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(HANSARD)

Tuesday, September 22, 1998

**THE HONOURABLE GILDAS L. MOLGAT
SPEAKER**

This issue contains the latest listing of Officers of the Senate, the Ministry,
Senators and Members of the Senate and Joint Committees.

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THE SENATE

Tuesday, September 22, 1998

The Senate met at 2:00 p.m., the Speaker in the Chair.

Prayers.

NEW SENATORS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that the Clerk has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

Douglas James Roche
Joan Thorne Fraser
Aurélien Gill

INTRODUCTION

The Hon. the Speaker having informed the Senate that there were senators without, waiting to be introduced:

The following honourable senators were introduced; presented Her Majesty's writs of summons; took the oath prescribed by law, which was administered by the Clerk; and were seated:

Hon. Douglas James Roche, of Edmonton, Alberta, introduced between Hon. B. Alasdair Graham, P.C., and Hon. Lois M. Wilson.

Hon. Joan Thorne Fraser, of Montreal, Quebec, introduced between Hon. B. Alasdair Graham, P.C., and Hon. Joyce Fairbairn.

Hon. Aurélien Gill, of Mashteuiatsh (Pointe-Bleue), Quebec, introduced between Hon. B. Alasdair Graham, P.C., and Hon. Lise Bacon.

The Hon. the Speaker informed the Senate that each of the honourable senators named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

•(1420)

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the world can never forget the words of Captain Robert Lewis, U.S. Army Air Corps co-pilot of the *Enola Gay*, who said:

As the bomb fell over Hiroshima and exploded, we saw an entire city disappear. I wrote in my log the words: 'My God, what have we done?'

Last year, the mayor of Hiroshima issued an open letter in which he wrote:

We, the citizens of Hiroshima, who have suffered a nuclear bombing, deeply believe that the development and possession of nuclear weapons is a crime against humanity and that nuclear weapons and humankind cannot coexist.

He then pointed to the watershed ruling of the World Court in July of 1996, which delegitimized nuclear weapons as thinkable weapons of war. He concluded with a poignant plea that the desire for a nuclear-free world will become a huge surge leading to eternal world peace as soon as possible.

Senator Douglas Roche has spent much of his distinguished career working against the weapons which the mayor rightfully labelled as "crimes against humanity." In his latest book, *The Ultimate Evil: The Moral Case Against Nuclear Weapons*, Senator Roche reminds us all that the problem of nuclear weapons has by no means evaporated and that, as Walter Mondale once pointed out, "There will be no veterans of World War III."

As parliamentarian, author and diplomat, Senator Roche has held up to the mirror of world opinion a glimpse of what is possible if and when the international community is mobilized. He has pursued the idea and the ideal of disarmament with passion and intellectual toughness in his tenure as Canada's Disarmament Ambassador, as lecturer and president of Global Security Consultants, and in his wonderful work in conjunction with Project Ploughshares, as well as in his capacity as the author and contributing author to well over 20 books.

Senator Roche is chairman of Canadian Pugwash and special advisor to the Holy See's delegation to the UN General Assembly. He was named chairman of the Canadian Committee for the Fiftieth Anniversary of the United Nations. A recipient of four honorary degrees, he won the Thakore Foundation Award in 1992 in recognition of his work in disarmament. In that same year, he was named an Officer of the Order of Canada. In 1995, his Holiness Pope John Paul II named him a Knight Commander of the Order of St. Gregory the Great.

Those honourable senators who have visited the United Nations have seen the statue of St. George slaying the nuclear dragon. The statue is entitled "Good Defeats Evil" and was built from the remnants of destroyed American and Soviet missiles.

Senator Douglas Roche has been a knight commander in the struggle to rid the world of the ultimate evil. Because of his leadership, many of us have a glimpse of what is possible: a world in which the awful mission of the *Enola Gay* will be remembered as a tragic horror of a dark age.

The Mayor of Hiroshima expressed the hope that a time will come when we will see the nations of the world finally understand that nuclear weapons and humanity cannot coexist. This is one of the many missions undertaken by Senator Roche.

Senator Douglas Roche, we are honoured to welcome you officially to this chamber.

Hon. Senators: Hear, hear!

Senator Graham: Honourable senators, the great John Henry Newman once spoke of the urgent need for sensible, temperate, sober, well-judging persons to guide us through the Scylla and Charybdis of the “Yes” and the “No.” He spoke of this urgency within the political debates of his time, but his words have a continuing significance in the evolution of fair-minded civilian societies.

Nowhere has this urgency been more deeply felt; nowhere have the voices of moderation been more needed, than in the continuing debate over the role of Quebec in Canada.

Senator Joan Fraser has fought the good fight for this country since 1965, when she joined *The Gazette* as a cub reporter. After serving as news editor and editorial page editor with *The Financial Times* for 11 years, she returned to *The Gazette* in 1978 as editorial page editor, and was appointed editor-in-chief in 1993 — a post she held until 1996.

Over the years, this proud Montrealer and McGill University graduate has kept a dream alive. She has kept the vision and the dream of a great federation that is based on tolerance, justice, cooperation and compromise. She has worked in her columns — even in the darkest hours — to keep hope alive, to cool down the rhetoric, to accentuate the positive, and to aim always at the renewal of Canada for all Canadians.

She has fought, line by line, the campaigns of lies and deceptions waged by extremists about the real meaning of our country. She has rejected the forces that debilitate and weaken the resolve to be Canadian. She has fought for the maintenance of a civil society that understands that there are legitimate fears and needs on both sides of the language debate.

On August 14, 1996, just before her departure from *The Gazette* to assume a new position as Director General of the Centre for Research and Information on Canada — a division of the Council for Canadian Unity — she wrote of honourable compromise. She quoted Sir Wilfrid Laurier and spoke of the tremendous impact of his leadership; a leadership which inspired his fellow citizens to go beyond their identity as French or as British and see themselves as Canadians. She quoted Laurier in this way:

I am a Canadian. Canada has been the inspiration of my life. I have had before me, as a pillar of fire by night and a pillar of cloud by day, a policy of true Canadianism, of moderation, of conciliation.

Senator Fraser, as a person with extensive broadcast experience in English and in French, as well as a winner of two national newspaper awards and four national newspaper award citations of merit, we know that you will bring great insight to this chamber — a place which is, as you have so rightfully observed, the second pair of eyes in our Canadian parliamentary system.

[*Translation*]

An excellent journalist and a pillar of information, you have always maintained your integrity and honesty in the world of communications. It is an honour to welcome you to the Senate.

[*English*]

Hon. Senators: Hear, hear!

Senator Graham: Honourable senators, someone once said that to accomplish great things, we must not only act, but also dream, not only dream, but believe. Senator Aurélien Gill has worked all his life to encourage his people to understand that they could become whatever they wished; that they could aspire to become the best that they could be.

[*Translation*]

Born in Quebec, in the Pointe-Bleue region of Lac-Saint-Jean, Senator Gill completed his BA in pedagogy at Université Laval in Quebec City.

[*English*]

He began a career in teaching, a career which in many important ways he has continued all his life as he helped his people shed the inequities of the past and prepare to take up the rights and responsibilities as full citizens of this country. He has worked tirelessly to bring the voice of Canada's First Nations to centre stage.

In so doing, he has been a passionate voice for empowerment of a peoples who, in many ways, are the key to our great national identity — our First Nations who have paddled the wilderness waters and who have known the pain of the portage; who are part of our special bond with the vast distances, with the adventure, the solitude and the mystery of our great Canadian wilderness.

A former Director General of the Department of Indian and Northern Affairs, Senator Gill was the founding president of the Conseil Attikamek-Montagnais and chief of the Mashteuatsh Montagnais community from 1975 to 1982 and again from 1987 to 1989. He went on to play key roles in the Amerindian Police Council; the Confederation of Indians of Quebec; the National Indian Brotherhood, predecessor to the Assembly of First Nations; and the Provincial and National Aboriginal Advisory Council. Aurélien Gill was awarded the Ordre Nationale du Québec in 1991.

More recently, he has helped ensure business services and support to emerging aboriginal entrepreneurs and their respective enterprises, helping to ensure their development, their competitiveness and success in Canadian and world markets; helping to build new role models to encourage and inspire new generations of aboriginal entrepreneurs who can develop economies and communities based on traditional values.

In all these endeavours, Senator Gill has made a commitment to a better world for his people, a world of respect and dignity, a world where his people would take real responsibility for their own affairs, a world where our First Nations have the right to hope and to dream and, most importantly, the right to grow up equal.

In all this, he has understood the real meaning of leadership. He has known that a leader is best when, after his or her work is done, people will say: We have done this ourselves.

Such is the mark of real leadership.

By virtue of your commitment, determination and personal example, you have taught that to aspire to great things in the future, our aboriginal peoples must not only act, but dream, not only dream, but believe.

Senator Gill, the Senate of Canada is privileged to have your presence because the great reality of all things Canadian is that the real soul of our country will only be returned to us by the First Nations who hold the key.

Hon. Senators: Hear, hear!

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, the Senate is the only Canadian legislative body that I am aware of where the spokesman for the Opposition welcomes new members with as much enthusiasm — well, nearly as much enthusiasm — as does the Leader of the Government.

This is done for a number of reasons, not the least being that, here, civility and courtesy take precedence over partisanship. Appreciation of a new member's qualifications is more significant than any party affiliation, should such be the case. These are among the positive attributes of this appointed chamber which are seldom found in any elected chamber where departures are often noted while arrivals are seldom given more than an indifferent nod.

This must not be interpreted, however, to mean that promotion of one's political leanings should not be pursued amongst colleagues. Senator Roche, for example, represented Edmonton—Strathcona with distinction for 12 years on behalf of the Progressive Conservative Party of Canada. His years in the other place and his expertise in arms control will serve us well here. He has declared himself an Independent, and only time will tell how successful some of us will be in disarming him of this awkward identity and bringing him back into the caucus fold where he once performed so well.

[*Translation*]

It is regrettable that, when the topic of aboriginal peoples comes up in Quebec, the focus is usually on those who resort to dramatic means, such as blocking roads or setting up barricades, in expressing their disagreement with federal policy. The truth is that the vast majority of aboriginals in Quebec reject confrontation, believing instead that, whatever the merits of their claims, solutions can more often than not be found in open communication and negotiation. The Montagnais community is a striking example of this approach. Senator Gill has worked for years for the cause of all aboriginals, not just for the benefit of his own community. He brings to us an experience and knowledge of this way of thinking that will help us all to better appreciate the real needs of his fellow citizens and our responsibilities towards them.

Incidentally, the appointed Senate includes four aboriginals among its 104 members, while, believe it or not, the elected, and therefore supposedly more representative House, with its 301 members, lags behind.

[*English*]

Senator Fraser's biography, as distributed by the Prime Minister's Office, neglects to mention that, only two days before her appointment was announced, she was a featured speaker at the summer caucus of the Progressive Conservative Party in Sherbrooke.

No doubt the insights she brought to the meeting on the attitudes of Quebecers on issues of provincial and national interest was brought to the attention of the Prime Minister and this was all he needed to confirm her appointment.

Wishful thinking as this may be, can her accepting to come here, so soon after the Conservative meeting, be interpreted as her wanting now to know more about our caucus?

She may, in short order, want to reinforce certain views that were expressed in *The Gazette* editorial on July 14, 1993, when she was that newspaper's editor-in-chief. In referring to the Senate, she stated:

...it is a house of Parliament, part of the national legislature. Under the Constitution, laws must be passed there as well as in the Commons. Indeed, senators have the time and the expertise to correct many technical and other errors. With a few memorable exceptions...Canada's senators give good value for money.

I am certain, honourable senators, that Senator Fraser and our other new colleagues will give good value for money. I can only hope she will have better success in letting *The Gazette* readers know of the Senate's accomplishments through letters and op-ed pieces than did some of us when she found similar submissions not worthy of being shared with her subscribers.

All on this side join with me in wishing our three new colleagues the very best as they assume their new responsibilities.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before I call for Senators' Statements, I would draw to your attention the presence in our gallery of Sergeant Keith Mitchell and Master Corporal Brian Pierce.

Sergeant Mitchell and Master Corporal Pierce have just been awarded the Cross of Valour, the highest honour Canada provides for acts of bravery in peacetime.

On November 12, 1996, they carried out an unprecedented parachute jump at night from a Hercules aircraft into freezing Arctic waters to provide medical aid to a critically ill fisherman aboard a Danish trawler located near Resolution Island in the Northwest Territories.

Sergeant Mitchell and Master Corporal Pierce, the Senate is pleased to receive you.

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

PRECINCTS OF PARLIAMENT

RESTORATION OF PAINTINGS IN THE SENATE CLERESTORY BY WAR MUSEUM PERSONNEL

The Hon. the Speaker: Honourable senators, I should like to welcome all of you back after the summer recess. I wish you all a very fruitful and happy session to come.

I draw your attention to the eight paintings that we have here in our chamber. Honourable senators will know that these do not belong to the Senate, that they are the property of the Canadian War Museum. You may recall that last year Honourable Senator Forrestall raised the question of the condition of the paintings. As a result of his comments, we approached the War Museum and the Department of Public Works and Government Services. They sent people to examine the paintings. During the recess, they were removed from the walls and repaired or renovated right here on the floor of the Senate. They are now in good condition, safe for many years to come. They were indeed in danger of serious deterioration.

I thank Senator Forrestall for having brought this matter to our attention. I also thank the Canadian War Museum and the Department of Public Works. They did the work in a remarkably rapid and satisfactory fashion and, I might add, at no cost to the Senate.

NOVA SCOTIA

CRASH OF SWISSAIR FLIGHT 111 OFF PEGGY'S COVE— TRIBUTES TO COMMUNITY RESPONSE

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, we have all read of and agonized over the

final moments of Swissair Flight 111 and the subsequent collision of this approximately 230 tonnes of machinery and 215 passengers and 14 crew with the concrete wall that was and is the Atlantic Ocean. We know the tragedy and the horror and the valour and the courage displayed in the now bittersweet beauty of the area off Peggy's Cove, seven miles from the crash site.

I remember all of this very vividly today. I think of the debris-covered crash area and the ghostly light on a heaving ancient ocean which is no stranger to disaster. I think of the salvage operation and the pain of searchers as they tirelessly combed the crash area to recover victims' remains for the sake of loved ones. I think of all the people whose lives are changed forever.

I think of Indian Harbour and the memorial service for the dead. I think of Claire Mortimer, who thanked the people of the community who cared for the families and who, even in the wake of her own loss, demonstrated concern for the livelihoods of the fishers who had rallied instantly to the tragedy offshore, because when disaster is near, that is what Nova Scotians do. I think of a terrible sadness one has no power to convey.

I think of flight attendants who formed a circle on the beach at Baywater where they had gathered to honour fallen colleagues they had never met. I think of flowers tossed into the sea. I think of the reading of the victims' names at the service — of their dreams and their hopes, of their abilities and triumphs. I think of the fly-past of the Sea King helicopter and the dropping of a memorial wreath and the simplicity of the children's choir.

Today, I think of the honour and the privilege of being a Nova Scotian and a Canadian. I think of the immediate response of Nova Scotia communities to victims' families, communities where caring and sharing is a way of life. I think of the navy search and rescue centre, all the members of the Armed Forces, the work of the Coast Guard and the RCMP and local fire-fighters and policemen. I think of the unparalleled Nova Scotia volunteer search and rescue system. I think of the hospitals and medical personnel who were prepared to provide the treatment for survivors who never came. I think of the extraordinary roles played by the clergy and counsellors.

I think of the resolute, painstaking efforts of the members of the Transportation Safety Board of Canada who are trying to piece it all together. I think of the work of Dr. John Butt, Nova Scotia's chief medical examiner, and his medical teams who face weeks of the laborious process of identification.

