



Debates of the Senate

2nd SESSION

•

36th PARLIAMENT

•

VOLUME 138

•

NUMBER 79

OFFICIAL REPORT
(HANSARD)

Thursday, October 5, 2000

—

THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

CONTENTS

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

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate

Available from Canada Communication Group — Publishing,
Public Works and Government Services Canada, Ottawa K1A 0S9,

Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, October 5, 2000

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to some distinguished visitors in the gallery. It is a delegation from the Austrian Parliament, led by Dr. Heinz Fischer, President of the Austrian National Council, or the “Nationalrat.” He is accompanied by Mrs. Anna Haselbach, Vice-President of the Federal Council, the “Bundesrat.” They are accompanied by His Excellency Wendelin Ettmayer, Ambassador of the Republic of Austria.

[*Translation*]

On behalf of all senators, I welcome you to the Senate of Canada and wish you an excellent visit in our country.

Hon. Senators: Hear, hear!

THE LATE HONOURABLE JACQUES FLYNN, P.C., Q.C., O.C.

TRIBUTES

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, on September 21, the Senate lost one of its most distinguished and active members, with the death of Jacques Flynn at the age of 85.

After an initial unsuccessful attempt in 1957, he was elected the following year to the House of Commons for the first time and became its Deputy Speaker in 1961. Defeated in 1962, he was appointed to the Senate that same year and held the position of Leader of the Opposition from 1967 to 1979. Prime Minister Clark then appointed him Minister of Justice and Attorney General, a position he had to abandon a few months later to become the Leader of the Opposition until 1984.

[*English*]

Jacques Flynn was the second longest serving leader of the opposition in the Senate, a somewhat dubious record, he would be the first to admit, and not one he cared for anyone, at least a member of his own party, to try to equal, much less break. Perhaps there is some advantage after all to a mandatory retirement age.

Jacques Flynn’s views on Quebec’s role and position in Confederation were not always shared by members of his caucus,

particularly those from the West, but they were always greatly respected, as he was. One of his many qualities was that of loyalty — loyalty to his party, through good times as well as bad, a quality which in recent years no longer appears to warrant the same importance and commitment as it did in his day.

[*Translation*]

For the past few years, Jacques had been afflicted with a disease which, although it affected him physically, did not interfere with his habitual good humour and admirable intellect until the very end of his life.

He made an exceptional contribution to the public life of Quebec and of Canada, and the Senate in particular benefitted greatly from his presence.

[*English*]

To his wife, Renée, their children and their family, I offer deepest condolences.

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I should like to join Senator Lynch-Staunton in expressing condolences to the family of our former colleague Senator Flynn. His time here overlapped with mine by some six years. I remember him as a very formidable senator. He occupied an office that I think Senator Lynch-Staunton now occupies. As has been said, he had been Minister of Justice and had a very distinguished record as a parliamentarian.

I remember him, from before my time here, as a friend of my father who served with him longer than I did. As Senator Lynch-Staunton said, he was indeed very loyal to his friends. I observed his loyalty in the relationship he had with my father and others, in particular with our former colleague Senator Olson. The two of them were friends and had great respect for one another, although one would never have known it when listening to the two of them joust across the floor of this chamber.

Senator Flynn was a great expert on the Senate and its workings and rules, particularly the rules that preceded the ones under which we now operate. He was a controversial advisor on those rules, even after his retirement.

Honourable senators, I have very fond memories of Senator Flynn. He had a great life and was a great senator. I wish to extend my condolences to his family. He was missed here after he left us and he will live on in our memories.

[Translation]

Hon. Lowell Murray: Honourable senators, for 11 years I had the privilege and the pleasure of serving close to the Honourable Jacques Flynn in this chamber. He was my leader for five years and, for four years, my most experienced and respected lieutenant.

Jacques Flynn had tremendous energy from an intellectual, moral and political point of view. With his robust and impassioned style, and also his courage, he left his mark on the major debates of his time, whether the issue was the Canadian flag, a reform of the Criminal Code, or federal initiatives or interference in social and cultural areas. In Parliament, he spoke with eloquence and lucidity in every constitutional debate from 1958 to 1990, including the debates on the Fulton-Favreau formula, the Victoria charter, Bill C-68, the Constitution Act, 1982, and the Meech Lake Accord. His incredible knowledge of the law would shine forth during a debate, but so would his belief in Canada and in the special place that Quebec has in it. Jacques Flynn, who was the grandson of a former premier of Quebec, believed as much in Quebec as he believed in Canada. There was never any doubt in his mind regarding his twin identity as a Québécois and a Canadian. He was both Québécois and Canadian, and he took great pride in that.

I would like to say a word about the challenge that Jacques Flynn and his colleagues had to face in this chamber during the sixties and the seventies. From 1963, when the Diefenbaker government was defeated, to 1979, when Mr. Clark was elected, opposition ranks in the Senate were constantly getting thinner. Our friend Senator Perrault alluded to that situation yesterday.

There were almost five times more Liberals than opposition senators. Without his determination, his talents as a parliamentarian, his hard work, his inspiration, his unshakeable conviction regarding the importance of this house and his leadership qualities, the smooth operation of our parliamentary system, at least in the Senate, would have been seriously threatened, because the opposition was so outnumbered.

His funeral was held on September 23, at Saint-Dominique church in Quebec City. His friends from the provincial capital, his colleagues from the Bar, his former political colleagues and adversaries all came to say goodbye to a man who was at the heart of the professional and political life of his city and country for half a century. Our former colleague the Right Honourable Martial Asselin delivered a simple but moving eulogy.

