring at 5:15 p.m. Therefore, the session is now suspended, and I leave the Chair.

The Senate adjourned during pleasure.

• (1730)

At 5:30 p.m., the sitting of the Senate was resumed.

**CANADA ELECTIONS ACT
PARLIAMENT OF CANADA ACT
REFERENDUM ACT**

BILL TO AMEND—THIRD READING—MOTIONS IN AMENDMENT

On the Order:

Resuming debate on the motion of the Honourable Senator Bryden, seconded by the Honourable Senator Pearson, for the third reading of Bill C-63, to amend the Canada Elections Act, the Parliament of Canada Act and the Referendum Act.

And

1. On the motion in amendment of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Beaudoin, that the Bill be not now read the third time but that it be amended:

(a) in clause 12, on page 5, by replacing line 8 with the following:

“referred to in subparagraphs 71.011(a)(i) or (iii). The”; and

(b) in clause 22, on page 11, by replacing lines 3 to 6 with the following:

“(a) information that is

(i) collected by means of the enumeration conducted for the general election for the thirty-sixth Parliament, if the Chief Electoral Officer considers the information adequate for the establishment of the Register of Electors;

(ii) collected by means of an enumeration contemplated by section 63; or

(iii) contained in a list of electors to which”

And on the subamendment of the Honourable Senator Lynch-Staunton, seconded by the Honourable Senator Doyle, that the motion in amendment be not now adopted but that it be further amended by replacing lines 10 to 28 on page 44 with the following:

“94.(1) Sections 2, 12 and 22 of this Act come into force on the day fixed by the Governor in Council for the return of the writs of election for the general election for the thirty-sixth Parliament.

(2) Subject to subsection (1), this Act or any provision of this Act or any provision of any Act enacted by this Act comes into force on January 1, 2000 or on such earlier day or days as are fixed by order of the Governor in Council.”

And

2. On the motion in amendment of the Honourable Senator Prud’homme, P.C., seconded by the Honourable Senator Nolin, that the Bill be not now read the third time but that it be amended:

(a) on page 2, by deleting clause 1.1;

(b) on page 26, by deleting clause 44.1; and

(c) on page 28, by deleting clause 46.1.

The first vote is on the motion in amendment by the Honourable Senator Prud’homme, seconded by the Honourable Senator Nolin.

Motion in amendment by the Honourable Senator Prud’homme negated on the following division:

YEAS

THE HONOURABLE SENATORS

- | | |
|------------|------------------------------|
| Andreychuk | Keon |
| Atkins | Kinsella |
| Beaudoin | Lavoie-Roux |
| Berntson | LeBreton |
| Buchanan | Lynch-Staunton |
| Cochrane | MacDonald (<i>Halifax</i>) |
| Cogger | Meighen |
| Cohen | Murray |
| Comeau | Nolin |
| DeWare | Oliver |
| Di Nino | Phillips |
| Doody | Prud’homme |
| Doyle | Rivest |
| Eyton | Robertson |
| Forrestall | Rossiter |
| Jessiman | Spivak |
| Johnson | Stratton |
| Kelleher | Tkachuk—37 |
| Kelly | |

NAYS

THE HONOURABLE SENATORS

- | | |
|------------------|-------------|
| Adams | Lewis |
| Anderson | Losier-Cool |
| Austin | Maheu |
| Bacon | Marchand |
| Bonnell | Mercier |
| Bosa | Milne |
| Bryden | Molgat |
| Carstairs | Moore |
| Cools | Pearson |
| Corbin | Perrault |
| De Bané | Petten |
| Fairbairn | Pitfield |
| Forest | Poulin |
| Gigantès | Rizzuto |
| Grafstein | Robichaud |
| Graham | Rompkey |
| Haidasz | Sparrow |
| Hays | Stanbury |
| Hébert | Stewart |
| Hervieux-Payette | Stollery |
| Kenny | Taylor |
| Kirby | Watt |
| Kolber | Whelan |
| Landry | Wood—49 |
| Lawson | |

The Hon. the Speaker: Honourable senators, the votes will be taken in succession, with no further bells.