I think about our fisher communities, for whom rescuing is in their blood, and of this new chapter in their brave, turbulent relationship with the sea and their centuries-old response to disaster which dates back over 5,000 shipwrecks throughout the course of five centuries. In one of the worst of these, the sinking

of passenger liner *SS Atlantic* on April 1, 1873, fishers saved 400 survivors, risking their own lives in the rescue. Every boat in the villages near Peggy's Cove helped out at that time as well. The bodies that were recovered are buried in a recently restored cemetery, and the fishing communities of Prospect still tend the graves of the victims to this day.

When Swissair Flight 111 fell into the ocean on that awful Wednesday night, more than a dozen boats set out for the scene. Anticipating survivors, they brought blankets and food. One, in a note of soul-wrenching poignancy, even brought a raft.

Honourable senators, such is the power of community in my part of the world. Such is the power of old values and old traditions and the courage and humanity of people who live by the sea. We must remember as Canadians that these are the human resources upon which this great country was conceived and built.

Today, as we pay tribute to the victims of Flight 111 and the unparalleled courage of all those who were party to this, our nation's second-worst air disaster, I think of the lighthouse standing on the boulders of Peggy's Cove — that beacon of hope in the face of a desperate and cruel catastrophe — but most of all, I think of the spirit of Nova Scotians and the great, compassionate country of which they are such a beautiful part.

Hon. J. Michael Forrestall: Honourable senators, I join with the Leader of the Government's expression to the families of those who were tragically killed off the shores of Nova Scotia just a short while ago.

When Swissair Flight 111 crashed into the ocean off Peggy's Cove, one of my province's most loved and admired sites, on Wednesday, September 2, 1998, hundreds of Nova Scotians moved toward the crash scene to save lives. Instinctively, they went to do that which is so much a part of our heritage. Some went willingly because it was their job and their duty, a duty to be borne with honour and diligence; others went simply to aid their fellow man and woman. Whether they were ambulance attendants, volunteer fire-fighters, doctors, nurses, or Coast Guard auxiliary, they went to their places of work or to the crash scene hoping to save lives. Sadly, heartbreakingly, it was just not to be. They acted selflessly and readily. They deserve our thanks.

•(1450)

Honourable senators, the Royal Canadian Mounted Police moved hundreds of officers across this great land to undertake the very painful tasks of assisting, in any way they could, the victims' families, investigating the crash, assisting in the identification of human remains, and policing the area. Honourable senators, their sensitivity and professionalism are an example, to all Canadians, of which we can be proud in the face of this tragedy.

The Canadian Coast Guard also dedicated hundreds of professionals to this accident, from the original search to the recovery phase of this mountainous task. Often forgotten and little known outside Canada, particularly in our coastal

communities, the Canadian Coast Guard continues to give sterling service to this nation and anyone in need. They are to be commended for their actions and their unselfish service.

I am also very proud of our professional sailors, soldiers and aircrew of the Canadian Forces who are often ignored, much maligned, and little understood. Hundreds of military personnel are doing their jobs under the most horrendous of conditions; graphic, nightmarish conditions. Soldiers of the RCR and the 4th Air Defence Regiment provided search teams for ground searches, initially for survivors and then for remains — not bodies, honourable senators, remains. They were joined in this grizzly task by army reservists from Nova Scotia's oldest and proudest regiments. Reserve medics and doctors are still working at the morgue at CFB Shearwater.

Sailors, too, share in this horror. The on-site morgue was first established aboard *HMCS Preserver*. However, the *HMCS Halifax, Kingston, Okanagan, Anticosti, Moncton*, and others, also shared in this horrible life-changing work. Sea King, Griffon and Aurora crews served with the same diligence and devotion to duty at the crash site, as did our other sailors and soldiers.

Finally, one must stand somewhat in awe of the diving crews. It is hard enough on the human body and psyche to go under water several dozen metres, it is another, honourable senators, to go down under water and retrieve remains of your fellow man. It is, as I have mentioned, life changing.

To all of you who served diligently and professionally in the Royal Canadian Mounted Police, the Canadian Coast Guard and the Canadian Forces, and to Nova Scotians who volunteered and worked during this tragedy, may I say, on behalf of all honourable senators, we are very proud of you.

Honourable senators, to all these great Canadians I have mentioned, and to those we might have missed, I say this: In an imperfect world you will never receive the thanks you are truly due, but in our hearts we honour you today.

The Hon. the Speaker: If no other honourable senator wishes to speak on this subject, I would ask honourable senators to rise and join me in a minute of silence.

Honourable senators then stood in silent tribute.

FIREARMS REGISTRATION

Hon. Terry Stratton: Honourable senators, I would thank our two previous speakers for their most eloquent remarks. Today I rise to state some reservations and arguments against the universal gun registry, as outlined in the government's last round of amendments to Canada's gun control laws.

When Parliament studied the legislation creating universal registry, it became clear that establishing a universal firearms registration system is a major and enormously costly undertaking. Popular support for a registry was and still is cited as reason enough to impose such a system; but would such a registry be effective?

A registration system would make it possible to trace the original owner of a firearm, which could prove useful in the case of a small number of criminal investigations, provided that they do not involve contraband arms or firearms acquired through illegal means.

One must also remember that the system which the government has created may not, for the most part, reduce crime, because criminals generally do not register their firearms. Organized groups such as the Hell's Angels or the Rock Machine are not likely to register their weapons.

Another argument put forward by those who favour a system of universal registration is that many fatal accidents and suicides are a result of the ease with which firearms can be obtained. In refuting this point, it is essential to remember that, while some suicides and accidents can be attributed to the ease of access to firearms, the extent of the problem is not known. Firearms registration will not resolve this situation.

The storage regulation could help reduce the number of accidents and suicides if it is applied properly, but that is a big "if." For instance, during Senate committee hearings on Bill C-68, a police chief readily admitted that his officers had received no specific training on the application of Bill C-17.

As far as suicides are concerned, the registration of firearms will change nothing. People who are determined to kill themselves will use other means of doing so. They will walk to the locked gun cabinet and get the gun, and then walk to another room, get the bullets, and carry out the deed.

It is important to note that Bill C-68's predecessor, Bill C-17, required all applicants for firearms acquisition permits to provide more personal information than had been required previously. In addition to questions about the existence of a criminal record, or a history of mental illness, the form established under Bill C-17 included questions concerning treatment for alcoholism or drug dependency during the previous five years, and divorce or job loss in the previous two years.

Another argument espoused by the proponents of a universal registration system is that crimes are often committed with lost or stolen firearms.

The Hon. the Speaker: I regret to inform the Honourable Senator Stratton that his time period has expired. Is leave granted that he may continue?

Hon. Senators: Agreed.

•(1500)

Senator Stratton: Put simply, honourable senators, no data exists on the origins of firearms used in the commission of crimes in Canada. If there were proof that most crimes involved stolen or misplaced weapons, the solution would be, again, to place priority on the application of the storage regulation.

Firearms safety and handling courses did not start until mid-1994. Laws and regulations can only play an effective role if

they include a workable objective and can be applied in practice. We must resist the temptation to adopt laws without taking into consideration their practical results.

A final argument put forward by proponents of universal registration is that private ownership and possession of handguns must be strictly limited. What this argument ignores is the fact that handguns are and have been restricted weapons since 1935. Firearms must be registered and can only be used for certain purposes. I am reminded of the pepper spray incident.

In practice, firearms are not permitted for recreational purposes except during target shooting and as collectors' objects. Without the passage of Bill C-68, a rigorous system already governs the storage and transportation of handguns, and the safe storage regulation was more detailed for restricted firearms.

The people who have marched on the Hill today have some very valid points. The government would be wise to pay attention.

Hon. Gerry St. Germain: Honourable senators, I rise in respect of the law-abiding citizens who are demonstrating in front of this building today. Many of us who participated in the debate on Bill C-68, the gun registry legislation, wondered about the government's motivation in passing this new legislation so soon after the previous government's Bill C-17. After all, some of the provisions of Bill C-17 only came into force in 1994 when the Liberals were forming a new government.

The process by which the Bill C-17 was instituted began in 1992, and some important measures were only implemented in 1994. Clearly, honourable senators, not enough time has passed since the adoption of Bill C-17 to make it possible to evaluate the effect of its measures.

In 1996, the Justice Department released an evaluation of the impact of the 1977 gun control legislation. The department noted that during the course of the study it became apparent that the 1991 legislation could not be assessed.

Honourable senators, public safety will be at even greater risk if those who apply the laws are forced to devote too many of their resources to administering new laws and regulatory programs dealing with firearms, including those which are legally owned and used for legitimate purposes, when the effectiveness of prior programs are not even known.

Gun control measures which are not properly applied will serve only to undermine respect for the gun control system, especially among recreational shooters whose support is vital to the success of any regulatory program.

Honourable senators, the frustration felt by many of the marchers is partially due to the fact that the government tabled a new bill without taking the time to assess the impact of the 1991 bill. Nobody knows how much the new firearms registry will cost, though estimates start at \$50 million and go as high as \$0.5 billion. No evaluation has been made of the regulations which were already in effect. Above all, there is no proof that these new measures are necessary in helping to prevent crime.

The current government must clearly demonstrate that the additional gun registration measure contained in Bill C-68 will contribute to the better protection of the public in the future. It must also be shown that such measures would have a greater preventive and/or dissuading effect on violent crime than other measures to which the same resources could be devoted.

Since any government actions necessarily entail time, social and political energy and public funds, it is the government's responsibility to evaluate the policies that are already in place, to assess what problems remain and to take measures necessary to address them. In the process through which the government introduced and passed Bill C-68, these basic principles of public policy were not respected. That is why today, in front of this hallowed chamber, we have all these law-abiding, law-respecting, good citizens protesting these controls and this unnecessary legislation.

HEALTH INFORMATION PRIVACY CODE

Hon. Donald H. Oliver: Honourable senators, there is nothing more important to Canadians than their privacy. The importance of having one's personal data kept confidential can never be overstated, and personal information of a medical nature, in particular.

Medical histories can often be very personal and sensitive in nature, and unsolicited disclosure may cause unnecessary pain. That is why I was so delighted to learn that the delegates to the 131st General Council of the Canadian Medical Association met in Whitehorse to draft their Health Information Privacy Code.

We all know how wide-ranging this era of high-technology can be, and the CMA feel concerned that the continual computerization of general medical information and the advancement of information systems in medicine is jeopardizing the confidentiality of patient information.

Advancement of information technology, especially in the medical field, has its obvious merits. With these merits, however, come responsibilities to ensure that they serve rather than harm the public.

In 1986, Statistics Canada reacted to the potential problems of computerization of data by developing a policy on record linkage. The concern was the growing potential of computer technology to match information on individuals from a variety of totally unrelated sources without the individuals being aware of this activity. The CMA has also responded to these concerns. Their physician-driven privacy code is an admirable first step in what they hope will become a standard for the field of medicine.

With the recent changes to third-party information disclosure policies, the doctors will now find their responsibilities to protect patient information more defined by this code. It is based on the Canadian Standards Association model code for the protection of personal information.

Bruce Phillips, the federal Privacy Commissioner, is fully supportive of this document and he calls it the "Hippocratic Oath of the information age." He further commented that it is:

...a remarkable document, articulating and affirming clearly those valuable principles which are fundamental to

protecting patient privacy and the integrity of doctor-patient relations.

Any circumstances under which current Canadian law that permit or require health data collection, disclosure or access without patient consent or knowledge would be reviewed. As well, any proposed laws would be scrutinized to ensure that they remain consistent with this code.

In an age of changing technologies, it is well recognized that governing bodies must advance to serve the needs that these changes create. The general council implores federal, provincial and territorial governments to join them in the adoption of this code that it plans to implement over the next five years. They will work closely with workers of the medical community in creating ways to ensure that the code's principles become realized in the mainstream.

With the introduction of these standards, Canadians will be able to have confidence that their privacy is secure, and that personal information cannot be circulated without their knowledge and consent.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before I call the next item on the Order Paper, I would like to draw to your attention some visitors in the gallery on the right-hand side. These are young Canadians from Nunavik, in northern Quebec, and they are part of the Canadian Ranger Program, a youth program sponsored by the Department of National Defence.

We welcome you to the Senate and encourage you in your good work.

ROUTINE PROCEEDINGS

STATE OF FINANCIAL SYSTEM

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

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

Tuesday, September 22, 1998

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

FOURTEENTH REPORT

Your Committee, which was authorized by the Senate on Wednesday, October 22, 1997, to examine and report upon the present state of the financial system in Canada, now presents an interim report entitled *Modified Proportionate Liability*.

Respectfully submitted,

MICHAEL KIRBY
Chair

The Hon. the Speaker: When shall this report be taken into consideration?

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

•(1510)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWENTY-FOURTH REPORT OF COMMITTEE PRESENTED

Hon. Bill Rompkey, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Tuesday, September 22, 1998

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

TWENTY-FOURTH REPORT

Your Committee has examined and approved the budgets presented to it by the following Committees for the proposed expenditures of the said Committees for the fiscal year ending March 31, 1999:

Banking, Trade and Commerce — Supplementary Budget (Examination of the Financial System in Canada):

Professional and Other Services	\$ 84,000
Transportation and Communication	248,268
All Other Expenditures	<u>22,000</u>
TOTAL	\$354,268

Standing Joint Committee on Official Languages (Senate share):

Professional and Other Services	\$3,720
Transportation and Communication	40,764
All Other Expenditures	<u>3,300</u>
TOTAL	\$ 47,784

Special Committee on Transportation Safety:

Professional and Other Services	\$ 53,500
Transportation and Communication	42,500
All Other Expenditures	<u>1,500</u>
TOTAL	\$ 97,500

Respectfully submitted,

WILLIAM ROMPKEY
Chair

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

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

[*Translation*]

ADJOURNMENT

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

That when the Senate adjourns today, it do stand adjourned until tomorrow, Wednesday, September 23, 1998 at 1:30 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

[*English*]

CANADIAN NATO PARLIAMENTARY ASSOCIATION

JOINT COMMITTEE MEETING OF THE
NORTH ATLANTIC ASSEMBLY, BRUSSELS, BELGIUM—
REPORT OF CANADIAN DELEGATION TABLED

Hon. Bill Rompkey: Honourable senators, I have the honour to table the third report of the delegation from the Canadian NATO Parliamentary Association which represented Canada at the joint meeting of the North Atlantic Assembly Defence and Security, Economic and Political Committees held in Brussels, Belgium, on February 15 and 16, 1998.

MEETING OF STANDING COMMITTEE AND SECRETARIES
OF NATIONAL DELEGATIONS OF THE
NORTH ATLANTIC ASSEMBLY, MADEIRA, PORTUGAL—
REPORT OF CANADIAN DELEGATION TABLED

Hon. Bill Rompkey: Honourable senators, I have the honour to table the fourth report of the delegation from the Canadian NATO Parliamentary Association which represented Canada at the meeting of the Standing Committee and the Secretaries of National Delegations of the North Atlantic Assembly held in Madeira, Portugal, from March 27 to 29, 1998.

COMPARATIVE LAW

CONFERENCE IN BRISTOL, ENGLAND—NOTICE OF INQUIRY

Hon. Gérald-A. Beaudoin: Honourable senators, I give notice that on Thursday next, September 24, 1998, I will draw the attention of the Senate to my participation at the XV International Congress of Comparative Law, held during the last week of July 1998 in Bristol, England, participation related to the subject of constitutionalism in Canada.

PRIVATE BILL

THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF MACKENZIE—BILL TO AMEND—PRESENTATION OF PETITION

Hon. Nicholas W. Taylor: Honourable senators, I have the honour to present a petition from the Roman Catholic Episcopal Corporation of Mackenzie, of the Roman Catholic Diocese of Mackenzie-Fort Smith in the Northwest Territories, praying for the passage of a bill to amend the Act of Incorporation of the Roman Catholic Episcopal Corporation of Mackenzie.