Throughout his public life, Jacques Flynn carried the torch for an illustrious Quebec and Canadian tradition. Parliament, and the Progressive Conservative Party in particular, owe him much.

Hon. Jean-Claude Rivest: Honourable senators, today I would like to speak to you of the absolutely outstanding contribution the Honourable Jacques Flynn made to the political life of Canada and of Quebec. Beyond his contribution on the political scene, he enjoyed a totally remarkable reputation in legal circles. As well, he was associated with many community activities in the Quebec City region in the social, arts and

economic areas. His contributions were always greatly appreciated. I believe it is important to point out the very high esteem in which the people of the Quebec City region held Senator Flynn.

[English]

SENATORS' STATEMENTS

VISIT TO DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Hon. Lois M. Wilson: Honourable senators, from September 13 to 24, I led a six-person parliamentary delegation, which included two members of the NGO community, to visit the Democratic People's Republic of Korea. We were charged with assessing the current economic, social and political conditions in the DPRK; exploring potential areas for bilateral cooperation in anticipation of the establishment of diplomatic relations; signalling to the DPRK Canadian concerns on international peace and security and promotion of civil society and human rights; and considering the kind of official Canadian presence that would be appropriate should diplomatic relations be established.

We found the country in a food crisis that is acute and unlikely to subside soon. Because the economic policy of self-reliance is unsustainable, in our judgment, the survival of millions of Koreans now depends upon international humanitarian food aid. The Canadian Foodgrains Bank of the Canadian churches, through the UN World Food Program and the UNDP, are by far the most visible Canadian presence in the DPRK and are important agents of change. The credibility these programs have with the DPRK earned our delegation unprecedented access to the countryside, families, schools, hospitals, co-op farms and nursery schools, whereas ambassadors in Pyongyang from other countries are not allowed to travel more than 20 kilometres outside the city.

During a three-day visit to the east coast, we saw extreme malnutrition among children and pregnant mothers. A 1998 UN-sanctioned nutritional survey showed a national rate of acute malnutrition among children aged six months to seven years of 16 per cent, one of the worst rates in the world. Despite heroic efforts to increase food production, it became obvious that the DPRK is unable to meet the food needs of its population and that self-sufficiency is an unrealistic goal.

• (1420)

Honourable senators, energy is in short supply. Apartment buildings and whole towns were dark when the sun set. A constant flow of tap water, let alone hot water, is not available. We saw two operating rooms in a hospital that cannot be used during the winter due to no heat. The loss of oil after the collapse of the U.S.S.R. has left miles of factories closed and the country with no industrial base.

The DPRK is reaching out to South Korea and to the international community for normalization of relations. Italy and Australia have completed theirs and New Zealand is not far behind. Although the reunification of the two Koreas may not be immediate, the two Koreas marched together at the Olympics under one flag designated simply “Korea,” accompanied by 15th century folk music common to both North and South. Two busloads of men who had been imprisoned in South Korea since 1953 arrived in Pyongyang at our hotel, a gesture of reconciliation by the South Korean government. There are plans for a connecting railway and for the removal of land mines in the DMZ.

Honourable senators, our timing in going to the DPRK was excellent. There is a window of opportunity —

The Hon. the Speaker: Honourable Senator Wilson —

Senator Wilson: Is that three minutes, honourable senators?

The Hon. the Speaker: I regret to inform the honourable senator that her speaking time has expired. The Rules Committee reported to the Senate, and the Senate agreed. It is the wish of the Senate to stick strictly to the three-minute time limit for Senators’ Statements. I must observe that rule.

I must warn honourable senators that quite a few senators have indicated they wish to make statements today. If we do not stick to the three-minute rule, we may not be able to hear all of them.

[*Translation*]

WORLD TEACHERS’ DAY

Hon. Rose-Marie Losier-Cool: Honourable senators, today, October 5, we are celebrating World Teachers’ Day. The United Nations General Assembly has declared 2000 the International Year for the Culture of Peace.

I believe that it is therefore appropriate to draw attention to the immense contribution made by teachers to the attainment of a true culture of peace that knows no borders, both within Canada and throughout the world, from Tunisia to Nicaragua.

This year, the Internationale de l’Éducation, in conjunction with UNESCO, has selected as the theme for World Teachers’ Day “Teachers: expanding horizons.” This is so true. Teachers help society by inculcating in their students a critical mind and a thirst for knowledge. Teachers contribute to the enhanced economic and social well-being of our country. As we know, teaching is becoming more and more of a challenge and infinitely more complex.

We may rightly be proud of our teachers in Canada. Our teachers are devoted and committed professionals and take their

profession and their students to heart. I congratulate them warmly on their excellent work.

In closing, honourable senators, I invite you to give thought to a teacher who has had a positive influence on your life and to pay tribute him or her and to all those in this noble profession today.

THE HONOURABLE GILDAS L. MOLGAT

TRIBUTE ON THIRTIETH ANNIVERSARY
OF APPOINTMENT TO SENATE

Hon. Marcel Prud’homme: Honourable senators, I would like to speak to you today of a great parliamentarian, a great diplomat and, God knows, a man with a great sense of fairness.

[*English*]

Usually, as we have just done for the Honourable Senator Flynn, we talk about the great virtue of colleagues who are about to leave, who have left, or who have died. I would like to talk about someone who is well, who is living in Ottawa, and who is sitting on the throne today: our Speaker, Senator Gildas Molgat.

The Hon. the Speaker: Had I known the honourable senator would say that, I would never have recognized him.