ABSTENTIONS

THE HONOURABLE SENATORS

Nil

• (1740)

The Hon. the Speaker: The next vote is on the subamendment proposed by the Honourable Senator Lynch-Staunton, seconded by the Honourable Senator Doyle:

That clause 94 of Bill C-63 be not now read the third time but that it be amended by replacing lines 10 to 28 on page 44 with the following:

94.(1) Sections 2, 12 and 22 of this Act come into force on the day fixed by the Governor in Council for the return of the writs of election for the general election for the thirty-sixth Parliament.

(2) Subject to subsection (1), this Act or any provision of this Act or any provision of any Act enacted by this Act comes into force on January 1, 2000 or on any such earlier day or days as are fixed by order of the Governor in Council.

Motion in amendment by the Honourable Senator Lynch-Staunton negatived on the following division:

YEAS

THE HONOURABLE SENATORS

Andreychuk	Kelly
Atkins	Keon
Beaudoin	Kinsella
Berntson	Lavoie-Roux
Buchanan	LeBreton
Cochrane	Lynch-Staunton
Cogger	MacDonald (<i>Halifax</i>)
Cohen	Meighen
Comeau	Murray
DeWare	Nolin
Di Nino	Oliver
Doody	Phillips
Doyle	Rivest
Eyton	Robertson
Forrestall	Rossiter
Jessiman	Spivak
Johnson	Stratton
Kelleher	Tkachuk—36

NAYS

THE HONOURABLE SENATORS

Adams	Lewis
Anderson	Losier-Cool
Austin	Maheu
Bacon	Marchand
Bonnell	Mercier
Bosa	Milne
Bryden	Moore
Carstairs	Pearson
Cools	Perrault
Corbin	Petten
De Bané	Pitfield
Fairbairn	Poulin
Forest	Prud'homme
Gigantès	Rizzuto
Grafstein	Robichaud
Graham	Rompkey
Haidasz	Sparrow
Hays	Stanbury
Hébert	Stewart
Hervieux-Payette	Stollery
Kenny	Taylor
Kirby	Watt
Kolber	Whelan
Landry	Wood—49
Lawson	

ABSTENTIONS

THE HONOURABLE SENATORS

Nil

The Hon. the Speaker: The question before the Senate now is the motion in amendment of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Beaudoin:

That Bill C-63 be not now read the third time but that it be amended

(a) in clause 12, on page 5, by replacing —

An Hon. Senator: Dispense.

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

Motion in amendment by the Honourable Senator Murray negatived on the following division:

YEAS

THE HONOURABLE SENATORS

Andreychuk	Kelly
Atkins	Keon
Beaudoin	Kinsella
Berntson	Lavoie-Roux
Buchanan	LeBreton
Cochrane	Lynch-Staunton
Cogger	MacDonald (<i>Halifax</i>)
Cohen	Meighen
Comeau	Murray
DeWare	Nolin
Di Nino	Oliver
Doodly	Phillips
Doyle	Rivest
Eyton	Robertson
Forrestall	Rossiter
Jessiman	Spivak
Johnson	Stratton
Kelleher	Tkachuk—36

NAYS

THE HONOURABLE SENATORS

Adams	Lewis
Anderson	Losier-Cool
Austin	Maheu
Bacon	Marchand
Bonnell	Mercier
Bosa	Milne
Bryden	Moore
Carstairs	Pearson
Cools	Perrault
Corbin	Petten
De Bané	Pitfield
Fairbairn	Poulin
Forest	Prud'homme
Gigantès	Rizzuto
Grafstein	Robichaud
Graham	Rompkey
Haidasz	Sparrow
Hays	Stanbury
Hébert	Stewart
Hervieux-Payette	Stollery
Kenny	Taylor
Kirby	Watt
Kolber	Whelan
Landry	Wood—49
Lawson	

ABSTENTIONS

THE HONOURABLE SENATORS

Nil

THIRD READING

The Hon. the Speaker: Honourable senators, the question now before the Senate is the motion by the Honourable Senator Bryden, seconded by the Honourable Senator Pearson, that this bill be read the third time.

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

Senator Lynch-Staunton: On division.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

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

NATIONAL ORGAN DONOR WEEK BILL

SECOND READING

Leave having been given to revert to Order No. 1, Commons Public Bills:

On the Order:

Resuming debate on the motion of the Honourable Senator Keon, seconded by the Honourable Senator Andreychuk, for the second reading of Bill C-202, An Act respecting a National Organ Donor Week in Canada.—(*Honourable Senator Bosa*).