QUESTION PERIOD

JUSTICE

COST OF ESTABLISHING FIREARMS REGISTRY—TIMING FOR FEE INCREASES TO GUN OWNERS—GOVERNMENT POSITION

Hon. Terry Stratton: Honourable senators, my question is addressed to the Leader of the Government in the Senate. In 1995, the Minister of Justice stated repeatedly that the cost of setting up the system to register firearms would be approximately \$85 million spread over seven years, and that the cost would be recovered over time from the fees charged to firearm owners and users. On May 26, 1998, the Leader of the Government in the Senate indicated that the cost had soared to \$133 million, approximately. Meanwhile, it has been suggested that it will require an additional \$250 million in computer upgrades to ensure that police officers have adequate access to the information in the firearms registry. In order to recover the much higher costs that have already been incurred, together with other costs the government obviously had not considered, the fees will almost certainly have to be increased significantly.

Can the Leader of the Government tell us when the government plans to share the time line for these fee hikes with firearm owners? Have the new fees already been decided on? If so, what are they?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I think the information I provided before we adjourned in the spring was accurate with respect to the costs. With regard to any further escalation, I would have to inquire and bring forward the proper information for my honourable friend.

Senator Stratton: Honourable senators, is the Leader of the Government saying that what he stated in the spring still holds true as far as costs are concerned and that the \$133 million is there?

Senator Graham: I am saying that was an accurate figure at the time. I do not know what the present figure is, but I am prepared to inquire and bring forward that information.

DELAY IN ESTABLISHING FIREARMS REGISTRY— GOVERNMENT POSITION

Hon. Terry Stratton: Honourable senators, by way of a supplementary question, the minister also thought that the

registration process would be simple, easy, and that it would commence on January 1, 1998. As we all know, the registry was not then ready and was rescheduled to commence on October 1, although I note that just yesterday the minister announced another two-month extension would be required before implementation would begin.

On May 26 the Leader of the Government in the Senate indicated that negotiations were ongoing with the provinces in trying to reach an agreement on enforcement, and that he hoped the matter would be completed by the fall.

With the start of the fall just a day away, can the Leader of the Government tell us what progress has been made in the negotiations to date and whether we can anticipate a conclusion to these discussions in the near future?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the system is ready to go as far as the Government of Canada is concerned, but the Government of Canada has received representations from the law enforcement community, particularly in the Province of Ontario, asking for additional time before implementation of the firearms legislation. The additional time, of course, would ensure that an enhanced level of public safety is achieved consistently across the country. The old date was October 1, and my understanding is that the new date is now December 1.

DELAY IN ESTABLISHING FIREARMS REGISTRY— ESCALATION IN COSTS TO LAW ENFORCEMENT AGENCIES— GOVERNMENT POSITION

Hon. Gerry St. Germain: Honourable senators, my question is to the Leader of the Government in the Senate and relates to the same subject. Does the delay have to do strictly with the Province of Ontario, or could it also be affected by the upcoming decision of Alberta's court case on the constitutional aspect of this legislation that is supported, I believe, by Manitoba, Saskatchewan, Yukon and the Northwest Territories? Is this contributing to the delay, or is it strictly Ontario, as the leader has described?

•(1520)

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I am not aware of any particular request from the Province of Alberta. Nor am I aware that the case to which my honourable friend Senator St. Germain has referred has played a role in the delay. I am aware, as I indicated, that a request had come forward from the Ontario Association of Chiefs of Police to postpone the implementation until December 1, 1998.

Senator St. Germain: Honourable senators, my supplementary question relates to the costs referred to by Senator Stratton. We have gone from \$50 million to \$75 million, which Minister Rock at one time stated would be the cost, to a confirmed figure of approximately \$130 million, in addition to the \$200 million referred to by the Canadian Police Association. At some point, these costs will become entirely unreasonable.

Is there a certain level at which the government would re-evaluate its position? The responsible gun owners and sportsmen of this country who are protesting this legislation are very concerned. Every government initiative has gone entirely to cost recovery. I am not opposed to cost recovery, if it makes sense, but this legislation could get completely out of control. If we are now at \$400 million, as some have stated, we could end up at \$1 billion.

Is there a bottom line at which the government will say, "Enough is enough. It is too costly and we must re-evaluate our position"?

Senator Graham: Honourable senators, all of my honourable friends opposite know that Bill C-17 dealt with firearms acquisition certificates. The government's paramount concern with respect to Bill C-68 is public safety. I do not know that you can attach a dollar value to the safety of Canadians.

As I indicated to Senator Stratton, I am perfectly prepared to ask those who are responsible to bring forward an update of the costs involved in the registration process.

Senator St. Germain: Honourable senators, I do not agree that safety is such a big part of this legislation, because criminals will not register their guns. If safety is so key, why is the government delaying the legislation? If there were a dysfunction in an aircraft or in a regulation of the Aviation Safety Council, corrective legislation would be passed immediately. What is the difference between life being threatened by a dysfunctional aircraft or by guns?

Honourable senators, I believe that the government did not realize what it was doing when it brought this legislation forward. They did not think it through. They did not take into consideration the costs that would be involved, and now that aspect is out of control.

If safety is the key, why was this measure not implemented yesterday? Why postpone it another two months?

Senator Graham: Honourable senators, the main arguments supporting the postponements were public safety, as I said, and the need to provide the opportunity to complete the training of personnel. This is as a result of a request from the Police Association of Ontario.

With respect to public safety, the main issue is the input of data from the 280 police services across the country, in order to provide eligibility checking as required by section 5 of the act. This data input has been more difficult than expected but, as I indicated, it should be ready by December 1 of this year.

Incidentally, I should point out that the postponement enables training of personnel, including police, Customs agents, Crown attorneys and the judiciary, to be fully completed before the start-up.

SOLICITOR GENERAL

COMMISSION OF INQUIRY INTO TREATMENT OF PROTESTORS AT APEC CONFERENCE BY RCMP—GOVERNMENT POSITION

Hon. Marjory LeBreton: Honourable senators, my question is directed to the Leader of the Government in the Senate, and it is with regard to the now infamous pepper spraying incident at last November's APEC meeting in Vancouver.

It is clear that the Prime Minister and the Minister of Foreign Affairs were actively involved in, if in fact not leading, the effort to suppress the democratic rights of Canadians to freedom of assembly and speech. Never in the history of Canada have our federal police been so politicized and manipulated. The RCMP have taken the fall for the Prime Minister's strangling of the protester in Hull, the break-in at 24 Sussex, the Prime Minister's ski trip by helicopter, and the new road into the Prime Minister's private retreat in his riding. They have been called in to investigate minor cabinet leaks and, of course, we cannot forget that they also took the blame for the collapse of the government's case in the Airbus affair. Now the Prime Minister would have us believe that the RCMP were acting alone in their actions at APEC.

Will the government appoint an independent, arm's-length inquiry to investigate fully this unprecedented abuse of the rights of Canadian citizens, in order that all sides can be given a fair hearing?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I thank the Honourable Senator LeBreton for her question because it gives me the opportunity to emphasize that there is already an arm's-length investigation going on. All of these issues are being investigated by the RCMP Public Complaints Commission. With the greatest of respect, I think that the Honourable Senator LeBreton is doing a tremendous disservice to the Royal Canadian Mounted Police, who have served Canadians since their inception with such great honour. They give great service to this country on a day-by-day, week-by-week, month-by-month and year-by-year basis.

Senator LeBreton: Honourable senators, I am not questioning the RCMP's role in this country. I am questioning why they are putting up with this interference now.

Senator Graham: With the greatest of respect, again, on that point you should address your question to the Royal Canadian Mounted Police.

COMMISSION OF INQUIRY INTO TREATMENT OF PROTESTORS AT APEC CONFERENCE BY RCMP—POSSIBLE TESTIMONY BY PRIME MINISTER—GOVERNMENT POSITION

Hon. Marjory LeBreton: Honourable senators, the RCMP certainly have some answering to do. However, the senators on the other side of this house are a little sensitive on this subject, are they not?

Will the Prime Minister, then, acting on the advice of his own Solicitor General, appear before the inquiry and explain his role and the role of his staff in this most troubling affair?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, that is obviously a hypothetical question. The Prime Minister has not been called to testify before the commission, and the commission itself will decide who should be called to testify as the hearings progress.

COMMISSION OF INQUIRY INTO TREATMENT OF PROTESTORS
AT APEC CONFERENCE BY RCMP—
PARAMETERS OF INVESTIGATION—GOVERNMENT POSITION

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, is the Leader of the Government in the Senate suggesting to this chamber that the complaints inquiry that is now in existence ought to be mandated to examine the political question of the relationship of the Prime Minister's office to the Royal Canadian Mounted Police?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, Senator LeBreton asked whether the Prime Minister would testify before the complaints commission. I said that that was a hypothetical question because it is up to the commission itself to decide who will testify.

Senator Kinsella: Honourable senators, the question is a very serious one on the relationship of the Prime Minister's Office to the independent Royal Canadian Mounted Police. Honourable Senator LeBreton enquired whether there was to be an independent inquiry. The Honourable Leader of the Government in the Senate then told us that a complaints commission is studying the matter. We wish to know whether the complaints commission will have the mandate to examine whether there was political interference from the Prime Minister's Office in the day-to-day operation of the RCMP.

Senator Graham: Honourable senators, I think that is a fair question, and I think it should be addressed to the complaints commission.

AGRICULTURE

BLOCKADING ACTIONS AGAINST IMPORT OF CANADIAN GRAIN
AND LIVESTOCK BY SOUTH DAKOTA FARMERS—
GOVERNMENT POSITION

Hon. Leonard J. Gustafson: Honourable senators, I wish to bring to the attention of the chamber the problems which Canadian farmers are encountering in shipping livestock and grain across the border. As late as yesterday, a train was stopped at North Portal, Saskatchewan by a tractor that had been placed across the rails. Trucks are also being stopped.

This is becoming a very serious situation. To give the government credit, the Minister of Agriculture, Lyle Vanclief, has officially protested through his counterpart Dan Glickman, and Canadian Ambassador Raymond Chrétien has sent a letter of complaint to U.S. Secretary Madeleine Albright.

•(1530)

I live right on the Canada-U.S. border, on the SOO line, where trainload after trainload of American machinery is entering

Canada; trainload after trainload of fertilizer is coming into Canada; and trainloads of fertilizer from Esterhazy, Saskatchewan, are being shipped into the U.S. to help them grow crops. Something must be done to educate the farmers on both sides of the border and to deal with this trade situation.

I compliment the government for doing what it has done, but more must be done. What steps is the government taking to deal with this serious situation?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, as I indicated to my friend Senator Gustafson, who is very knowledgeable in matters of this kind, the Minister of Agriculture, Mr. Vanclief, has twice spoken to the secretary to register Canada's objections to this very unacceptable situation. We are asking the U.S. government to intervene to stop these unfair trading practices. Not only Minister Vanclief but also Ministers Marchi and Goodale issued a press release condemning South Dakota's actions. They have undertaken various press briefings, but United States officials have assured Canada that state officials have no jurisdiction to inspect Canadian grain and livestock; however, state officials can use other pretexts, as you have indicated, such as vehicle safety, to block shipments.

When I discussed this matter with my cabinet colleagues this morning, they assured me that they were taking action and that they were bringing their concerns to the attention of those responsible in the United States government.

NATIONAL DEFENCE

SHORTFALL OF NECESSITIES FOR CREW ON VESSEL
IN WAR ZONE—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, when *HMCS Toronto* was dispatched to the gulf recently, it was found to be short of some critical and interesting supplies which had more serious implications than causing hardship. The ship lacked basic supplies such as summer shirts, medication, passports, training rounds for the ship's guns, proper lubricants for use in tropical heat, as well as basic toiletries — not to mention a modern maritime helicopter.

I would point out that 146 days have passed since the distinguished Leader of the Government in the Senate told us that the matter would soon be resolved. We will continue to count the days as we go through this winter.

The government often tells its critics that we the Canadian taxpayer cannot afford luxury, big-ticket items for the military. Could the Leader of the Government tell us which of these items is a luxury for a ship and a crew in a war zone? Was it perhaps the toilet paper?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, my honourable friend has excellent insights and channels of information on matters of this kind. I admire the way he has detailed the list of inadequacies on *HMCS Toronto*.

My understanding is that these shortfalls occurred because it was important to move that particular vessel to the war zone as quickly as possible. That is one of the hazards of being a member of the armed services in such a situation.

However, I would assure my honourable friend that the safety of personnel was of paramount importance to those who dispatched and directed the ship. I understand that most of the shortcomings have been dealt with.

Senator Forrestall: Honourable senators, the concern is that this may well be a result of the lack of adequate and proper funding for the servicing of the requirements of that vessel, in whatever environment in which it may be deployed, acknowledging that it went from relatively cold waters where it was on manoeuvres and duties with the standing NATO fleet to a much warmer climate. Notwithstanding that fact, that ship should have been equipped to move anywhere in the world at a moment's notice, and it was not.

STATUS OF MARITIME HELICOPTER AND SURFACE
FLEET PROJECTS—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, keeping in mind our time restraints, I would move on to a question dealing with our helicopters. We know the test to which the Sea Kings have been put in recent weeks off Peggy's Cove. We also know the what the cost of one hour's flying time for those machines. Is there any reasonable expectation that the government will move on the new helicopters some time before the end of this fiscal year?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I am an optimist. The Honourable Senator Forrestall has persistently posed questions respecting submarines and our helicopter fleet. I would assure my honourable friend that not a week goes by when I do not remind the Minister of National Defence of his concerns which are also my concerns. Unfortunately, I was unable to do that today because Minister Eggleton was attending to his daughter who, unfortunately, was injured in an accident on the weekend.

However, I can assure the honourable senator that the maritime helicopter project is still a core project within the department. The Canadian maritime surface fleet is designed to be complemented, obviously, by ship-borne helicopters. The helicopters' surveillance

and control capabilities are a vital part of a ship's ability to protect itself and to exercise control well beyond the range of the ship's own sensors and weapons. The government remains committed to ensuring that the Canadian forces have the equipment that they need to carry out their important missions at home and abroad. Furthermore, I would assure Senator Forrestall that the procurement strategy to replace the aging Sea Kings is very much under discussion at the present time.

Senator Forrestall: That is the problem: It is being discussed but no answer is being given.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I have a response to a question raised in the Senate on June 3, 1998, by the Honourable Senators David Tkachuk and Donald Oliver, regarding changes to the Canada Pension Plan, failure to make appointments to investment board — endorsement of candidates named by nominating committee; on June 8, 1998, by the Honourable Senator Jean-Claude Rivest, regarding the Millennium Scholarship Foundation — studies undertaken to establish priority; on June 9, 1998, by the Honourable Senator Jean-Claude Rivest, regarding the Millennium Scholarship Foundation — state of negotiations between Quebec and federal government; on June 10, 1998, by the Honourable Senator Gerry St. Germain, regarding the settlement of softwood lumber dispute, failure of quota system, control of industry by United States interests; and on June 10, 1998, by the Honourable Senator J. Michael Forrestall, regarding the redundancy of automated light station installations on British Columbia coast.

HUMAN RESOURCES DEVELOPMENT

CHANGES TO CANADA PENSION PLAN—FAILURE TO MAKE
APPOINTMENTS TO INVESTMENT BOARD—ENDORSEMENT OF
CANDIDATES NAMED BY NOMINATING COMMITTEE—
GOVERNMENT POSITION

(Response to question raised by Hon. David Tkachuk and Hon. Donald H. Oliver on June 3, 1998)

The process of appointing the CPP Investment Board's board of directors is nearing completion.

The CPP Investment Board nominating committee forwarded a list of qualified candidates to Finance Ministers in April, upon the completion of the Senate Banking Committee's review of the legislation and draft regulations. Investment Board directors will be selected exclusively from the nominating committee's list.

The **CPP Investment Board Act**, which came into force on April 1, 1998, requires that the Federal Minister of Finance consult with his provincial counterparts prior to naming the directors. This consultation process, though well underway, is not yet complete.