Senator Prud’homme: The reason I do so is because we will not be here this weekend to celebrate a great anniversary.

[*Translation*]

Indeed, 30 years ago this weekend, the Right Honourable Pierre Elliott Trudeau appointed Senator Molgat to the Senate.

[*English*]

To repeat, Senator Molgat is a great diplomat. I have seen him in his travels around the world — and honourable senators know that my interest in foreign affairs will never cease, even though I am not a member of the Foreign Affairs Committee — and I hear about him from people wherever he goes. He is a great representative of the Senate.

Honourable senators, when I finish speaking, I should like for you to applaud warmly.

[*Translation*]

I would ask him to extend to Alison — his wife and constant companion — our best wishes. We would like to keep you in the Chair, Your Honour, until you reach the unfortunately mandatory retirement age. Thank you for your fairness, your talent and the friendship you offer all senators.

[*English*]

The Hon. the Speaker: As I said, had I known, I might not have recognized the honourable senator.

BREAST CANCER MONTH

Hon. Erminie J. Cohen: Honourable senators, this month we observe Breast Cancer Month. We have travelled a long way in our crusade to promote public education and public awareness in our communities. Our outreach strategies and programs have led to more early-stage cancers being detected, thus lowering mortality rates. The mantra of “early detection is the best protection” cannot be repeated often enough.

In the interests of Breast Cancer Month, I am proud to announce a made-in-New Brunswick initiative launched in June 1999. The Purple Violet, named after the New Brunswick flower, is a project of the New Brunswick Breast Cancer Information Partnership and is a much-needed, relevant, up-to-date information kit designed to help make the patient’s journey through breast cancer less difficult. The partnership consists of representatives from each of the seven health regions in New Brunswick, from both linguistic communities, and from the aboriginal community. Over 50 per cent of the membership are breast cancer survivors.

Studies have shown that people when diagnosed need clear, understandable information to enable them to make informed decisions about their treatment, in consultation, of course, with their health professionals. It is almost impossible for anyone to absorb verbal and vital information at the time of diagnosis as the fear of the unknown regarding surgery, treatment and prognosis is all-consuming. The information offered in the Purple Violet kit helps to diminish their fear.

The kits are available in both official languages and are distributed to breast cancer surgeons throughout the province. They are given to the patient at time of diagnosis. Since being launched in 1999, hundreds of New Brunswick women have received the Purple Violet kits, and the comments from patients and their surgeons have been positive.

Honourable senators, Health Canada provided the initial funding for this project, as well as the purchase of kit material for the first year. If any of my colleagues are interested in viewing these kits, they are invited to contact my office.

[Translation]

WOMEN’S MENTAL HEALTH

PROBLEMS OF OVERMEDICATION

Hon. Lucie Pépin: Honourable senators, I rise today to draw your attention to the problem of mental health, particularly that of women.

One of the areas of health in which the greatest differences between men and women are observed is that of mental health. This is not without repercussions on the quality of life of women and those around them. Levels of depression are higher among

women than men, suggesting that women and men experience stress differently.

The rate of hospitalization for psychiatric treatment is higher among women than men. Women are more inclined than men to have low self-esteem and to experience problems such as anorexia and bulimia. Women are more likely to be overmedicated than men.

The case I am about to present is that of a woman who went through hell, but who found — and is still finding — the courage to fight against the excessive prescription of drugs. This woman is Joan Gadsby, the author of *Addiction by Prescription*, an essay in which she relates her own story, of course, but one in which she offers a lucid analysis of the disastrous effects of overmedication. The drug with which Ms Gadsby had trouble was benzodiazepine, a tranquilizer and sedative.

• (1430)

While this drug may meet certain expectations in the short term, it has a number of undesirable side effects: learning problems, such as confusion; behavioural problems, such as aggressiveness; psychomotor problems affecting such things as eye-hand-foot coordination; psychiatric problems, such as depression or suicidal ideation; and finally, problems of addictiveness.

Honourable senators, drugs must be used with restraint. Naturally, for a variety of reasons, patients may depart from the recommended dose of a medication. However, such departures may also arise from a belief that the solution to problems lies in pills and that the relief they provide is preferable to the symptoms a patient would experience without them.

I am not here to judge the Canadian medical profession, much less the pharmaceutical industry. Nevertheless, I want you to think about the problem behind overmedication. It is probably easier for society to individualize problems by applying individual solutions than to wonder about the source of these problems and propose global solutions. It is also probably easier for a doctor to prescribe medication than to consider longer-term alternatives. Of course, the medical profession constantly reviews its use of medication, so that doctors are more aware of the negative impact of overmedication. However, there are still cases — too many, unfortunately — where doctors prescribe too much medication, because they feel it is the best, the easiest or the quickest solution.

Honourable senators, I am asking you to join me in reflecting on the role of medication in our society. The Senate Standing Committee on Social Affairs, Science and Technology has undertaken a vast study on Canada’s health system. I truly hope that, in the course of its proceedings, the committee will be receptive to the problem of overmedication and its negative impact on Canadians.

The Hon. the Speaker: Unfortunately, Senator Pépin, your speaking time has expired.

[English]

WORLD TEACHERS' DAY

Hon. Ethel Cochrane: Honourable senators, I, like my colleague Senator Losier-Cool, would like to draw your attention to the fact that today has been designated World Teachers' Day by the United Nations Educational, Scientific and Cultural Organization. The international theme for the day is "Teachers: expanding horizons." That recognizes in particular the leadership role that teachers play in adapting to the information society. Computers and other technology in the classroom have dramatically changed the learning process in our schools. They have also created tremendous possibilities for teachers to draw on new educational resources and to interact with other teachers and schools all around the world.