Hon. Peter Bosa: Honourable senators, I adjourned debate on this matter earlier this afternoon. This is a non-controversial issue, and since there is unanimous consent to proceed with this bill, I propose that we proceed with second reading at this time.

The Hon. the Speaker: Honourable senators, if no other honourable senator wishes to speak, it was moved by the Honourable Senator Keon, seconded by the Honourable Senator Andreychuk, that this bill be read the second time.

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 Keon, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, there being no further business before us, the Senate will now adjourn during pleasure to await the arrival of His Excellency, the representative of the Governor General, at approximately 6:25 p.m.

The Senate adjourned during pleasure.

[Translation]

ROYAL ASSENT

The Right Honourable Antonio Lamer, Chief Justice of the Supreme Court of Canada, in his capacity as Deputy Governor General, having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Deputy Speaker, the Right Honourable the Deputy Governor General was pleased to give the Royal Assent to the following bills:

An Act respecting the oceans of Canada (*Bill C-26, Chapter 31, 1996*)

An Act to amend the Canada Labour Code (minimum wage) (*Bill C-35, Chapter 32, 1996*)

An Act to implement the Canada-Israel Free Trade Agreement (*Bill C-61, Chapter 33, 1996*)

An Act to amend the Criminal Code (judicial review of parole ineligibility) and another Act (*Bill C-45, Chapter 34, 1996*)

An Act to amend the Canada Elections Act, the Parliament of Canada Act and the Referendum Act (*Bill C-63, Chapter 35, 1996*)

An Act to change the names of certain electoral districts (*Bill C-347, Chapter 36, 1996*)

The House of Commons withdrew.

The Right Honourable the Deputy Governor General was pleased to retire.

The sitting of the Senate was resumed.

[English]

ADJOURNMENT

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

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 59(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Monday, February 3, 1997, at 8 p.m.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Motion agreed to.

[Translation]

ROYAL ASSENT

REQUIREMENT FOR QUORUM OF HOUSE OF COMMONS
MEMBERS TO BE PRESENT IN SENATE CHAMBER

Hon. Marcel Prud'homme: Honourable senators, you will have noticed that I have several times asked if there was a quorum in the House of Commons. This is not something I wish to debate. I believe that for years now a procedural error has been made in not requiring a quorum in the House of Commons when it comes to the Senate for Royal Assent.

This is not the day to debate this point and not when you are in the Chair. I will take it up with the person who occupies the Chair to give assent to bills. I hope that the government will at least listen to what we are saying and take it into consideration in future. It must be very careful and ensure that, legally, the House is entitled to come to the Senate without a quorum.

When the bells ring in the House of Commons, it is for the purpose of calling a quorum. The House may not come here until the Speaker of the House of Commons declares a quorum. I will not debate this point today, because it is Christmas.

[English]

CHRISTMAS GREETINGS

The Hon. the Speaker: Honourable senators, I should like to wish you all a very merry Christmas.

[Translation]

I wish all the honourable senators and all our staff the very best in the coming year.

[English]

The Chief Justice will be in my chambers and would be very pleased to receive your visit after the adjournment. I wish also to invite those who work with us here at the Table, the Debates staff and the pages to join us on this occasion.

The Senate adjourned until Monday, February 3, 1997, at 8 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(2nd Session, 35th Parliament)
Wednesday, December 18, 1996