Once the consultations have concluded, the government will announce the composition of the board, including the chair.

POST-SECONDARY EDUCATION

MILLENNIUM SCHOLARSHIP FOUNDATION—STUDIES UNDERTAKEN TO ESTABLISH PRIORITY—REQUEST FOR TABLING OF RESULTS

(Response to question raised by Hon. Jean-Claude Rivest on June 8, 1998)

In asking what studies the Government of Canada based its decision on in deciding to set up the millennium scholarship program, it is implied that the Government of Canada decided to intervene in this field all of a sudden and without consultation.

Nothing is further from the truth.

As noted in a press release dated September 23, 1997, the Council of Ministers of Education (CMEC) called on the Government of Canada *to implement grants for students with dependants, as quickly as possible*. They indicated that every province and territory currently has measures to help avoid or reduce student debt and *the Government of Canada needs to pick up its proportional share*.

At the First Ministers' meeting, held in Ottawa last December 11 and 12, the First Ministers agreed on a number of priorities, including student debt. The final news release that dealt with this matter stated: "The First Ministers agree on the importance of lessening students' financial burden. Furthermore, it is agreed that the Minister of Finance and the Minister of Human Resources Development will accelerate work in concert with provincial and territorial Education Ministers so that the Minister of Finance can take account of this work in the next federal budget." Notably, in this news release, Quebec dissociated itself from the positions taken by all the other Canadian First Ministers in all but two cases: student debt and climate change.

Clearly, student debt is a priority for all the governments in the country, including the Government of Quebec. Student debt is a priority the federal government has decided to address, as all the provincial governments asked it to. That is why, in the last federal budget, the government announced

that an amount of 2.5 billion dollars would be earmarked to facilitate access to post-secondary education for students.

POST-SECONDARY EDUCATION

MILLENNIUM SCHOLARSHIP FOUNDATION— STATE OF NEGOTIATIONS BETWEEN QUEBEC AND FEDERAL GOVERNMENT—GOVERNMENT POSITION

(Response to question raised by Hon. Jean-Claude Rivest on June 9, 1998)

The question was raised whether the provinces, and in particular Quebec, made any formal requests which might explain the Government of Canada's decision to set up the millennium scholarship program.

As noted in a press release dated September 23, 1997, the Council of Ministers of Education (CMEC) called on the Government of Canada *to implement grants for students with dependents, as quickly as possible*. They indicated that every province and territory currently has measures to help avoid or reduce student debt and *the Government of Canada needs to pick up its proportional share*.

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This is no doubt the best example of what might be referred to as a "request" from the provinces.

The scholarships will be administered by the Canada Millennium Scholarship Foundation. The Foundation is an independent organisation that will award the scholarships and distribute the \$2.5 billion that the government has set aside for this initiative. The Foundation will work closely with the provinces to avoid duplication.

The Government of Canada wishes also to ensure that the scholarships go to low- or middle-income students who demonstrate a certain potential, and that they be available to those wishing to study in another province.

The millennium scholarships are a national initiative, a way for Canada to celebrate the millennium by investing in its future. All Canadian students must have access to them.

FORESTRY

SETTLEMENT OF SOFTWOOD LUMBER DISPUTE—FAILURE OF QUOTA SYSTEM—CONTROL OF INDUSTRY BY U.S. INTERESTS—GOVERNMENT POSITION

(Response to question raised by Hon. Gerry St. Germain on June 10, 1998)

Concern was expressed with the restrictions on lumber exports from Alberta, British Columbia, Ontario and Quebec to the United States under the 1996 Canada-U.S. Softwood Lumber Agreement. There have been significant recent developments affecting this matter.

Drilled Softwood Lumber Studs: As of June 10th, negotiations were ongoing to resolve whether softwood lumber studs having holes drilled for wires and pipes were subject to export allocations under the Softwood Lumber Agreement. Unfortunately, on June 26, 1998, the U.S. Customs Service issued a final ruling, effective July 1, 1998, that reclassifies this product under tariff heading HS 44.07, which is covered by the Agreement. This action is having a negative impact on the Canadian lumber industry, already affected by the lower Asian demand for lumber.

As a first step to reversing the U.S. Customs decision, on July 6 Canada requested consultations under Article V(1) of the Softwood Lumber Agreement on the grounds that unilateral expansion of the scope of the Agreement constitutes a breach of United States' obligations. A first round of consultations was held in Washington on July 23.

The government is continuing to discuss this matter with the U.S. authorities and with the Canadian industry and provincial government officials. In addition, certain members of the Canadian lumber re-manufacturing sector, along with the U.S. Homebuilders Association, have challenged the Customs reclassification in the U.S. Court of International Trade. A summary judgement may be forthcoming as early as October 1998.

At the same time, Canada has placed this issue on the agenda for the October 28-November 13 meeting of the World Customs Organization's Harmonized System Committee. That body has been requested to consider the validity of the U.S. reclassification action.

B.C. Stumpage Reductions: Reference was made to the extensive discussions amongst U.S., Canadian and B.C.

officials that preceded the May 28, 1998, announcement by Premier Clark of stumpage reductions, effective June 1, 1998. U.S. officials had signalled that any lowering of stumpage rates could be considered to be a violation of the Agreement, and on June 22 it requested consultations under the Softwood Lumber Agreement. These consultations did not resolve the issue and the United States requested arbitration on July 28. The government is now engaged in the process of appointing an independent Panel to review this matter. At the same time, informal discussions are continuing with a view to achieving a negotiated settlement.

Implications for the Softwood Lumber Agreement: The Agreement generally has been working well. It has the broad support of industry and government on both sides of the border. In addition, the Agreement sets out procedures for resolving disagreements, an important consideration for Canada, given the history of harassment by U.S. timber interests. In addition, we have seen with the disputes over B.C. stumpage and drilled studs that a request for consultations or arbitration under the Agreement does not preclude the continuation of efforts to negotiate a mutually satisfactory solution. With respect to the future of the Agreement, there is ample time between now and its March 31, 2001 expiry to develop options. To that end, this government will continue its consultations with industry and affected provinces.

FISHERIES AND OCEANS

REDUNDANCY OF AUTOMATED LIGHT STATION INSTALLATIONS ON BRITISH COLUMBIA COAST—GOVERNMENT POSITION

(Response to question raised by Hon. J. Michael Forrestall on June 10, 1998)

Consistent with national policy and in order to face its financial challenges, the Coast Guard is reviewing and adjusting its entire navigational aids system across Canada, including fixed and floating aids, as part of the aids modernization program to achieve a more equitable, safe, cost-effective and environmentally friendly service that meets the needs of today's mariner.

The work being carried out at light stations is part of the modernization of the navigational aids system. The lights and fog horns have been automated for many years and are now being replaced, where practical, with modern reliable high efficiency equipment, in order to achieve aids modernization objectives.

The Coast Guard has ceased installing remote monitoring and automated weather stations at sites where these are redundant due to the continued presence of a lightkeeper.

Many individuals and organizations had urged Minister Anderson and his colleagues to retain a human presence at the lightstations. The federal government heard these concerns and recognized that Canadians have a very strong interest in light stations which are an important part of Canada's heritage.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

DEPARTMENT OF INDUSTRY—
CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 23 on the Order Paper—by Senator Kenny.

NATIONAL DEFENCE—CONTRACT AWARDED TO
WESTERN STAR TO DEVELOP MILITARY UTILITY VEHICLE

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 74 on the Order Paper—by Senator Forrestall.

NATIONAL DEFENCE —
ADMINISTRATION OF THE DRUG MEFLOQUINE/LARIAM

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 75 on the Order Paper—by Senator Forrestall.

BUSINESS DEVELOPMENT BANK OF CANADA —REMUNERATION
AND APPOINTMENT DATE OF CURRENT AND FORMER CHAIRMAN

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 81 on the Order Paper—by Senator LeBreton.

SETTLEMENTS TO THIRD PARTY CLAIMS
RESPECTING PEARSON AIRPORT TERMINALS I AND II

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 85 on the Order Paper—by Senator Lynch-Staunton

NATIONAL DEFENCE—INQUIRY INTO THE DEPLOYMENT
OF CANADIAN FORCES TO SOMALIA—
STATUS OF WITNESSES BEFORE COMMISSION

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 94 on the Order Paper—by Senator Lynch-Staunton.

DEPARTMENT OF JUSTICE—
CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 98 on the Order Paper—by Senator Kenny.

DEPARTMENT OF HEALTH—
CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 105 on the Order Paper—by Senator Kenny.

DEPARTMENT OF REGIONAL DEVELOPMENT—QUEBEC—
CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 106 on the Order Paper—by Senator Kenny.

THE ENVIRONMENT—GREENHOUSE GAS EMISSIONS

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 107 on the Order Paper—by Senator Spivak.

AGRICULTURE—DAIRY PRODUCTS—IMPORTATION RESTRICTIONS
REGARDING RECOMBINANT BOVINE GROWTH HORMONE

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 108 on the Order Paper—by Senator Spivak.

TEAM CANADA—VISIT TO ASIA— BUSINESS DEALS
GUARANTEED BY THE GOVERNMENT OF CANADA

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 110 on the Order Paper—by Senator Forrestall.

SHEARWATER DEVELOPMENT CORPORATION—
GOVERNMENT FUNDING

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 111 on the Order Paper—by Senator Forrestall.

NATIONAL DEFENCE—EQUALITY FOR VISIBLE MINORITIES

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 119 on the Order Paper—by Senator Oliver.

TRANSPORT—BOARD OF DIRECTORS OF MARINE ATLANTIC

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 120 on the Order Paper—by Senator Oliver.

NATIONAL DEFENCE—AURORA LIFE EXTENSION PROGRAM

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 122 on the Order Paper—by Senator Forrestall.

NATIONAL DEFENCE—CANADA SEARCH HELICOPTER PROGRAM

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 123 on the Order Paper—by Senator Forrestall.

TRANSPORT—UPGRADE OF HALIFAX INTERNATIONAL AIRPORT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 125 on the Order Paper—by Senator Forrestall.

TRANSPORT—DEVELOPMENT OF HALIFAX AS A SUPERPORT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 127 on the Order Paper—by Senator Forrestall.

NATIONAL DEFENCE—REPLACEMENT OF SEA KING HELICOPTERS

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 128 on the Order Paper—by Senator Forrestall.

NATIONAL DEFENCE—INTRUDER SUBMARINE CONTACTS

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 130 on the Order Paper—by Senator Forrestall.

NATIONAL DEFENCE—STATUS OF AIR COMMAND'S CF-18 FLEET

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 132 on the Order Paper—by Senator Forrestall.

ORDERS OF THE DAY**JUDGES ACT**

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Ferretti Barth, for the second reading of Bill C-37, to amend the Judges Act and to make consequential amendments to other Acts.

Hon. Anne C. Cools: Honourable senators, I rise to speak to second reading of Bill C-37.

Honourable senators, we should note that only one clause — clause 5 — of this 21-clause bill concerns a pay increase for Canada's section 96 judges. The other 20 clauses are not related to the pay increase. I raise no objection to this pay increase for judges. I am proud to serve in a Parliament that historically has ensured that judges are well remunerated and protected. Our parliamentary practice has held that bills on judges' salary increases should proceed in Parliament without controversy and with agreement directing ministers that judges' salary bills should proceed with clarity and single purpose.

I do not take issue with clause 5, but I do take issue with the thrusts of this bill that are not salary increases, or even necessary to the increases, but rather, bear directly on other public policy issues, particularly accountability to Parliament for the public purse. The fact that the Minister of Justice has brought this judges' salary increase amidst a sea of contentious clauses makes Bill C-37 a troubling bill which challenges our parliamentary customs and usage.

Honourable senators, I turn now to clauses 1, 9, 10 and 11. In the September 12, 1998 *Ottawa Citizen*, there was an article entitled, "A Family Law of Their Own: Why does Willard Estey say new legislation will create a 'home-made harem' for Canadian judges?" Author Glen McGregor reported:

Former Supreme Court Justice Willard (Bud) Estey says proposed amendments to the Judges Act will give his former colleagues on the bench the right to a 'kind of home-made harem.'

Former Justice Estey stated:

Under the constitution, the province has the primary inside track on forming the marriage — solemnization, if you will... What's strange is that this statute purports to allow the federal parliament to redefine what a spouse is.

He also stated:

Why should a judge have the privilege when nobody else does?... If you give him a benefit and a privilege others can't have, there's a resentment between the people the judge is serving and the judge himself. That's wrong.

These clauses would create a regime in law, wherein a judge can have double spouses, and also encourage that judge not to divorce his married spouse and not to settle financially with the married spouse.

Clause 11 states:

Section 46.1 of the Act is replaced by the following:

46.1 When a judge dies while holding office, a lump sum equal to one sixth of the yearly salary of the judge at the time of death shall be paid to the surviving spouse of the judge or, if there are two surviving spouses, to the spouse who was cohabiting with the judge at the time of death.

Honourable senators, this indelicate clause invites public odium. These clauses offend since they would supersede all separation and divorce agreements of judges, even to render divorce unnecessary. This law solely for judges is a reach into provincial family law. I object to these clauses.

Honourable senators, historically, one justification for the very high pensions for justices has been Parliament's wish to protect their spouses, traditionally women. I have met with judges' wives, women separated but not divorced, whose circumstances will be adversely affected by these clauses. In their representations to me about these clauses, and solely these clauses, these judges' wives were discreet and mindful of the delicacy of their own positions and of their husbands' judicial offices. I thank those women for their propriety.

Honourable senators, all human beings — judges, too — experience tribulation in their personal lives. The private is private. However, no private matter must become public policy just because some have their hands on the nation's legislative machinery and can shape the law to meet their particular needs. In short, all human beings — judges, too — are sinners, but few can script their sins into statute. I submit that when some script their sins into the laws of the nation, the result is bad law and bad public policy. I have spoken here about the unholy alliance between certain judges and the Department of Justice's parliamentary engineers. This unholy alliance, this marriage between the Department of Justice and certain judges, is begging

correction. This department frequently sends us bills described as housekeeping and straightforward but which are not. Bill C-37 is not about salary increases for judges.

Honourable senators know the current public unease about certain judicial activities, particularly the judiciary's politicization. Recently, there has been a plethora of critical articles about Supreme Court of Canada Chief Justice Antonio Lamer's public statements on August 23, 1998 in Newfoundland. This politicization of the judiciary is a great political question that has seized the public mind. The commentary includes headlines like, "Curb the Judicial Godzillas." John Crosbie, Minister of Justice from 1984 to 1986, in a speech to the Canadian Bar Association, published under this headline in *The Ottawa Citizen* on August 27, 1998, said:

Now we have a situation where the judges in Canada are the godzillas of government with the legislative and executive branches becoming the Mickey Mouse of government.

Honourable senators, I turn now to clause 6 of this bill which has its origin in the 1997 Supreme Court of Canada judgment in *Reference Re Remuneration of Judges of the Provincial Court of Prince Edward Island [1997]... 3 S.C.R.3*. It amends the Judges Act at section 26 to establish a Judicial Compensation and Benefits Commission as a permanent commission. It is a surreptitious attempt to amend, to defeat the Constitution Act, 1867, section 100, which states in part:

The Salaries, Allowances, and Pensions of the Judges...shall be fixed and provided by the Parliament of Canada.

Clause 6 would diminish Parliament's role in the public expenditure and in determining the salary of judges.

Honourable senators, the historical problem of judges has been the Sovereign's control over them, particularly when they invited either the Sovereign's pleasure or displeasure. The United Kingdom's Act of Settlement 1701 sought to secure judges by assigning their protection, mainly tenure and salaries, to the people's representative assembly, the Parliament. In pre-Confederation Canada, the development of the judges' current position paralleled the development of ministerial responsible government and led to the Constitution Act, 1867, sections 99 and 100.