Today, we join with people from around the world in giving recognition to teachers for the indispensable contributions they make to our children's development. I hope all honourable senators will join with me in expressing our appreciation for their efforts.

HELEN ROSE GRAFSTEIN

TRIBUTE ON ONE HUNDREDTH BIRTHDAY

Hon. Jeremiah S. Grafstein: Honourable senators, allow me to mark a milestone in the annals of my family. This week we celebrated my mother's one hundredth birthday. Helen Rose Grafstein was born in Yilza, Poland on October 3, 1900. She stemmed from an ancient line of rabbis on her mother's side. She landed in Canada in 1907 with her mother and her younger sister, following her father who had travelled and worked in Belgium until he arrived in Toronto a year earlier. Ultimately, she and her family settled at 35 Kensington Avenue in Toronto.

My mother met my father, also born in Poland, when he came to visit his older brothers in Toronto in 1927, after serving in the Pilsudski Legion in Poland. They fell in love, married in 1930, and moved to London, Ontario where my older sister and I were born and raised.

Tragedy stalked my mother's entire life. Her father was blinded in an accident just before World War I but, fortunately, lived to the ripe old age of 87. Her dearest, oldest cousin died in the Dieppe raid. Her mother died early due to the struggle and strain to provide for her family. My own father died prematurely in a car accident 50 years ago, and my mother was left to raise me and my sister. My sister died suddenly some years ago. Then my mother's beloved younger sister, Betty, passed away. My mother worked practically all of her life to provide for her family, and yet her unquenchable spirit and private beliefs survived and surmounted all these family burdens and tragedies.

She loves clothes. "You are not dressed unless you wear a hat," she reminds us. She loves music. To this day, every Monday she attends choir practice and sings in a choir. Wednesdays she still plays bingo. Until recently, she was an avid reader of Hansard.

Let me recount one small, political story. During the last referendum, knowing of my concern, she asked me how it was

going. She admonished me not to worry. She had read the question. The question was very confusing, she said. Quebec will never separate. Canada is too good to separate from. No one in their right mind in Quebec would ever separate from Canada. The only document to this day she still keeps in her purse with her is her faded citizenship certificate.

So, honourable senators, I seek your indulgence to salute her, to celebrate the centenary of her life. She believes nothing is really official unless it is in Hansard. May I wish her the traditional Jewish blessing to live as long as the lifespan of Moses. Mother, may you live to 120 years and may God's strong spirit remain with you.

[Translation]

ROUTINE PROCEEDINGS

OFFICIAL LANGUAGES

ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, pursuant to section 66 of the Official Languages Act, I have the honour of tabling the annual report of the Commissioner of Official Languages for the year ending on March 31, 2000.

[English]

CANADA NATIONAL PARKS BILL

REPORT OF COMMITTEE

Hon. Mira Spivak, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, October 5, 2000

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

SIXTH REPORT

Your Committee, to which was referred Bill C-27, An Act respecting the national parks of Canada, has, in obedience to the Order of Reference of Wednesday, June 28, 2000, examined the said Bill and now reports the same without amendment, but with observations which are appended to this report.

Respectfully submitted,

MIRA SPIVAK
Chair

(For text of observations, see today's Journals of the Senate, p. 894.)

Hon. Tommy Banks: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(b), I move that the bill be read the third time later today.

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

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

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

DEFENCE PRODUCTION ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Bill Rompkey, for Senator Kolber, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, October 5, 2000

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

TENTH REPORT

Your Committee, to which was referred the Bill S-25, An Act to amend the Defence Production Act, has examined the said Bill in obedience to its Order of Reference dated Thursday, September 21, 2000, and now reports the same with the following amendments:

1. Pages 2 to 5, Clause 5:

(a) Page 2,

(i) Replace, in the English version, before line 1, the title “REGULATION OF CONTROLLED GOODS” with the following:

“REGULATION OF ACCESS TO CONTROLLED GOODS”;

(ii) Replace line 13 with the following:

“registration under section 39 or 39.1, knowingly ex-”;

(b) Page 3,

(i) Replace lines 21 to 23 with the following:

“39. Individuals of a class prescribed by regulation are exempt from registration.

39.1 (1) The Minister may, in accordance with the regulations, exempt an individual from registration and”; and

(ii) Replace lines 33 to 35 with the following:

“(4) **If an exemption is granted**, the Minister shall furnish, **in accordance with the regulations**, a certificate of”;

(c) *Page 4*, Replace, in the English version, line 26 with the following:

“inspection or copying any document that”; and

(d) *Page 5*, Replace line 16 with the following:

“sections 39 and 39.1, including”.

2. *Page 7, Clause 7*: Replace line 35 with the following:

“section 46, the schedule set out in the”.

Respectfully submitted,

E. LEO KOLBER
Chairman

• (1440)

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

Senator Rompkey: With leave, now.

The Hon. the Speaker: Is leave granted?

Some Hon. Senators: No.

Hon. Dan Hays (Deputy Leader of the Government): Would later in the day be a more favourable time?

Hon. John Lynch-Staunton (Leader of the Opposition): With an explanation of the amendments, yes.

Senator Rompkey: Could I speak to this matter, honourable senators?

Senator Lynch-Staunton: No. We do not have a copy of the report. Give us a break!

Senator Rompkey: I would like an opportunity to speak, if I may.

The Hon. the Speaker: The honourable senator may ask for leave to speak, but I would need leave to allow him to do so.