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-2	An Act to amend the Judges Act	96/03/19	96/03/20	Legal & Constitutional Affairs	96/03/21	none	96/03/26	96/03/28	2/96
C-3	An Act to amend the Canada Labour Code (nuclear undertakings) and to make a related amendment to another Act	96/03/27	96/03/28	Social Affairs, Science & Technology	96/05/01	none	96/05/08 referred back to Committee 96/05/16	95/05/29	12/96
C-4	An Act to amend the Standards Council of Canada Act	96/06/18	96/06/20	Banking, Trade & Commerce	96/09/24	none	96/09/25	96/10/22	24/96
C-5	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Income Tax Act	96/10/24	96/10/31	Banking, Trade & Commerce					
C-6	An Act to amend the Yukon Quartz Mining Act and the Yukon Placer Mining Act	96/10/21	96/10/23	Aboriginal Peoples	96/11/05	none	96/11/06	96/11/28	27/96
C-7	An Act to establish the Department of Public Works and to amend and repeal certain Acts	96/03/27	96/03/28	National Finance	96/05/14	none	96/06/12	96/06/20	16/96
C-8	An Act respecting the control of certain drugs, their precursors and other substances and to amend certain other Acts and repeal the Narcotic Control Act in consequence thereof	96/03/19	96/03/21	Legal & Constitutional Affairs	96/06/13	fifteen	96/06/19	96/06/20	19/96
C-9	An Act respecting the Law Commission of Canada	96/03/28	96/04/23	Legal & Constitutional Affairs	96/05/09	none	96/05/14	96/05/29	9/96
C-10	An Act to provide borrowing authority for the fiscal year beginning on April 1, 1996	96/03/26	96/03/27	National Finance	96/03/28	none	96/03/28	96/03/28	3/96
C-11	An Act to establish the Department of Human Resources Development and to amend and repeal certain related Acts	96/04/24	96/04/30	Social Affairs, Science & Technology	96/05/15	none	96/05/16	96/05/29	11/96
C-12	An Act respecting employment insurance in Canada	96/05/14	96/05/30	Social Affairs Science & Technology	96/06/13	none	96/06/20	96/06/20	23/96

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-13	An Act to provide for the establishment and operation of a program to enable certain persons to receive protection in relation to certain inquiries, investigations or prosecutions	96/04/23	96/04/30	Legal & Constitutional Affairs	96/05/28	one	96/05/30	96/06/20	15/96
C-14	An Act to continue the National Transportation Agency as the Canadian Transportation Agency, to consolidate and revise the National Transportation Act, 1987 and the Railway Act and to amend or repeal other Acts as a consequence	96/03/27	96/03/28	Transport & Communications	96/05/08	none	96/05/16	96/05/29	10/96
C-15	An Act to amend, enact and repeal certain laws relating to financial institutions	96/04/24	96/04/30	Banking, Trade & Commerce	96/05/01	none	96/05/02	96/05/29	6/96
C-16	An Act to amend the Contraventions Act and to make consequential amendments to other Acts	96/04/23	96/04/25	Legal & Constitutional Affairs	96/05/02	none	96/05/08	96/05/29	7/96
C-18	An Act to establish the Department of Health and to amend and repeal certain Acts	96/04/24	96/04/30	Social Affairs, Science & Technology	96/05/08	none	96/05/09	96/05/29	8/96
C-19	An Act to implement the Agreement on Internal Trade	96/05/14	96/05/30	Banking, Trade & Commerce	96/06/11	none	96/06/12	96/06/20	17/96
C-20	An Act respecting the commercialization of civil air navigation services	96/06/05	96/06/10	Transport & Communications	96/06/19	one	96/06/19	96/06/20	20/96
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1996	96/03/21	96/03/26	—	—	—	96/03/27	96/03/28	4/96
C-22	An Act granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/03/21	96/03/26	—	—	—	96/03/27	96/03/28	5/96
C-26	An Act respecting the oceans of Canada	96/10/21	96/10/23	Fisheries	96/12/03	none	96/12/04	96/12/18	31/96
C-28	An Act respecting certain agreements concerning the redevelopment and operation of Terminals 1 and 2 at Lester B. Pearson International Airport	96/04/23	96/05/30	Legal & Constitutional Affairs	96/06/10	seven	defeated 96/06/19		
C-29	An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances	96/12/03	96/12/13	96/12/17 Energy, the Environment and Natural Resources	defeated 96/06/19				
C-31	An Act to implement certain provisions of the budget tabled in Parliament on March 6, 1996	96/05/28	96/05/30	National Finance	96/06/13	none	96/06/18	96/06/20	18/96
C-33	An Act to amend the Canadian Human Rights Act	96/05/14	96/05/16	Legal & Constitutional Affairs	96/05/28	none	96/06/05	96/06/20	14/96
C-35	An Act to amend the Canada Labour Code (minimum wage)	96/10/31	96/11/07	Social Affairs, Science & Technology	96/12/04	none	96/12/05	96/12/18	32/96
C-36	An Act to amend the Income Tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act	96/06/18	96/06/19	Banking, Trade & Commerce	96/06/20	none	96/06/20	96/06/20	21/96