The post-Confederation Parliament chose to implement section 100 to fix and provide financially, not by Parliament's usual financial annual process — the Main Estimates supply

process — but rather by direct charge against the Consolidated Revenue Fund. In parliamentary lexicon, it is a statutory charge. Parliament's reason for the exceptional statutory charge versus the annual Estimates Supply practice was the avoidance of judges' salaries becoming non-confidence votes, which force a fall of the government, a Ministry's resignation, and cause an election — simply put, the avoidance of an election on the ever-thorny issue of judges' salaries.

Can you imagine an election on this bill, honourable senators?

Currently, the statutory charge instrument, subsection 53(1) of the Judges Act, originally only applied to judges' salaries — not to staff, nor to bureaucracy, nor to extended agencies or interests. Its intention had been the fixing of judges' salaries as a constitutional, parliamentary and political proposition. However, subsection 53(1) of the Judges Act is now unrecognizable because of certain persistent attempts to swell and exaggerate its use to circumvent the Constitution and the intent of Parliament, and these attempts have been successful and lucrative.

Honourable senators, some interested judges want unbridled access to the Consolidated Revenue Fund. Clause 6 empowers this Judicial Compensation and Benefits Commission to create its own infrastructure and appoint its own staff — a blank cheque and a blanket authority all without proper parliamentary scrutiny. Clause 6 establishes a boundless bureaucracy that is not subject, like most bureaucracies, to Parliament's annual estimate and supply process. Subsection 53(1) of the Judges Act — remember, the exception — has been exaggerated to defeat the purity of the Judges Act and the integrity of the Constitution Act, 1867, and to defeat Parliament's representative public interest as guardian of the Treasury, the Consolidated Revenue Fund.

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Honourable senators, this proposed commission is an unaccountable system with ready access for certain chief judges to the Assistant Deputy and Deputy Ministers of Justice, to the machinery of government, and to the Consolidated Revenue Fund. It defeats the historical moral and political purity of judicial independence, and abolishes the true parliamentary role in the fixing of judges' salaries. It deprives Canadians of their undoubted constitutional right to the representative assembly's control over the public purse in respect of judicial salaries. Constitutional scholar Professor Peter Hogg, in a 1989 opinion to the Canadian Judicial Council and the Canadian Judges Conference, in respect of judges' attempts to bind Parliament to the judicial commissions' recommendations by negative resolution, and on the words "fixed and provided," said:

...the inaction by Parliament is insufficient participation in the process to enable one to say that the salaries have been fixed by the Parliament. It seems more natural to say that the salaries have been fixed by the tribunal, and left undisturbed by the Parliament.

In Clause 6, the Minister of Justice presents a demand, from some judges, that they set their own salaries. The judgment driving this clause, delivered by the Chief Justice of the Supreme Court, Antonio Lamer, even stated that if legislatures fail to follow their recommendations, they do so at great peril. He said:

Governments are constitutionally bound to go through the commission process... Nevertheless, though those recommendations are non-binding, they should not be set aside lightly, and, if the executive or the legislature chooses to depart from them, it has to justify its decision — if need be, in a court of law.

Honourable senators, not only do some interested judges seek our approval for "home-made harems," but the very poachers are demanding under threat that they also be the keepers of the game park. Chief Justice Lamer said that we may have to justify ourselves in a court. Senators should ponder this. This means that individually or collectively we may find ourselves in court, subject to the punitive powers of the very judges who demand that we agree to the salaries they want. Since Parliament is not subject to the courts, only individual members are, does the Chief Justice mean that some individual senators could find themselves before him, subject to his unappealable summary contempt of court powers, imprisonment, for work in this chamber?

There is no constitutional obligation to enact this dubious clause, the very intention of which is unparliamentary. This proposition is so undemocratic and unrepresentative, so interest bound, that it is an insuperable threat to judicial independence and to Parliament itself. It also places ordinary judges under the thumb of the chief judges.

Honourable senators, Justice Lamer's judgment that drives clause 6 is unparalleled for its activist leaps beyond the law into politics. It is a stretch, an expensive stretch, contrary to Canada's constitutional and parliamentary history. Mr. Justice Gerard La Forest's dissenting judgment, delivered shortly before departing, is damning. He said:

...I cannot concur with his conclusion that s.11(d) forbids governments from changing judges' salaries without first having recourse to the "judicial compensation commissions" he describes.

Asserting that the Charter protection of section 11(d) redounds to the accused, not to judges, he said:

Such persons are the sole beneficiaries of the rights set out in s.11(d).

Our Charter is about citizens' rights, not judges' rights. About section 11(d), he continued:

It does not require legislatures, however, to establish what in some respects is a virtual fourth branch of government to police the interaction between the political branches and the judiciary.

Justice La Forest spoke forcefully in strong language about the "unjustified departure from established precedents," and his "grave reservations about the Court entering into a discussion of the matter." He said, "I take issue, however, with the Chief Justice's view..." He spoke of "an historical fallacy," and of the judicial thinking which "is to subvert the democratic foundation of judicial review." He said, "...the approach adopted by the Chief Justice, in my view, misapprehends the nature of the Constitution Act, 1867", and the Chief Justice's position "seriously mischaracterizes the manner in which judicial salaries are set."

Justice La Forest addressed judicial review and legislative competence and the judges' reach beyond the express text of the Constitution, saying:

Judicial review, therefore, is politically legitimate only insofar as it involves the interpretation of an authoritative constitutional instrument....

This legitimacy is imperiled, however, when courts attempt to limit the power of legislatures without recourse to express textual authority.

He said also:

Requiring commissions *a priori*, however, is tantamount to enacting a new constitutional provision....Judges, in my opinion, are capable of ensuring their own independence by an appropriate application of the Constitution.

Honourable senators, clause 8 proposes the "rule of 80," to allow a judge to retire at age 60 with full pension. Its origins are the appointment of youthful judges, mostly women, who were appointed in their mid-30s, including Chief Justice Lamer. This clause will deprive the country of the wisdom and prowess of judges' full mental and emotional maturity. It seems that those individuals fortunate to have been appointed so young, now crave

to leave the bench prosperously at age 60. Chief Justice Lamer has publicly lobbied for this. In an article in the July 2, 1996 edition of *The Toronto Star*, entitled, "Retirement a major issue to chief justice," David Vienneau reported that:

Lamer is among those who want the act amended to allow the 'Rule of 80'....

Honourable senators, Bill C-37 would overturn Parliament's role, and is driven by judicial careerism and activism, in short, by St. Augustine's *libido dominandi*, and access to the Department of Justice's largesse. Such munificent largesse, such patronage, was never known by any sovereign king of the United Kingdom. The judicial agencies that draw on the Consolidated Revenue Fund have grown like topsy, uncontrollably and extravagantly. Public information is almost impossible to obtain as a few judges exercise influence and political will, with no public accountability, all in secret, using the term "judicial independence" as a shielding rhetorical affirmation. Bill C-37 is not about judicial independence, it is about greater access to largesse.

The Hon. the Speaker: I regret to have to interrupt the Honourable Senator Cools, but her 15 minutes have expired.

Senator Cools: May I have leave to continue, honourable senators?

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

Hon. Senators: Agreed.

Senator Cools: Honourable senators, the evidence, as per Statistics Canada, reveals that the highest paid persons in Canada in 1995 were the superior court judges, that judicial appointment represents a significant salary increase for most, and that several hundred lawyers seek every appointment. The facts are as follows. Our Parliament has upheld judicial independence and has protected and defended its judges for 130 years. We have a tradition of fine judges who deserve public respect and good pay. They deserve that their salary increase should be a singular parliamentary proposition, a distinct bill, absent controversy and dubious propositions, and consonant with Parliament's financial role and constitutional convention, judicial independence.

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Our judges deserve that that bill to increase their salaries should have proceeded, absent this sort of controversy. Bill C-37 ousts Parliament, and particularly ousts the Senate's peculiar constitutional role in financial legislation by subverting and corrupting section 53(1) of the Judges Act.

Section 53(1) of the Judges Act, which was divined for the representative parliament's political purpose to grant judicial independence to the public, will have been defeated. Judicial independence is the offspring and the pearl of parliamentary responsible government, the product of the trustful pact between electors and the elected, and of our parliamentary constitutional convention. Constitutional conventions are the political rules and concepts that guide the political relations between the executive, the Crown, and Parliament. They are not laws and are not the business of the courts. They are pure politics and are enforced by expressions of public political will, like elections. They make ministerially responsible government possible. They make it work. Our historical judicial independence has been overturned, as has constitutional comity, and in its stead an unholy liaison between the executive and certain interested judges has been substituted.

Honourable senators, Bill C-37 is about government beyond law and judgments beyond law. I assert that the rule of law is incompatible with these mechanical manipulations of law which subvert the very principle of legality on which our Constitution rests. Parliament and our Constitution never intended that the judges should determine their own salaries. Bill C-37 is an example of judicial dominion over the public purse. Bill C-37 is not a legal question. It is a constitutional question, a financial question, even a confidence question.

Honourable senators, Bill C-37 begs for serious parliamentary study and scrutiny.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I wonder whether Senator Cools would answer some questions to help me understand better her address.

Senator Cools: Happily.

Senator Kinsella: Honourable senators, in the course of Senator Cools' address this afternoon, I jotted down that she spoke of "an unholy alliance between certain judges and officials in the Department of Justice." That is a very serious accusation made within the confines of the immunity which goes with raising issues in a chamber such as this. I should like to ask Senator Cools if she would explicate for us what we are talking about here. I would like to know what this is all about.

Senator Cools: Honourable senators, first, let me thank Senator Kinsella for his question.

As we know, there is a parliamentary tradition here. The issue of protecting judges and judicial independence is of such importance that matters which concern judges' salaries,

particularly remuneration, should proceed with maximum support on all sides. As a result of that, over the years, many bills in respect of judges have flown by very quickly with the grand assurance that they are inconsequential amendments or that they are housekeeping or that they are routine.

I say what I say because, on closer examination, quite often, one finds bills with clauses and sections that refer to one or two particular judges. I especially refer to that because in 1996, in relation to Bill C-42, which is still very present in my mind, the department themselves, in their meetings with me, described the various clauses of the bill as the Lamer amendment, as the Strayer amendment, and as the Arbour amendment.

I would submit to the honourable senator that the majority of Canada's judges are very fine and outstanding citizens and go about their daily business doing the kinds of tasks that they are supposed to do, which is adjudicating disputes between individuals. I would submit to the honourable senator that the average judge does not have a clue as to how to go about having an amendment in a bill put forward which is directed towards his or her particular interest.

Perhaps the language is a bit pointed, but I am trying to say that we have bills coming before us with clauses that apply to one or two or three individual people. If we would go back to the record on Bill C-42 in the instance of the Justice Arbour amendment, I rose on a point of order that it was a private bill, not a public bill, and that it should have come forward as a private bill issue. I hope that answers the question.

Senator Kinsella: I thank Senator Cools for that answer. There is a whole number of issues that one could raise around that topic, but I do not want to go there this afternoon. I would rather go to two other areas.

The senator drew our attention to section 100 of the Constitution, and it provides:

The Salaries, Allowances, and Pensions of the Judges of the Superior, District and County Courts ... and of the Admiralty Courts in Cases where the Judges thereof are for the Time being paid by Salary, shall be fixed and provided by the Parliament of Canada.

I notice, however, that there is a footnote, which is footnote 53, and that footnote reads:

Now provided for in the Judges Act, R.S.C. 1985 c. J-1. I had understood your argument this afternoon to have been that this bill would have the effect of amending this part of the Constitution.

Senator Cools: It is.

Senator Kinsella: Yet this section, by virtue of this footnote, speaks of the Judges Act in the revised statutes of 1985. My understanding is that this bill would be amending that statute, namely the Judges Act. Perhaps you could clarify your point on that.

Senator Cools: I will attempt to clarify that. As I said before, Parliament has two mechanisms to bring money forward or to bring money out of the Consolidated Revenue Fund. Essentially, most bureaucracies proceed by the annual process of Main Estimates and supply. We know that process.

To back up a moment: Canada has a peculiar and important history on its treatment of the issue of judges. This history even predates what was happening in England. It goes back to 1840 and the Act of Union. I was trying to say that the particular section, the fix and provide section, was implemented by the post-confederation parliament by a series of individual acts.

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In 1906, Parliament in its wisdom decided to go the route of a particular singular statute which would be called the Judges Act. Section 27 of that Judges Act indicates that:

The salaries and retiring allowances or annuities of the judges shall be payable out of any moneys forming part of the Consolidated Revenue Fund....

Parliament intended that section to provide for the draw on the Consolidated Revenue Fund to pay judges' salaries.

If one could track the history of the development of that particular section, you would see that it stays essentially as it was up till the 1927 Judges Act. In 1946, however, it takes a departure. The term "judges" disappears from that particular section.

My point is that our constitutional mechanism to deliver salaries of judges was to put that clause in the Judges Act. If we follow the development of that clause, we find that the term "judges" disappears from the revised statutes of 1946.

If we were to follow that act to 1997, the equivalent section is section 53(1). Section 53(1) provides for the salaries, allowances and annuities to be payable under this act. No longer is it the term "judges' salaries"; it is the salaries, allowances and annuities payable under this act.

During the past several years, section 53(1) continued to be expanded. It now reads that the amounts payable under

sections 46(1) and 51 shall also be paid out of the Consolidated Revenue Fund. We have gone way beyond the salaries of judges. Section 53(1) adds the amounts payable under these different sections of the Judges Act.

Senator Kinsella, I have done a great deal of work on this issue. I am pleased that you have provided an opportunity for me to put this further information on the record. Section 53(1) says that the salaries, allowances and annuities payable under this act and the amounts payable under sections 46(1) and 51 shall be paid out of the Consolidated Revenue Fund.

One of the things with which I took strong issue today is section 46(1), the lump sum payment to the two spouses. That made its way into section 53(1) only very recently, in 1989. Honourable senators should understand that Bill C-37 is asking us to amend the legislation in order to provide a lump sum payment to a common law spouse. That is an amendment of a 1989 amendment, which should never have been made because the intention of that clause in the Judges Act is the delivery of a political and constitutional proposition that we secure judges' salaries, not bureaucracies, nor anything else.

I am answering these questions off the top of my head. I say to you that Parliament's role has been defeated and is being undermined by the exaggeration and the swelling of section 53(1). That is precisely what I am talking about. One of the reasons I chose to respond so strongly to this particular clause on the lump sum payment is that its insertion in 1989 was questionable even then. Therefore, what we have is an additional, questionable proposition on a previously questionable proposition. The rule of law does not countenance such guileful and mechanical manipulation of the law.

Many senators in this chamber are recently appointed, and do not know the language and system of Parliament, and perhaps may get tripped up in some of these technicalities. Honourable senators have a duty to ensure that these technicalities remain proper instruments as originally drafted by some very experienced and well-meaning individuals who divined them to protect Canada's judges.

Canada historically has a reputation for having a clean, incorruptible, beyond-corruption judiciary. Therefore, if I take issue with some of these questions it is because, honourable senators, that is the tradition I was raised to uphold. Many of us grew up on a Liberal tradition of upholding the strength of Parliament, to defend our population and to defend those judges and those judges' families.

I hope I have answered your questions. If I am getting a little emotional, you must understand that I am a Liberal. The Liberal position is for a strong Parliament. This bill is taking us in the opposite direction because it presupposes, quite frankly, that senators may not be diligent and be inattentive.

Senator Kinsella: Honourable senators, this avenue of inquiry, based upon Senator Cools' address to us this afternoon, is partially a result of her comment that she raises for us a concern that she sees. Senator Cools referred to an unholy relationship between parts of the executive branch and the judiciary. This is particularly troubling because the distinction that we see as being critical in our Westminster model of parliamentary democracy —

The Hon. the Speaker: I hesitate to interrupt you, Senator Kinsella, but is this a further question, or are you now participating in the debate?