Honourable senators, is leave granted for Honourable Senator Rompkey to speak?

Hon. Senators: Agreed.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): [Translation]
If my honourable friend asks that the report be considered later this day, I think he will find favour.

Senator Rompkey: I should like to propose that the report be considered later this day, honourable senators. There is a time constraint involved here. There is an international agreement between the two countries to review —

Senator Lynch-Staunton: Tell us that later.

Senator Hays: Later this day, yes.

Hon. Marcel Prud'homme: Can we ask questions?

The Hon. the Speaker: The Honourable Senator Rompkey has asked that leave be granted to consider this report later this day rather than now.

Honourable senators, is leave granted?

Hon. Senators: Agreed.

On motion of Senator Rompkey, bill placed on the Orders of the Day for consideration later this day.

PROCEEDS OF CRIME (MONEY LAUNDERING) ACT

BILL TO AMEND—FIRST READING

Hon. Dan Hays (Deputy Leader of the Government) presented Bill S-30, to amend the Proceeds of Crime (Money Laundering) Act.

Bill read first time.

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

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

INTER-PARLIAMENTARY UNION

ONE HUNDRED AND THIRD CONFERENCE, AMMAN, JORDAN— REPORT OF CANADIAN GROUP TABLED

Hon. Sheila Finestone: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Group of the Inter-Parliamentary Union which represented Canada at the one hundred and third Inter-Parliamentary Conference held in Amman, Jordan, from April 30 to May 6, 2000.

PARLIAMENTARY REFORM

NOTICE OF INQUIRY

Hon. Gerry St. Germain: Honourable senators, I give notice that on Tuesday, October 17, 2000, I will call the attention of the Senate to the concerns expressed by Canadians in the western and territorial region that I represent, with regard to the need for fundamental and far reaching reform of Canada's Parliamentary Institutions: the Senate and the House of Commons. A diverse, federal country like Canada needs an effective, useful and viable Upper House to represent provincial and regional interests. As such, reform of the Senate needs to:

[English]

- (a) focus attention on defining the purpose of the Senate, consequently giving the Senate the legitimacy which it deserves to be an active participant in the legislative process;
- (b) define the role which a revised Senate might take at a national level and the powers which would be appropriate for it to exercise in harmony with the House of Commons;
- (c) give standing committees a more effective position of governing in the Senate, more particularly in relation to the task of reviewing the nomination of federally pointed judges;
- (d) determine the length of term of office;
- (e) determine an alternate means by which to select members of the Senate;
- (f) determine the nature of its regional representation, particularly a desire to see each province finally receive the numerical representation it deserves in the Senate of Canada; and that there needs to be reform in the House of Commons to:
 - (a) make it more democratic and accountable;
 - (b) give all Members the freedom to be part of the policy-making process. MPs need the ability to voice and promote the concerns of their constituents — to truly represent their people;

(c) determine recommendations addressing the democratic accountability which could be through such measures as (1) having free votes; (2) giving standing committees legitimate authority to exercise thorough examination of government policies; legislative proposals; fiscal measures and, providing parliamentarians with a forum and mechanism to introduce the legitimate concerns and ideas of Canadians.

QUESTION PERIOD

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS— POSSIBLE SOLE-SOURCING OF PROGRAM

Hon. J. Michael Forrestall: Honourable senators, I have a question for the Leader of the Government in the Senate concerning helicopters.

The minister will recall that some time ago I questioned the government on a directed contract of the Eurocopter for the maritime helicopter project. The letter of interest ensures that will happen. Having examined the regional industrial benefits, we find that 60 per cent of the RIBs on the basic mission vehicle may be in the automotive industry and 40 per cent on the mission systems and integration. The cap on the so-called “green helicopter” is \$925 million. The rest of the money will be spent on the maritime helicopter mission systems integration.

Windsor, Ontario, just received a \$1.5-billion modernization and expansion to its DaimlerChrysler plant. For those senators who do not know, that is the parent firm of Eurocopter. It just so happens that 60 per cent of the \$925-million cap on the basic vehicle is \$555 million and 40 per cent of the remaining \$1.9 billion is a little less than \$1 billion, for a total of almost \$1.5 billion.

In face of this information, will the government now admit that it is sole-sourcing and directing the helicopter replacement program?

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, no, the government will not make such a statement. The procurement program, as the honourable senator well knows, will be a two-phase competition. The initial competition will result in two separate contracts: one for the basic vehicle and one for the in-service support of the basic vehicle.

• (1450)

Senator Forrestall: Answer my question!

Senator Boudreau: The first phase will be followed by a second competition and contract for in-service support.

[Senator St. Germain]

Both those stages of competition will be open. We believe a number of companies will be very interested and active in pursuing the contracts in the first stage as well as the subsequent contracts for the mission system and integration. We would not agree with the honourable senator’s conclusions.

Senator Forrestall: Honourable senators, the leader is living in a dreamland somewhere. It will be interesting to see what the people of Dartmouth say about this in the next federal election, which may come soon.

I would have thought the minister would have the courage and gumption to get up and address the problem. It is blatantly obvious to everyone that he has in fact thrown out any concept of fair and open tender with respect to this process.

An Hon. Senator: Oh, come on.

Senator Forrestall: No, you come on. Read the numbers, senator, and then tell me what you think.

Could the minister table in the chamber, either later today or, if we have the fortune to be here, in a few days’ time, the document from the Department of Industry or Public Works and Government Services relating to the DaimlerChrysler plant in Windsor, Ontario, and all of the submissions from Industry to the government’s LOI with respect to the maritime helicopter project? Perhaps he can avoid what is looking increasingly like a boondoggle and gross interference in the process.