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-41	An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act, the Garnishment, Attachment and Pension Diversion Act and the Canada Shipping Act	96/11/25	96/11/28	Social Affairs, Science & Technology					
C-42	An Act to amend the Judges Act and to make consequential amendments to another Act	96/06/18	96/10/02	Legal & Constitutional Affairs	96/10/21	none	96/11/07 (2 amend.)	96/11/28	30/96
C-45	An Act to amend the Criminal Code (judicial review of parole ineligibility) and another Act	96/10/03	96/10/22	Legal & Constitutional Affairs	96/12/05	none	96/12/18	96/12/18	34/96
C-48	An Act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act	96/06/18	96/06/20	—	—	—	96/06/20	96/06/20	22/96
C-54	An Act to amend the Foreign Extraterritorial Measures Act	96/10/21	96/10/30	Foreign Affairs	96/11/06	none	96/11/07	96/11/28	28/96
C-56	An Act for granting Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/09/24	96/09/26	—	—	—	96/10/01	96/10/22	25/96
C-61	An Act to implement the Canada—Israel Free Trade Agreement	96/11/07	96/11/28	Foreign Affairs	96/12/11	none	96/12/12	96/12/18	33/96
C-63	An Act to amend the Canada Elections Act, the Parliament of Canada Act and the Referendum Act	96/11/27	96/12/05	Legal & Constitutional Affairs	96/12/12	none	96/12/18	96/12/18	35/96
C-68	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/11/25	96/11/27	—	—	—	96/11/28	96/11/28	29/96

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-202	An Act respecting a National Organ Donor Week in Canada	96/12/13	96/12/18	Social Affairs, Science & Technology					
C-216	An Act to amend the Broadcasting Act (broadcasting policy)	96/09/24	96/12/03	Transport & Communications					
C-243	An Act to amend the Canada Elections Act (reimbursement of election expenses)	96/05/16	96/05/28	Legal & Constitutional Affairs	96/09/26	none	96/10/01	96/10/22	26/96
C-270	An Act to amend the Financial Administration Act (session of Parliament)	96/12/03	96/12/11	National Finance					
C-275	An Act to establish the Canadian Association of Former Parliamentarians	96/04/30	96/05/14	Legal & Constitutional Affairs	96/05/16	three	96/05/16	95/05/29	13/96
C-347	An Act to change the names of certain electoral districts	96/11/25	96/11/27	Legal & Constitutional Affairs	96/12/12	three	96/12/12	96/12/18	36/96

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Human Rights Act (Sexual orientation) Sen. Kinsella	96/02/28	96/03/26	Legal & Constitutional Affairs	96/04/23	none	96/04/24		
S-3	An Act to amend the Criminal Code (plea bargaining) (Sen. Cools)	96/02/28	96/05/02	Legal & Constitutional Affairs	96/11/07	Rec.			

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-4	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	96/02/28	96/10/28	Legal & Constitutional Affairs					
S-5	An Act to restrict the manufacture, sale, importation and labelling of tobacco products (Sen. Haidasz, P.C.)	96/03/19	96/03/21	Social Affairs, Science & Technology					
S-6	An Act to amend the Criminal Code (period of ineligibility for parole) (Sen. Cools)	96/03/26		Dropped from Order Paper re: Rule 27(3)					
S-9	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	96/06/13		Dropped from Order Paper re: Rule 27(3)					
S-10	An Act to amend the Criminal Code (criminal organization) (Sen. Roberge)	96/06/18	96/12/10	Legal & Constitutional Affairs					
S-11	An Act to amend the Excise Tax Act (Sen. Di Nino)	96/06/20							
S-12	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	96/11/25							
S-13	An Act to amend the Criminal Code (protection of health care providers) (Sen. Carstairs)	96/11/27							
S-14	An Act to amend the Criminal Code and the Department of Health Act (security of the child) (Sen. Carstairs)	96/12/12							

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-7	An Act to dissolve the Nipissing and James Bay Railway Company (Sen. Kelleher, P.C.)	96/05/02	96/05/08	Transport & Communications	96/05/15	none	96/05/16	96/10/22	—
S-8	An Act respecting Queen's University at Kingston (Sen. Murray, P.C.)	96/06/06	96/06/10	Legal & Constitutional Affairs	96/06/13	none	96/06/13	96/06/20	—

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