Senator Kinsella: Honourable senators, I prefaced my remarks by drawing on comments that Senator Cools had raised in her speech, and I am now asking Senator Cools for an explication of that.

Senator Cools told us many things this afternoon, one of which was her concern that she raises for us on the relationship between the executive and the judiciary. My question for details on that matter from Senator Cools flows directly from clause 6 of the bill, which Senator Cools also underscored for us, as clause 6 proposes this new commission.

I direct honourable senators' attention to page four of the bill, where composition is addressed.

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Proposed subsection 26.1(1) says that the Judicial Compensation and Benefits Commission will consist of three members. Appointed by whom? The Governor in Council. What is the Governor in Council? That is the executive branch.

Is Senator Cools telling us that she has grave concerns and that all kinds of amber lights are flashing in her mind about the relationship between the executive and the judiciary? Here she would have the executive making the appointments to this commission that is to set these salaries. Could the honourable senator comment on that point, to help explain what you were saying this afternoon? We on this side are interested in the role of the executive, particularly as it is exercised by those in the Prime Minister's Office.

Senator Cools: Honourable senators, what I am saying — and I put a lot of work into my speech — is that clause 6 is an attempt

to oust Parliament's scrutiny. I have dozens of papers here. I made it my business to study very carefully the Report and Recommendations of the 1995 Commission on Judges' Salaries and Benefits headed by David Scott. Any honourable senator who reads Bill C-37 will see very quickly that clause 6, which is amending section 26 of the Judges Act by replacing it, presents a problem. The previous section of a bill, which was perhaps six or 10 lines, has been replaced by three pages of "clausery," so to speak. One merely needs to look at the magnitude of that change; a book has replaced three or four lines.

The mandate of this commission are very wide, yet we have been told that it is only a little change because a triennial commission is being replaced by a quadrennial commission. However, we are very quickly able to see the light. Yes, the commission will be appointed every four years but the term of the tenure of the appointments will be four years, which means they are permanent. In addition, the first section in the clause basically says that it empowers the establishment of the commission.

Honourable senators, from reading a lot of this material, including Mr. Justice Lamer's judgment, which every senator here should read from beginning to end, and David Scott's report, one quickly becomes aware of the fact that the term "depoliticize" is used very frequently. One reads that they need to depoliticize the process. The real intent is to remove Parliament from the process. Honourable senators, I submit that we are not living in an era where any minister or any member here would phone up any judge and say, "You have got my brother before you charged with murder. I want you to acquit him." I submit that that no longer happens in our community today. However, I also submit that there is a problem in that certain particular judges seem to crave a closeness to certain individuals at the Department of Justice and are trying to cling, closer and closer, to the Executive rather than to Parliament.

In other words, honourable senators, what is happening here is that 200 years of history are being turned on their head, and we are being told in this judgment that, quite frankly, judges prefer their fate to be in the hands of the Executive rather than in the hands of Parliament. It is a most curious and interesting subject-matter.

Just a few days ago, I was reading one of the most definitive statements on this issue of judges' remuneration which was a debate in 1933 in the House of Lords in the United Kingdom. I believe it was Viscount Sankey, the Lord Chancellor who somewhere in the text of that debate suggested that a greater threat to judicial independence was huge increases to judicial salaries with their consent.

Honourable senators, these bills come before us on the assumption that they should be passed without study, without attention. This bill and these issues are commanding our attention and the Canadian public deserves that we study them, because a judiciary is a very special thing because judiciaries have control over the public in their hands.

Honourable senators, I think I have said enough. I hope the committee will call as witnesses some of these people I have mentioned. I hope the committee will call former minister of justice John Crosbie as a witness. I hope the committee will call former Mr. Justice Estey as a witness. I hope that the committee will call people like Graham Eglinton and other great authorities in this country. I hope the committee will call people like Professor Peter Hogg to speak to this issue because, in the long run, the issue really is the representative Parliament's role in fixing salaries versus an in-house closed set of recommendations.

To be quite frank, many judges are my best friends and I see myself as a defender of the rights of an independent judiciary. I can honestly, truly say to you that there is a terrible public unease in this country about the administration of justice. Quite frankly, honourable senators, we should take the bull by the horns, look at the issues, and come up with some very sound recommendations.

As I said at the outset, I sincerely believe that the minister should have brought us a singular bill, a single proposition, a bill with one clause, which could have been passed here in a few hours, because then it would have been truly a housekeeping bill. It pains me that so much controversy has grown up around Bill C-37. Our judges deserve better.

Hon. John B. Stewart: Honourable senators, a suggestion has been made that the committee should hear certain persons authoritative in these matters outside the employment of the Government of Canada or the Parliament of Canada. What assurance do we have that, if the bill should be sent to committee, such witnesses will be heard?

Senator Kinsella: Good question.

Senator Stewart: None.

Senator Cools: You are addressing the question to me, Senator Stewart. I thank you for your question. I think the question is very poignant and very profound. Let me say once again that this chamber is honoured to have such a man as Senator Stewart sit here in our presence.

What I would say to the honourable senator is the following: I am not a member of the committee. I submit that I may have difficulty asking questions. However, I feel confident that, if there

is a consensus in this chamber that certain witnesses should be called, we can bring that consensus forward and so instruct the committee.

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I begin by thanking Senator Cools for giving us this afternoon some food for thought on this particular piece of legislation, and Senator Kinsella for his further development of the issues through his pointed questions to the senator.

Honourable senators, when we received this bill in June, it was clear that we were under some pressure because of a Supreme Court judgment which gave us a limited time to act. I learned this afternoon that, in fact, the Department of Justice has asked for an extension on this particular bill, and we have now been granted that extension until November 18.

•(1630)

I shared that information with the deputy chair of the committee, Senator Nolin, and have assured him — as only I can because the committee itself is obviously sacrosanct and can do what it wishes — that there was no rush about this from the leadership on this side and that, if the committee wished to hear from more witnesses, it should do so, but that that was a decision to be made by the committee during its deliberations.

I know that the committee will conduct those deliberations because the Legal and Constitutional Affairs Committee has always carefully deliberated on proposed legislation referred to it.

Honourable senators, I was extremely concerned when I read an article in *The Ottawa Citizen* quoting a former Supreme Court judge who give his interpretation of how our committee is dealing with this legislation. I have been informed that what we are doing with this legislation is consistent with how we have dealt with other legislation. The definition of “surviving spouse” has been changed in the Judges Act to bring it into step with current practice. The definition will now include common law spouses. This change is, in part, a direct response to a recommendation of the independent Scott commission, but it is also the definition presently found in the Canada Pension Plan and the parliamentary pension plan which covers senators and members of the other place.

I was also concerned about the comment that this may be an intrusion into provincial jurisdiction because family law is, in essence, a determination of the province. However, since it is only a definition for the purpose of determining eligibility for the annuity in the act itself, it does not interfere with provincial legislation.

Recognizing common law spouses does, indeed, lead to the possibility of the recognition of two surviving spouses, which was one of the concerns raised in the article. However, that is true as well of the members of Parliament pension plan, the public service pension plan, the RCMP pension plan, and the Canadian armed forces plan which provide, as does this legislation, for an apportionment of the pension.

I raise this issue because family law matters have been of grave concern to me for some time, as I know they have been to others in this chamber. When I read the article, I wanted to get additional information. That is the information that has been made available to me. However, I would encourage members of the committee to pose some of those questions to the Minister of Justice to ensure clarity on exactly what this act will accomplish and whether it in any way differs from other appropriate and similar legislation.

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

Hon. Senators: Agreed.

REFERRED TO COMMITTEE

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

On motion of Senator Carstairs, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.

PRIVILEGES, STANDING RULES AND ORDERS

SIXTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report of the Standing Committee on Privileges, Standing Rules and Orders (Senators' disability package) presented in the Senate on June 18, 1998.

Hon. Shirley Maheu: Honourable senators, this report was presented on June 18 of this year, just prior to our summer recess. It was hoped that colleagues would reflect on it before we resumed this fall. I would thank all members of the Standing Committee on Privileges, Standing Rules and Orders for their contributions with respect to this proposal, in particular Senator Kenny, Senator Joyal and Senator Bryden, who worked as a subcommittee in developing it.

Honourable senators, we are in a unique situation in that, pursuant to the Constitution Act 1867, we may hold our seats until the age of 75. Like any other employment group, disability

through sickness or injury may arise. In the private sector and in the public service, disability programs are provided for those who are unable to perform their functions. Since disability insurance is already available to those senators below the age of 65, it is important that any disability policy include those senators between the ages of 65 and 75.

No suppliers can be found who are interested in providing a comprehensive, long-term disability package for this particular age group. The industry does not seem to want to endorse such a package because of the potential high risks and the relatively small size of the group to be insured.

It is in the interests of the Senate that a disability package be established. It will afford those senators who wish to take advantage of it, and who are genuinely disabled, an opportunity to apply for a leave of absence from the Senate for an extended period of time and yet still draw a sessional allowance, although at a reduced rate, as would employees who may be in a similar situation.

Given the difficulties associated with amending statute law, your committee proposes that the Senate use its existing powers to create a disability policy. Section 59 of the Parliament of Canada Act states:

The Senate or the House of Commons may make regulations, by rule or by order, rendering more stringent on its own members the provisions of this Act that relate to the attendance of members or to their deductions to be made from sessional allowances.

Therefore, the Senate has the latitude to make the necessary regulations toward implementing a policy that would parallel a private disability insurance plan. This would provide the proper compensation to senators incapable of attending to their Senate duties due to illness over an extended period.

[*Translation*]

Here are the essential elements of a disability policy.

First, all senators under the age of 64 years and 9 months would be required to apply for coverage under the Long-Term Disability (LTD) offered by Treasury Board. If a senator is denied such coverage, he or she would be treated the same as senators who are between ages 65 and 75 under the policy.

Second, a senator who is more than casually ill would be given the opportunity of choosing to apply to the Standing Committee on Internal Economy, Budgets and Administration for short-term disability leave at full salary for six months. The senator would have to submit a medical certificate from an independent medical examiner attesting to the disability.

Third, a senator could apply to the Internal Economy Committee, normally after the six months of short-term disability leave, to go on medium-term disability leave. The normal maximum period for medium-term disability would be two years, subject to extension only if the evidence was that a return in the near future was foreseeable with reasonable certainty. Updated medical certificates would be required every six months. The gross sessional allowance of the senator would be reduced by 30 per cent. The senator would continue to pay pension contributions and earn pension credits, as if he or she were paid the full sessional allowance. The expense allowance would have to be examined on an individual basis by the Internal Economy Committee in an appropriate way as some disabled senators may require assistance to fulfil their functions.

Fourth, after the expiry of the two-year period, your committee proposes the following:

a) For those senators under 65 years of age and who have LTD coverage offered by Treasury Board, the sessional allowance should be reduced to an amount equal to the senators' pension contribution; and

b) For those senators between 65-75 years, or who have been denied LTD coverage offered by Treasury Board, the Internal Economy Committee would have the option of extending temporary disability for up to two additional years not to exceed age 75.

[English]

Honourable senators, I wish to emphasize that while on temporary leave, or temporary disability, senators will still have the constitutional right to participate in any Senate proceeding such as voting, debating, presenting legislation or committee

meetings. Such senators would also have full use of their normal office resources.

I believe this proposal meets the needs of senators who are unable to attend the Senate regularly because of disability. If the general principles are acceptable, the Rules Committee intends to table at a later time, in the Senate, the very precise regulations and details.

Hon. Mabel M. DeWare: I would ask if there is a correction that needs to be made there. When the honourable senator announced the subcommittee that worked on this matter, I understood you to name Senator Kenny. I believe it should be Senator Kelly. Is that correct?

Senator Maheu: You are quite right, Senator DeWare, it is Senator Kelly. Senator Kelly, Senator Joyal and Senator Bryden.

I apologize, Senator Kelly.

Hon. William M. Kelly: I forgive you, senator.

The Hon. the Speaker: If no other honourable senator wishes to speak, I will proceed with the motion.

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

Motion agreed to and report adopted

The Senate adjourned until Wednesday, September 23, 1998, at 1:30 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

THE HONOURABLE GILDAS L. MOLGAT

THE LEADER OF THE GOVERNMENT

THE HONOURABLE B. ALASDAIR GRAHAM, P.C.

THE LEADER OF THE OPPOSITION

THE HONOURABLE JOHN LYNCH-STAUNTON

OFFICERS OF THE SENATE

CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

PAUL BÉLISLE

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

RICHARD GREENE

LAW CLERK AND PARLIAMENTARY COUNSEL

MARK AUDCENT

USHER OF THE BLACK ROD

MARY McLAREN

THE MINISTRY

According to Precedence

(September 22, 1998)

The Right Hon. Jean Chrétien	Prime Minister
The Hon. Herbert Eser Gray	Deputy Prime Minister
The Hon. Lloyd Axworthy	Minister of Foreign Affairs
The Hon. David M. Collenette	Minister of Transport
The Hon. David Anderson	Minister of Fisheries and Oceans
The Hon. Ralph E. Goodale	Minister of Natural Resources and Minister responsible for the Canadian Wheat Board
The Hon. Sheila Copps	Minister of Canadian Heritage
The Hon. Sergio Marchi	Minister for International Trade Minister of the Environment
The Hon. John Manley	Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development-Quebec
The Hon. Diane Marleau	Minister for International Cooperation and Minister responsible for Francophonie
The Hon. Paul Martin	Minister of Finance
The Hon. Arthur C. Eggleton	Minister of National Defence
The Hon. Marcel Massé	President of the Treasury Board and Minister responsible for Infrastructure
The Hon. Anne McLellan	Minister of Justice and Attorney General of Canada
The Hon. Allan Rock	Minister of Health
The Hon. Lawrence MacAulay	Minister of Labour
The Hon. Christine Stewart	Minister of the Environment
The Hon. Alfonso Gagliano	Minister of Public Works and Government Services
The Hon. Lucienne Robillard	Minister of Citizenship and Immigration
The Hon. Fred J. Mifflin	Minister of Veterans Affairs and Secretary of State (Veterans) (Atlantic Canada Opportunities Agency)
The Hon. Jane Stewart	Minister of Indian Affairs and Northern Development
The Hon. Stéphane Dion	President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs
The Hon. Pierre Pettigrew	Minister of Human Resources Development
The Hon. Don Boudria	Leader of the Government in the House of Commons
The Hon. B. Alasdair Graham	Leader of the Government in the Senate
The Hon. Lyle Vanclief	Minister of Agriculture and Agri-Food
The Hon. Herb Dhaliwal	Minister of National Revenue
The Hon. Andy Scott	Solicitor General of Canada
The Hon. Ethel Blondin-Andrew	Secretary of State (Children and Youth)
The Hon. Raymond Chan	Secretary of State (Asia-Pacific)
The Hon. Martin Cauchon	Secretary of State (Federal Office of Regional Development-Quebec)
The Hon. Hedy Fry	Secretary of State (Multiculturalism) (Status of Women)
The Hon. Douglas Kilgour	Secretary of State (Latin America and Africa)
The Hon. Jim Peterson	Secretary of State (International Financial Institutions and Deputy Leader of the Government in the House of Commons)
The Hon. Ronald J. Duhamel	Secretary of State (Science, Research and Development) (Western Economic Diversification)
The Hon. Andrew Mitchell	Secretary of State (Parks)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(September 22, 1998)

Senator	Designation	Post Office Address
THE HONOURABLE		
Orville Howard Phillips	Prince	Alberton, P.E.I.
Herbert O. Sparrow	Saskatchewan	North Battleford, Sask.
Gildas L. Molgat, Speaker	Ste-Rose	Winnipeg, Man.
Edward M. Lawson	Vancouver	Vancouver, B.C.
Bernard Alasdair Graham, P.C.	The Highlands	Sydney, N.S.
Raymond J. Perrault, P.C.	North Shore-Burnaby	North Vancouver, B.C.
Louis-J. Robichaud, P.C.	L'Acadie-Acadia	Saint-Antoine, N.B.
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Paul Lucier	Yukon	Whitehorse, Yukon
Willie Adams	Northwest Territories	Rankin Inlet, N.W.T.
Peter Bosa	York-Caboto	Etobicoke, Ont.
Philip Derek Lewis	St. John's	St. John's, Nfld.
Dalia Wood	Montarville	Montréal, Qué.
Reginald James Balfour	Regina	Regina, Sask.
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
C. William Doody	Harbour Main-Bell Island	St. John's, Nfld.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ontario	Ottawa, Ont.
William McDonough Kelly	Port Severn	Mississauga, Ont.
Leo E. Kolber	Victoria	Westmount, Qué.
John B. Stewart	Antigonish-Guysborough	Bayfield, N.S.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuaq, Qué.
Daniel Phillip Hays	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montréal, Qué.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Brenda Mary Robertson	Riverview	Shediac, N.B.
Jean-Maurice Simard	Edmundston	Edmundston, N.B.
Michel Cogger	Lauzon	Knowlton, Qué.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland	Port-au-Port, Nfld.
Eileen Rossiter	Prince Edward Island	Charlottetown, P.E.I.
Mira Spivak	Manitoba	Winnipeg, Man.
Roch Bolduc	Golfe	Ste-Foy, Qué.
Gérald-A. Beaudoin	Rigaud	Hull, Qué.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Church Point, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella	New Brunswick	Fredericton, N.B.
John Buchanan, P.C.	Nova Scotia	Halifax, N.S.
Mabel Margaret DeWare	New Brunswick	Moncton, N.B.
John Lynch-Staunton	Grandville	Georgeville, Qué.
James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie, Ont.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Normand Grimard	Québec	Noranda, Qué.