Senator Boudreau: Honourable senators, of course I will discuss the senator’s request with the Minister of Industry to see whether it is reasonable to table that document. I cannot give him that commitment at this time. I would say, though, going back to the central question, that I have had the opportunity meet, albeit on a very informal basis, with a number of companies that are very interested in the helicopter procurement process. Those companies certainly did not lead me to believe that they thought the process was less than competitive. They very much believed that they were in the running for that helicopter contract. No contact has come to me from the industry that would indicate the level or the nature of the concerns raised by the honourable senator.

I can only say, once again, that I cannot arrive at the same conclusion as the honourable senator.

Senator Forrestall: Honourable senators, this may very well be the last opportunity to inquire further on this issue. Could I ask the minister whether he sees any relationship between the ownership of DaimlerChrysler and the ownership of Eurocopter? Does that not raise a signal, a bell, a flag, as it does with most Canadians who would like very much to know just what the deal is all about?

This happened, interestingly enough, after the Prime Minister went to Europe and met with the President of France. Does the minister not think that there are some signals here, some messages that should be addressed?

Senator Boudreau: Honourable senators, I do not know precisely what the relationship is, but the fact that the Prime Minister of Canada went to France and spoke with the President of France would be a routine and proper course to take.

The helicopter procurement process will conclude with us having a new piece of equipment that will be cutting-edge in the world. That process is now underway and will be completed as soon as possible. The honourable senator and others have been asking for this process to commence for some time. It has begun and I look forward to its conclusion.

Senator Lynch-Staunton: As a candidate in which riding?

FINANCE

PRIVATE CHARITABLE FOUNDATIONS— TAX EQUITY REGARDING CAPITAL GAINS PROVISIONS— POSSIBILITY OF INCLUSION IN POSSIBLE MINI-BUDGET

Hon. Mira Spivak: Honourable senators, in recent months, the private foundation sector has made an excellent case before officials of the Department of Finance for tax equity with other charitable organizations in Canada. Collectively, this sector accounts for 85 per cent of all Canadian grant-making foundations.

Last year, members of the new Private Foundations Canada contributed more than \$160 million to charities. You are looking surprised. This organization has come together in part to ask for one simple thing of the current government: Do not keep excluding us from the capital gains provision in place for other charities since the 1997 budget.

Some months ago, the Minister of Finance told a conference that he was open to being flexible towards private foundations with respect to extending the policy. I raise this question just in case there will be a mini-budget.

My question for the Leader of the Government in the Senate is: Can Canadians who believe in philanthropy and the excellent work of private foundations expect to see this new policy in the so-called mini budget that is coming up?

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, if a mini-budget is presented in the next weeks or months, I certainly would prefer to let the Minister of Finance announce the details of that budget. I take note not only of the honourable senator's question but of her comment that the minister indicated a willingness to show some flexibility. I will pass along the honourable senator's question and I will also pass along that reminder of his earlier reaction.

Senator Spivak: Can I say then that the minister will be an advocate for this particular policy with the Minister of Finance? I know the minister's response will be very much appreciated by the members of Private Foundations Canada who constitute some of those Canadians who do support the political process at all times and certainly in times of elections.

Senator Boudreau: I am sure the honourable senator will understand that those organizations would not want some superficial reaction from me without first clearly understanding all of the ramifications of the request. I certainly will give the matter very reasoned consideration.

In my discussions with the Minister of Finance, perhaps, as I have in the past, I can benefit from his viewpoint on this issue.

Senator Spivak: Honourable senators, I have some background documentation on this issue, and I would be more than pleased to send it along to the Leader of the Government. The information comes from the association called Private Foundations Canada. I will ensure that a copy is delivered to the minister so that he will be well briefed when speaking to the Minister of Finance.

Senator Boudreau: I would appreciate it if the honourable senator would send me that material. I will review it prior to my conversation with the Minister of Finance.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I have an answer to a question put on September 19, 2000, by Senator Forrestall regarding the replacement of Sea King helicopters, costing elements of procurement competition; a response to a question of September 19 by Senator Kelleher regarding the World Trade Organization; a response to a question of September 20, 2000, by Senator Forrestall regarding the eviction of military families from military housing to shelter the homeless; an answer to a request posed September 20, 2000, by Senator Spivak regarding the motion to establish an Office of Children's Environmental Health; and a response to a question posed on September 21, 2000, by Senator Comeau regarding the fishery conflict at Burnt Church, New Brunswick, and alleged offers of incentives not to fish.

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS— COSTING ELEMENTS OF PROCUREMENT COMPETITION

(Response to question raised by Hon. J. Michael Forrestall on September 19, 2000)

On August 17, 2000, the government announced the launch of the Maritime Helicopter Project (MHP). The announcement stated that two separate competitions would take place. The initial competition would result in two separate contracts, one for the Basic Vehicle (BV) and the other the In-Service Support of the BV. This would be followed by a second competition which would result in a contract for the Mission System/Integration and a second contract for its In-Service support.

We believe that using this approach, involving separate competitive contracts for the basic helicopter and mission systems and systems integration, will allow us to procure the best possible helicopter and mission systems that meet DND's operational needs — at the lowest cost.

In fact, separate competitive contracts will also result in broader industry participation in this major Crown project.

Currently there are many companies worldwide that have the ability to meet the requirements to either produce the basic helicopter or integrate the Mission System onboard the helicopter or both. There are also several companies that have the capability to provide and install into the basic helicopter integrated mission systems.

Through this competitive process, the government will be selecting the lowest price compliant bids for the basic vehicle and for the mission systems and integration onboard the aircraft that meet the operational requirements of the Department of National Defence as set out in its Statement of Requirements (SOR). The SOR is currently available on the MHP web site for review by Industry.

The Government intends to purchase an off-the-shelf helicopter, therefore, certification of the aircraft at the time of contract award mitigates against risks associated with developmental products. This is not unique. In fact the RFP for the supply of the Search & Rescue helicopter required that aircraft certification be available prior to or on submittal of the proposal(s).

Evaluation of the formal bids will be based to the maximum extent possible on mandatory criteria, with the lowest price compliant bid being the one recommended to Government for approval provided that: compliant technical bids have acceptable terms and conditions; have an acceptable Industrial and Regional Benefits package and have an acceptable overall risk assessment.

For the Maritime Helicopter Integrated Mission Systems (MHIMS), the contract will be awarded to the lowest-priced compliant proposal that includes the price of the MHIMS and their integration into the new basic helicopters. Compliant bids will be those evaluated as technically compliant; having acceptable terms and conditions; having an acceptable IRB package; and having acceptable overall risk assessment.

It is important to note that the industry has been preparing for this procurement for a considerable length of time and potential bidders now have the opportunity to offer to Canada basic helicopters and mission systems that can meet DND's requirements.

FOREIGN AFFAIRS

WORLD TRADE ORGANIZATION— REQUEST FOR WIN-LOSS RECORD ON DISPUTE RULINGS

(Response to question raised by Hon. James F. Kelleher on September 19, 2000)

Since the World Trade Organization (WTO) came into force in 1995, Canada requested the establishment of a WTO panel to rule on seven measures maintained by other WTO Members. During the same period, other WTO Members requested the establishment of a Panel to address their complaints against seven Canadian measures. All the reports of WTO Panels and of the WTO Appellate Body are made available on the WTO website at the time they are circulated to WTO Members.

Summary of Canada's offensive cases:

- EC — French measure on scallops: the Panel issued its confidential interim report to the disputing parties in early 1996. The report was favourable to Canada. The disputing Parties suspended the proceedings and agreed on a settlement which was notified to the Dispute Settlement Body on July 5, 1996.
- Japan — measures regarding taxes on alcoholic beverages (joint Panel with the U.S. and the EC): the Panel and the Appellate Body concluded that the Japanese tax system as it applied to alcoholic beverages was inconsistent with Japan's obligations under the General Agreement on Tariffs and Trade (GATT). Both reports were adopted on November 1, 1996. Japan has since implemented the rulings.
- EC — ban on beef produced with growth-promoting hormones (joint Panel with the U.S.): the Panel and the Appellate Body ruled that the EC was in violation of its obligations under the Agreement on the Application of Sanitary and Phytosanitary Measures. The reports were adopted by the Dispute Settlement Body on February 13, 1998. As a result of the EC's failure to implement the rulings, the Dispute Settlement Body authorized Canada, on July 26, 1999, to retaliate in an amount of \$11.3 million annually. Retaliatory measures were implemented August 1, 1999.
- Australia — ban on the importation of fresh, chilled and frozen salmon: the Panel and the Appellate Body found the Australian measures inconsistent with Australia's obligations under the Agreement on the Application of Sanitary and Phytosanitary Measures. The reports were adopted by the Dispute Settlement Body on November 6, 1998. On February 18, 2000, a compliance panel found that Australia had not implemented the rulings on fresh, chilled and frozen salmon. Canada and Australia reached an agreement on Australia's implementation on May 16, 2000.

- Brazil — export financing programme for aircraft: the Panel and the Appellate Body found Brazil to be in violation of its obligations under the Agreement on Subsidies and Countervailing Measures. The reports were adopted by the Dispute Settlement Body on August 20, 1999. On May 9, 2000, a compliance Panel ruled that Brazil had not properly implemented the rulings on the export financing programme for aircraft. On August 28, 2000, a WTO Arbitrator estimated at \$344.2 million annually the amount of retaliation Canada could take against Brazil for the continued failure to implement the WTO rulings on aircraft. Canada and Brazil are currently holding bilateral discussions on Brazil's implementation.
- EC — French ban on asbestos: the Panel found that the French ban on chrysotile asbestos is consistent with WTO Agreements. The report of the Panel was circulated to WTO Members on September 18, 2000. Canada announced that it will appeal the rulings.
- U.S. — export restraints: the WTO Panel was established on September 11, 2000 to hear Canada's complaint that the U.S. treatment of export restraints in countervailing duty investigations is contrary to U.S. obligations under the Agreement on Subsidies and Countervailing Measures.

Summary of Canada's defensive cases:

- Periodicals — complaint by the U.S.: the Panel and subsequently the Appellate Body found the Canadian measures to be inconsistent with Canada's obligations under the GATT. Both reports were adopted by the Dispute Settlement Body on July 30, 1997. Canada implemented the rulings.
- Pharmaceutical patent regime — complaint by the EC: the EC challenged two provisions of Canada's Patent Act, the early working exception and the stockpiling exception. The Panel ruled that the early working exception was consistent with Canada's obligations under the Agreement on Trade-Related Intellectual Property Rights (TRIPS) but that the stockpiling exception was not. Canada has until October 7, 2000 to implement the rulings.
- Canada's patent term — complaint by the U.S.: the Panel found that Canada's patent term for certain pre-1989 patents is inconsistent with Canada's obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). On September 18, 2000, the Appellate Body confirmed the Panel's findings. The reports of the Panel and Appellate Body will be adopted at a future meeting of the Dispute Settlement Body.
- Automotive industry — complaints by the EC and Japan: the Panel and Appellate Body found that key

elements of the Auto Pact violated Canada's trade obligations under the GATT, the General Agreement on Trade in Services (GATS) and the Agreement on Subsidies and Countervailing Measures. The reports were adopted by the Dispute Settlement Body on June 19, 2000. Canada has implemented the subsidies finding and is awaiting an Arbitrator's decision on the time it will have to implement the other findings.