ACCORDING TO SENIORITY

Senator	Designation	Post Office Address
THE HONOURABLE		
Thérèse Lavoie-Roux	Québec	Montréal, Qué.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis Johnson	Winnipeg-Interlake	Winnipeg, Man.
Eric Arthur Berntson	Saskatchewan	Saskatoon, Sask.
A. Raynell Andreychuk	Regina	Regina, Sask.
Jean-Claude Rivest	Stadacona	Québec, Qué.
Ronald D. Ghitter	Alberta	Calgary, Alta.
Terrance R. Stratton	Manitoba	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montréal, Qué.
Fernand Roberge	Saurel	Ville St-Laurent, Qué.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
Erminie Joy Cohen	New Brunswick	Saint John, N.B.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montréal, Qué.
Pierre Claude Nolin	De Salaberry	Québec, Qué.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Qué.
Sharon Carstairs	Manitoba	Victoria Beach, Man.
Landon Pearson	Ontario	Ottawa, Ont.
Jean-Robert Gauthier	Ottawa-Vanier	Ottawa, Ontario
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	New Brunswick	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montréal, Qué.
William H. Rompkey, P.C.	Newfoundland	North West River, Labrador, Nfld.
Lorna Milne	Ontario	Brampton, Ont.
Marie-P. Poulin	Northern Ontario	Ottawa, Ont.
Shirley Maheu	Rougement	Ville de Saint-Laurent, Qué.
Nicholas William Taylor	Alberta	Bon Accord, Alta.
Eugene Francis Whelan, P.C.	Western Ontario	Ottawa, Ont.
Léonce Mercier	Mille Isles	Saint-Élie d'Orford, Qué.
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montréal, Qué.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Marisa Ferretti Barth	Repentigny	Pierrefonds, Qué.
Sister Mary Alice (Peggy) Butts	Nova Scotia	Sydney, N.S.
Serge Joyal, P.C.	Kennebec	Montréal, Qué.
Thelma J. Chalifoux	Alberta	Morinville, Alta.
Joan Cook	Newfoundland	St. John's, Nfld.
Archibald (Archie) Hynd Johnstone	Prince Edward Island	Kensington, P.E.I.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
The Very Reverend Dr. Lois M. Wilson	Toronto	Toronto, Ont.
Francis William Mahovlich	Toronto	Toronto, Ont.
Calvin Woodrow Ruck	Dartmouth	Dartmouth, N.S.
Richard H. Kroft	Winnipeg	Winnipeg, Man.
Marian Maloney	Etobicoke	Etobicoke, Ont.
Douglas James Roche	Edmonton	Edmonton, Alta.
Joan Thorne Fraser	De Lorimier	Montréal, Qué.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Qué.

SENATORS OF CANADA

ALPHABETICAL LIST

(September 22, 1998)

Senator	Designation	Post Office Address
THE HONOURABLE		
Adams, Willie	Northwest Territories	Rankin Inlet, N.W.T.
Andreychuk, A. Raynell	Regina	Regina, Sask.
Angus, W. David	Alma	Montréal, Qué.
Atkins, Norman K.	Markham	Toronto, Ont.
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.
Bacon, Lise	De la Durantaye	Laval, Qué.
Balfour, Reginald James	Regina	Regina, Sask.
Beaudoin, Gérald-A.	Rigaud	Hull, Qué.
Berntson, Eric Arthur	Saskatchewan	Saskatoon, Sask.
Bolduc, Roch	Golfe	Ste-Foy, Qué.
Bosa, Peter	York-Caboto	Etobicoke, Ont.
Bryden, John G.	New Brunswick	Bayfield, N.B.
Buchanan, John, P.C.	Nova Scotia	Halifax, N.S.
Butts, Sister Mary Alice (Peggy)	Nova Scotia	Sydney, N.S.
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.
Carstairs, Sharon	Manitoba	Victoria Beach, Man.
Chalifoux, Thelma J.	Alberta	Morinville, Alta.
Cochrane, Ethel	Newfoundland	Port-au-Port, Nfld.
Cogger, Michel	Lauzon	Knowlton, Qué.
Cohen, Erminie Joy	New Brunswick	Saint John, N.B.
Comeau, Gerald J.	Nova Scotia	Church Point, N.S.
Cook, Joan	Newfoundland	St. John's, Nfld.
Cools, Anne C.	Toronto Centre	Toronto, Ont.
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.
De Bané, Pierre, P.C.	De la Vallière	Montréal, Qué.
DeWare, Mabel Margaret	New Brunswick	Moncton, N.B.
Di Nino, Consiglio	Ontario	Downsview, Ont.
Doody, C. William	Harbour Main-Bell Island	St. John's, Nfld.
Eyton, J. Trevor	Ontario	Caledon, Ont.
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.
Ferretti Barth, Marisa	Repentigny	Pierrefonds, Qué.
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.
Forrestall, J. Michael	Dartmouth and Eastern Shore	Dartmouth, N.S.
Fraser, Joan Thorne	De Lorimier	Montréal, Qué.
Gauthier, Jean-Robert	Ottawa-Vanier	Ottawa, Ont.
Ghitter, Ronald D.	Alberta	Calgary, Alta.
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Qué.
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.
Graham, Bernard Alasdair, P.C.	The Highlands	Sydney, N.S.
Grimard, Normand	Québec	Noranda, Qué.
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.
Hays, Daniel Phillip	Calgary	Calgary, Alta.
Hervieux-Payette, Céline, P.C.	Bedford	Montréal, Qué.
Johnson, Janis	Winnipeg-Interlake	Winnipeg, Man.
Johnstone, Archibald (Archie) Hynd	Prince Edward Island	Kensington, P.E.I.
Joyal, Serge, P.C.	Kennebec	Montréal, Qué.
Kelleher, James Francis, P.C.	Ontario	Sault Ste. Marie, Ont.
Kelly, William McDonough	Port Severn	Mississauga, Ont.
Kenny, Colin	Rideau	Ottawa, Ont.
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.

Senator	Designation	Post Office Address
THE HONOURABLE		
Kinsella, Noël A.	New Brunswick	Fredericton, N.B.
Kirby, Michael	South Shore	Halifax, N.S.
Kolber, Leo E.	Victoria	Westmount, Qué.
Kroft, Richard H.	Winnipeg	Winnipeg, Man.
Lavoie-Roux, Thérèse	Québec	Montréal, Qué.
Lawson, Edward M.	Vancouver	Vancouver, B.C.
LeBreton, Marjory	Ontario	Manotick, Ont.
Lewis, Philip Derek	St. John's	St. John's, Nfld.
Losier-Cool, Rose-Marie	New Brunswick	Bathurst, N.B.
Lucier, Paul	Yukon	Whitehorse, Yukon
Lynch-Staunton, John	Grandville	Georgeville, Qué.
Maheu, Shirley	Rougemont	Ville de Saint-Laurent, Qué.
Mahovich, Francis William	Toronto	Toronto, Ont.
Maloney, Marian	Etobicoke	Etobicoke, Ont.
Meighen, Michael Arthur	St. Marys	Toronto, Ont.
Mercier, Léonce	Mille Isles	Saint-Élie d'Orford, Qué.
Milne, Lorna	Ontario	Brampton, Ont.
Molgat, Gildas L. Speaker	Ste-Rose	Winnipeg, Man.
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.
Nolin, Pierre Claude	De Salaberry	Québec, Qué.
Oliver, Donald H.	Nova Scotia	Halifax, N.S.
Pearson, Landon	Ontario	Ottawa, Ontario
Pépin, Lucie	Shawinigan	Montréal, Qué.
Perrault, Raymond J., P.C.	North Shore-Burnaby	North Vancouver, B.C.
Phillips, Orville H.	Prince	Alberton, P.E.I.
Pitfield, Peter Michael, P.C.	Ontario	Ottawa, Ont.
Poulin, Marie-P.	Northern Ontario	Ottawa, Ont.
Prud'homme, Marcel, P.C.	La Salle	Montréal, Qué.
Rivest, Jean-Claude	Stadacona	Québec, Qué.
Roberge, Fernand	Saurel	Ville St-Laurent, Qué.
Robertson, Brenda Mary	Riverview	Shediac, N.B.
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Robichaud, Louis-J., P.C.	L'Acadie-Acadia	Saint-Antoine, N.B.
Roche, Douglas James	Edmonton	Edmonton, Alta.
Rompkey, William H., P.C.	Newfoundland	North West River, Labrador
Rossiter, Eileen	Prince Edward Island	Charlottetown, P.E.I.
Ruck, Calvin Woodrow	Dartmouth	Dartmouth, N.S.
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Simard, Jean-Maurice	Edmundston	Edmundston, N.B.
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.
Spivak, Mira	Manitoba	Winnipeg, Man.
Stewart, John B.	Antigonish-Guysborough	Bayfield, N.S.
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.
Stratton, Terrance R.	Manitoba	St. Norbert, Man.
Taylor, Nicholas William	Alberta	Bon Accord, Alta.
Tkachuk, David	Saskatchewan	Saskatoon, Sask.
Watt, Charlie	Inkerman	Kuujuuaq, Qué.
Whelan, Eugene Francis, P.C.	Western Ontario	Ottawa, Ont.
Wilson, The Very Reverend Dr. Lois M.	Toronto	Toronto, Ont.
Wood, Dalia	Montarville	Montréal, Qué.

SENATORS OF CANADA
BY PROVINCE AND TERRITORY

(September 22, 1998)

ONTARIO—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Peter Bosa	York-Caboto	Etobicoke
2 Lowell Murray, P.C.	Pakenham	Ottawa
3 Peter Alan Stollery	Bloor and Yonge	Toronto
4 Peter Michael Pitfield, P.C.	Ontario	Ottawa
5 William McDonough Kelly	Port Severn	Missassauga
6 Jerahmiel S. Grafstein	Metro Toronto	Toronto
7 Anne C. Cools	Toronto Centre	Toronto
8 Colin Kenny	Rideau	Ottawa
9 Norman K. Atkins	Markham	Toronto
10 Consiglio Di Nino	Ontario	Downsview
11 James Francis Kelleher P.C.	Ontario	Sault Ste. Marie
12 John Trevor Eyton	Ontario	Caledon
13 Wilbert Joseph Keon	Ottawa	Ottawa
14 Michael Arthur Meighen	St. Marys	Toronto
15 Marjory LeBreton	Ontario	Manotick
16 Landon Pearson	Ontario	Ottawa
17 Jean-Robert Gauthier	Ottawa-Vanier	Ottawa
18 Lorna Milne	Ontario	Brampton
19 Marie-P. Poulin	Northern Ontario	Ottawa
20 Eugene Francis Whelan, P.C.	Western Ontario	Ottawa
21 The Very Reverend Dr. Lois M. Wilson	Toronto	Toronto, Ont.
22 Francis William Mahovlich	Toronto	Toronto, Ont.
23 Marian Maloney	Etobicoke	Etobicoke, Ont.
24

SENATORS BY PROVINCE AND TERRITORY

QUÉBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Dalia Wood	Montarville	Montréal
2 Leo E. Kolber	Victoria	Westmount
3 Charlie Watt	Inkerman	Kuujuuaq
4 Pierre De Bané, P.C.	De la Vallière	Montréal
5 Michel Cogger	Lauzon	Knowlton
6 Roch Bolduc	Golfe	Ste-Foy
7 Gérald-A. Beaudoin	Rigaud	Hull
8 John Lynch-Staunton	Grandville	Georgeville
9 Jean-Claude Rivest	Stadacona	Québec
10 Marcel Prud'homme, P.C.	La Salle	Montréal
11 Fernand Roberge	Saurel	Ville de Saint-Laurent
12 W. David Angus	Alma	Montréal
13 Pierre Claude Nolin	De Salaberry	Québec
14 Lise Bacon	De la Durantaye	Laval
15 Céline Hervieux-Payette, P.C.	Bedford	Montréal
16 Shirley Maheu	Rougemont	Ville de Saint-Laurent
17 Léonce Mercier	Mille Isles	Saint-Élie d'Orford
18 Lucie Pépin	Shawinigan	Montréal
19 Marisa Ferretti Barth	Repentigny	Pierrefonds
20 Serge Joyal, P.C.	Kennebec	Montréal
21 Joan Thorne Fraser	De Lorimier	Montréal, Qué.
22 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Qué.
23		
24		

SENATORS BY PROVINCE—MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Bernard Alasdair Graham, P.C.	The Highlands	Sydney
2 John B. Stewart	Antigonish-Guysborough	Bayfield
3 Michael Kirby	South Shore	Halifax
4 Gerald J. Comeau	Nova Scotia	Church Point
5 Donald H. Oliver	Nova Scotia	Halifax
6 John Buchanan, P.C.	Nova Scotia	Halifax
7 J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth
8 Wilfred P. Moore	Stanhope St./Bluenose	Chester
9 Sister Mary Alice (Peggy) Butts	Nova Scotia	Sydney
10 Calvin Woodrow Ruck	Dartmouth	Dartmouth

NEW BRUNSWICK—10

THE HONOURABLE		
1 Louis-J. Robichaud, P.C.	L'Acadie-Acadia	Saint-Antoine
2 Eymard Georges Corbin	Grand-Sault	Grand-Sault
3 Brenda Mary Robertson	Riverview	Shediac
4 Jean-Maurice Simard	Edmundston	Edmundston
5 Noël A. Kinsella	New Brunswick	Fredericton
6 Mabel Margaret DeWare	New Brunswick	Moncton
7 Erminie Joy Cohen	New Brunswick	Saint John
8 John G. Bryden	New Brunswick	Bayfield
9 Rose-Marie Losier-Cool	New Brunswick	Bathurst
10 Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent

PRINCE EDWARD ISLAND—4

THE HONOURABLE		
1 Orville Howard Phillips	Prince	Alberton
2 Eileen Rossiter	Prince Edward Island	Charlottetown
3 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
4 Archibald (Archie) Hynd Johnstone	Prince Edward Island	Kensington

SENATORS BY PROVINCE—WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gildas L. Molgat, Speaker	Ste-Rose	Winnipeg
2 Mira Spivak	Manitoba	Winnipeg
3 Janis Johnson	Winnipeg-Interlake	Winnipeg
4 Terrance R. Stratton	Manitoba	St. Norbert
5 Sharon Carstairs	Manitoba	Victoria Beach
6 Richard H. Kroft	Manitoba	Winnipeg

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Edward M. Lawson	Vancouver	Vancouver
2 Raymond J. Perrault, P.C.	North Shore-Burnaby	North Vancouver
3 Jack Austin, P.C.	Vancouver South	Vancouver
4 Pat Carney, P.C.	British Columbia	Vancouver
5 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
6 Ross Fitzpatrick	Okanagan-Similkameen	Kamloops

SASKATCHEWAN—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Herbert O. Sparrow	Saskatchewan	North Battleford
2 Reginald James Balfour	Regina	Regina
3 Eric Arthur Berntson	Saskatchewan	Saskatoon
4 A. Raynell Andreychuk	Regina	Regina
5 Leonard J. Gustafson	Saskatchewan	Macoun
6 David Tkachuk	Saskatchewan	Saskatoon

ALBERTA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Phillip Hays	Calgary	Calgary
2 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3 Ronald D. Ghitter	Alberta	Calgary
4 Nicholas William Taylor	Alberta	Bon Accord
5 Thelma J. Chalifoux	Alberta	Morinville
6 Douglas James Roche	Edmonton	Edmonton

 SENATORS BY PROVINCE AND TERRITORY

 NEWFOUNDLAND—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Philip Derek Lewis	St. John's	St. John's
2 C. William Doody	Harbour Main-Bell Island	St. John's
3 Ethel Cochrane	Newfoundland	Port-au-Port
4 William H. Rompkey, P.C.	Newfoundland	North West River, Labrador
5 Joan Cook	Newfoundland	St. John's
6

 NORTHWEST TERRITORIES—1

THE HONOURABLE		
1 Willie Adams	Northwest Territories	Rankin Inlet

 YUKON TERRITORY—1

THE HONOURABLE		
1 Paul Lucier	Yukon	Whitehorse

DIVISIONAL SENATORS

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Normand Grimard	Québec	Noranda, Qué.
2 Thérèse Lavoie-Roux	Québec	Montréal, Qué.

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of September 22, 1998)

*Ex Officio Member

ABORIGINAL PEOPLES

Chairman:	Honourable Senator Watt	Deputy Chairman:	Honourable Senator Johnson
Honourable Senators:			
Adams,	Berntson,	Johnson,	St. Germain,
Andreychuk,	Chalifoux,	*Lynch-Staunton,	Taylor,
Austin,	Graham,	(or Kinsella)	Watt.
Beaudoin,	(or Carstairs)	Pearson,	

Original Members as nominated by the Committee of Selection

*Adams, Andreychuk, Austin, Beaudoin, Doody, Forest, *Graham (or Carstairs), Johnson*

**Lynch-Staunton (or Kinsella, acting), Marchand, Pearson, Taylor, Twinn, Watt.*

AGRICULTURE AND FORESTRY

Chairman:	Honourable Senator Gustafson	Deputy Chairman:	Honourable Senator Whelan
Honourable Senators:			
Chalifoux,	Gustafson,	Rivest,	Spivak,
Fairbairn,	Hays,	Robichaud,	Stratton,
*Graham,	*Lynch-Staunton,	(<i>Saint-Louis-de-Kent</i>)	Taylor,
(or Carstairs)	(or Kinsella)	Rossiter,	Whelan.
		Sparrow,	

Original Members as nominated by the Committee of Selection

*Bryden, Callbeck, *Graham (or Carstairs), Gustafson, Hays, *Lynch-Staunton (or Kinsella, acting),*

Rivest, Robichaud (Saint-Louis-de-Kent), Rossiter, Sparrow, Spivak, Stratton, Taylor, Whelan.

SUBCOMMITTEE ON BOREAL FOREST
(Agriculture and Forestry)

Chairman:	Honourable Senator Taylor	Deputy Chairman:	Honourable Senator Spivak
Honourable Senators:			
*Graham,	*Lynch-Staunton,	Robichaud,	Stratton,
(or Carstairs)	(or Kinsella)	(<i>Saint-Louis-de-Kent</i>)	Taylor,
		Spivak,	Whelan.

BANKING, TRADE AND COMMERCE

Chairman:	Honourable Senator Kirby	Deputy Chairman:	Honourable Senator Tkachuk
Honourable Senators:			
Angus,	Hervieux-Payette,	Kolber,	Oliver,
Austin,	Kelleher,	*Lynch-Staunton,	Stewart,
Callbeck,	Kenny,	(or Kinsella)	Tkachuk.
*Graham,	Kirby,	Meighen,	
(or Carstairs)			

Original Members as nominated by the Committee of Selection

*Angus, Austin, Callbeck, *Graham (or Carstairs), Hervieux-Payette, Kelleher, Kirby, Kolber, *Lynch-Staunton (or Kinsella, acting), Meighen, Oliver, Stanbury, Stewart, Tkachuk.*

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

Chairman:	Honourable Senator Ghitter	Deputy Chairman:	Honourable Senator Taylor
Honourable Senators:			
Adams,	Cochrane,	*Graham,	Lynch-Staunton,
Buchanan,	Fitzpatrick,	(or Carstairs)	(or Kinsella)
Butts,	Ghitter,	Hays,	Spivak,
Chalifoux,		Kenny,	St. Germain,
			Taylor.

Original Members as nominated by the Committee of Selection

*Buchanan, Butts, Cochrane, Ghitter, *Graham (or Carstairs), Gustafson, Hays, Kirby, *Lynch-Staunton (or Kinsella, acting), Spivak, Stanbury, Rompkey, Taylor, Watt.*

FISHERIES

Chairman:	Honourable Senator Comeau	Deputy Chairman:	Honourable Senator Perrault
Honourable Senators:			
Adams,	*Graham,	*Lynch-Staunton,	Robertson,
Butts,	(or Carstairs)	(or Kinsella)	Robichaud,
Comeau,	Losier-Cool,	Meighen,	(<i>Saint-Louis-de-Kent</i>)
Cook,		Perrault,	Stewart.

Original Members as nominated by the Committee of Selection

*Adams, Butts, Carney, Comeau, *Graham (or Carstairs), Jessiman, Losier-Cool, *Lynch-Staunton (or Kinsella, acting), Meighen, Perrault, Petten, Robichaud (Saint-Louis-de-Kent), Rossiter, Stewart.*

FOREIGN AFFAIRS

Chairman: Honourable Senator Stewart

Honourable Senators:

Bolduc,	Di Nino,
Carney,	Doody,
Corbin,	Grafstein,
De Bané,	*Graham,
	(or Carstairs)

Deputy Chairman: Honourable Senator Andreychuk

Grimard,	Stewart,
Losier-Cool,	Stollery,
*Lynch-Staunton,	Whelan.
(or Kinsella)	

Original Members as nominated by the Committee of Selection

*Andreychuk, Bacon, Bolduc, Carney, Corbin, De Bané, Doody, Grafstein, *Graham (or Carstairs), *Lynch-Staunton (or Kinsella, acting), MacDonald, Stewart, Stollery, Whelan.*

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chairman: Honourable Senator Rompkey

Honourable Senators:

Callbeck,	*Graham,
De Bané,	(or Carstairs)
DeWare,	Kinsella,
Di Nino,	LeBreton,
Forrestall,	Losier-Cool,

Deputy Chairman: Honourable Senator Nolin

*Lynch-Staunton,	Robichaud,
(or Kinsella)	(Saint-Louis-de-Kent)
Maheu,	Rompkey,
Nolin,	Stollery,
Poulin,	Taylor.

Original Members as nominated by the Committee of Selection

*Atkins, Callbeck, De Bané, DeWare, Di Nino, *Graham (or Carstairs), Kinsella, LeBreton, *Lynch-Staunton (or Kinsella, acting), Maheu, Nolin, Poulin, Robichaud (Saint-Louis-de-Kent), Rompkey, Stollery, Taylor, Wood.*

LEGAL AND CONSTITUTIONAL AFFAIRS

Chairman: Honourable Senator Milne

Honourable Senators:

Beaudoin,	Doody,
Bolduc,	Grafstein,
Bryden,	*Graham,
Butts,	(or Carstairs),

Deputy Chairman: Honourable Senator Cogger

Joyal,	*Lynch-Staunton,
Kinsella,	(or Kinsella)
Lavoie-Roux,	Moore,
Lewis,	Nolin.

Original Members as nominated by the Committee of Selection

*Beaudoin, Cogger, Doyle, Gigantès, *Graham (or Carstairs), Jessiman, Lewis, Losier-Cool, *Lynch-Staunton (or Kinsella, acting), Milne, Moore, Nolin, Pearson, Watt.*

LIBRARY OF PARLIAMENT (Joint)

Chairman:	Honourable Senator		Deputy Chairman:
Honourable Senators:			
Bolduc,	Doyle,	Grimard,	Robichaud,
Corbin,	Grafstein,	Kroft,	(L'Acadie-Acadia).

Original Members agreed to by Motion of the Senate
Bolduc, Corbin, DeWare, Doyle, Giganiès, Grafstein, Robichaud (L'Acadie-Acadia).

NATIONAL FINANCE

Chairman:	Honourable Senator Stratton		Deputy Chairman: Honourable Senator Cools
Honourable Senators:			
Bolduc,	*Graham,	*Lynch-Staunton,	Rivest,
Cools,	(or Carstairs)	(or Kinsella)	Sparrow,
Eyton,	Johnstone	Mercier,	Stratton.
Ferretti Barth,	Lavoie-Roux,	Moore,	

Original Members as nominated by the Committee of Selection
*Bolduc, Cools, Eyton, Ferretti Barth, Forest, *Graham (or Carstairs), Lavoie-Roux,*
**Lynch-Staunton (or Kinsella, acting), Mercier, Moore, Poulin, St. Germain, Sparrow, Stratton.*

OFFICIAL LANGUAGES (Joint)

Chairman:	Honourable Senator Losier-Cool		Deputy Chairman:
Honourable Senators:			
Beaudoin,	Joyal,	Losier-Cool,	Robichaud,
Gauthier,	Kinsella,	Rivest,	(L'Acadie-Acadia)
			Robichaud,
			(Saint-Louis-de-Kent).

Original Members agreed to by Motion of the Senate
Beaudoin, Gauthier, Kinsella, Losier-Cool, Pépin, Rivest, Robichaud (L'Acadie-Acadia)
Robichaud (Saint-Louis-de-Kent), Simard.

PRIVILEGES, STANDING RULES AND ORDERS

Chairman: Honourable Senator Maheu

Honourable Senators:

Atkins,	Grimard,
DeWare	Johnstone,
Gigantès,	Joyal,
*Graham,	Kelly,
(or Carstairs)	

Deputy Chairman: Honourable Senator Robertson

Kenny,	Milne,
Lewis,	Robertson,
*Lynch-Staunton,	Rossiter,
(or Kinsella)	Sparrow
Maheu,	Stollery.

*Original Members as nominated by the Committee of Selection
Bosa, Corbin, Doyle, Grafstein, *Graham (or Carstairs), Grimard, Kelly, Lewis,
*Lynch-Staunton (or Kinsella, acting), Maheu, Marchand,
Milne, Pearson, Petten, Robertson, Rossiter.*

SCRUTINY OF REGULATIONS (Joint)

Chairman: Honourable Senator Hervieux-Payette

Honourable Senators:

Grimard	Hervieux-Payette,
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Deputy Chairman:

Kelly,	Mercier,
Lewis,	Moore.

*Original Members as nominated by the Committee of Selection
Cogger, Ferretti Barth, Grimard, Hervieux-Payette, Kelly, Lewis, Mercier, Moore.*

SELECTION

Chairman: Honourable Senator

Honourable Senators:

Atkins,	Fairbairn,
Corbin,	*Graham,
DeWare,	(or Carstairs)

Deputy Chairman:

Kinsella,	*Lynch-Staunton,
Lewis,	(or Kinsella)
	Mercier,
	Phillips.

*Original Members agreed to by Motion of the Senate
Atkins, Corbin, DeWare, Fairbairn, *Graham (or Carstairs), Hébert, Kinsella,
Lynch-Staunton (or Kinsella, acting) Lewis, Phillips, Stanbury.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

Chairman: Honourable Senator Murray

Acting Deputy Chairman: Honourable Senator Bosa

Honourable Senators:

Butts,	Ferretti Barth,	Lavoie-Roux,	Maheu,
Cohen,	*Graham,	LeBreton,	Maloney,
Cools,	(or Carstairs)	*Lynch-Staunton,	Murray,
Cook,	Johnstone,	(or Kinsella)	Phillips.

Original Members as nominated by the Committee of Selection

*Bonnell, Bosa, Cohen, Cools, Forest, *Graham (or Carstairs), Haidasz, Lavoie-Roux, LeBreton, *Lynch-Staunton (or Kinsella, acting), Maheu, Murray, P  pin, Phillips.*

SUBCOMMITTEE ON VETERANS AFFAIRS (Social Affairs, Science and Technology)

Chairman: Honourable Senator Phillips

Deputy Chairman: Honourable Senator

Honourable Senators:

Cools,	*Graham,	LeBreton,	Phillips.
Ferretti Barth,	(or Carstairs)	*Lynch-Staunton,	
	Johnstone,	(or Kinsella)	

TRANSPORT AND COMMUNICATIONS

Chairman: Honourable Senator Bacon

Deputy Chairman: Honourable Senator Forrestall

Honourable Senators:

Adams,	Fitzpatrick,	Johnson,	Poulin,
Bacon,	Forrestall,	*Lynch-Staunton,	Roberge,
Buchanan,	*Graham,	(or Kinsella)	Rompkey,
De Ban��,	(or Carstairs)	Perrault,	Spivak.

Original Members as nominated by the Committee of Selection

*Adams, Atkins, Bacon, Buchanan, De Ban  , Forrestall, *Graham (or Carstairs), Johnson, *Lynch-Staunton (or Kinsella, acting), Mercier, Perrault, Poulin, Roberge, Rompkey*

**SUBCOMMITTEE ON COMMUNICATIONS
(Transport and Communications)**

Chairman: Honourable Senator Poulin

Deputy Chairman: Honourable Senator Spivak

Honourable Senators:

*Graham,	Johnson,	Perrault,	Rompkey,
(or Carstairs)	*Lynch-Staunton,	Poulin,	Spivak.
	(or Kinsella)		

**SUBCOMMITTEE ON TRANSPORTATION SAFETY
(Transport and Communications)**

Chairman: Honourable Senator Forrestall

Deputy Chairman: Honourable Senator Adams

Honourable Senators:

Adams,	Forrestall,	Johnson,	Mercier,
Butts,	*Graham,	*Lynch-Staunton,	Roberge.
Fitzpatrick,	(or Carstairs)	(or Kinsella)	

**CHILD CUSTODY AND ACCESS
(SPECIAL JOINT)**

Chairman: Honourable Senator Pearson

Deputy Chairman: Honourable Senator

Honourable Senators:

Cohen,	Cools,	LeBreton,	Pearson.
Cook,	DeWare,	Maloney,	

Original Members agreed to by Motion of the Senate

*Bosa, Cohen, Cools, DeWare, Ferretti Barth,
Jessiman, Pearson.*

**SECURITY AND INTELLIGENCE
(SPECIAL)**

Chairman:	Honourable Senator Kelly	Deputy Chairman:	Honourable Senator Bryden
Honourable Senators:			
Andreychuk,	Corbin,	Kelly,	*Lynch-Staunton,
Bryden,	Graham,	LeBreton,	(or Kinsella)
	(or Carstairs)		Pépin,
			Stollery.

*Original Members agreed to by Motion of the Senate
Andreychuk, Bryden, Corbin, Fitzpatrick, *Graham (or Carstairs), Kelleher,
Kelly, *Lynch-Staunton (or Kinsella, acting) Stollery.*

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