- Dairy products — complaints by the U.S. and New Zealand: the Panel and the Appellate Body found that Canada's exports under Special Milk Classes 5(d) and (e) were export subsidies subject to Canada's export subsidy reduction commitments under the Agreement on Agriculture. Since the quantity of exports under Classes 5(d) and (e) exceeded Canada's reduction commitments, Canada was found to be in breach of its obligations. Canada's limit of \$20 on fluid milk imports for personal use was also found contrary to Canada's obligations. The Dispute Settlement Body adopted the Panel and Appellate Body reports on October 27, 1999. The Canadian industry is currently developing replacement programmes. Canada has until December 31, 2000 to implement the rulings.
- Measures affecting the export of civilian aircraft - complaint by Brazil: the Panel and the Appellate Body found that, of the 7 programmes cited by Brazil, only 2 were found inconsistent with the Agreement on Subsidies and Countervailing Measures. The reports of the Panel and Appellate Body were adopted by the Dispute Settlement Body on August 20, 1999. On May 9, 2000, a compliance Panel found that Canada had fully implemented the rulings on the Technology Partnerships Canada programme but that minor changes were required on the Canada account support for regional aircraft. The Appellate Body upheld the compliance Panel's decision on July 21, 2000. Canada is in the process of making the required changes.

NATIONAL DEFENCE

EVICTION OF MILITARY FAMILIES FROM MILITARY HOUSING TO SHELTER HOMELESS

(Response to question raised by Hon. J. Michael Forrester on September 20, 2000)

In June 2000, the Department of National Defence (DND) informed residents of Rockcliffe of its plans for the future of surplus Married Quarters at Rockcliffe. Under this plan, some occupants will be asked to vacate by July 31, 2001, while others by July 31, 2003. At the end of the first two phases of this exercise, DND will have reduced its houses at Rockcliffe by 55 per cent to 342 Married Quarters. Ultimately, all Married Quarters would be consolidated at Uplands.

A 13-month lead-time has been provided to minimise the disruption to families and give them ample time to adjust. In addition, military families are being offered a fully paid move to another Married Quarters, either in the western area of Rockcliffe or at Uplands.

This plan is fully consistent with DND and Treasury Board policy, which states that the Crown should provide assistance only where the private sector housing market cannot meet the needs of Canadian Forces members.

While DND is examining possibilities to assist in the Government's homeless initiatives, the decision to vacate Married Quarters at Rockcliffe has nothing to do with possible assistance to the homeless. The nature of DND's contribution to homeless initiatives is still under discussion with other government departments and local authorities.

THE SENATE

MOTION TO ESTABLISH OFFICE OF CHILDREN'S ENVIRONMENTAL HEALTH—RESPONSE OF GOVERNMENT

(Response to question raised by Hon. Mira Spivak on September 20, 2000)

Health Canada has reviewed the Canadian Institute of Child Health (CICH) report on the Health of Canada's Children. This Government concurs with many of the findings of this important report particularly the need for more research to deepen our understanding of the science needed to best protect Canada's children. It agrees that more research must be done to better understand the increasingly complex mix of substances that today's children are exposed to. Using existing initiatives such as the Toxic Substances Research Initiative (TSRI) and the Canadian Institute for Health Research (CIHR) and with working partners within and outside government the government is looking at more ways to encourage new research on our children's environment.

There was a 5 National Resources (5NR) conference regarding Children's Environmental Health in Ottawa in May of this year. At that conference, a report was tabled which looked at gaps, blind spots and priorities for government. Health Canada takes seriously all of these expert reports and suggestions regarding children's health. It also met with a number of non-government organizations regarding this issue. There is no doubt that there is a rising chorus of voices asking for an Office of Children's Health, and for more focussed research, and a rethink of risk assessment approaches as they relate to children. This Government has heard these voices (including that of the Senate), as well as those of our own science staff who are advocates of children's protection also. There is no doubt that there must be action taken on these issues.

[Senator Hays]

The Ministers of Health and of the Environment have discussed how they may be more pro-active on children's environmental health and mechanisms and approaches for providing national leadership and co-ordination. Proposals such as the establishment of an Office are being analysed to determine how best they might fit into the Government's agendas on the environment and on children.

FISHERIES AND OCEANS

BURNT CHURCH, NEW BRUNSWICK—DISPUTE OVER FISHERY—ALLEGED OFFER OF INCENTIVES NOT TO FISH

(Response to question raised by Hon. Gerald J. Comeau on September 21, 2000)

Neither the Department of Fisheries and Oceans nor the Minister of Fisheries and Oceans offered any compensation or incentives to commercial fishers in return for their agreement not to fish in and around areas currently being fished by native lobster fishermen. It is the Minister's understanding that Mr. Rae, in the course of his mediation, explored a number of options in an attempt to reach a consensus among the various parties. This may have included possible compensation to fishermen for the impact of the unauthorized fall fishery by the Esgenoôpetitj (Burnt Church) First Nation. Unfortunately, the mediation process failed and no concrete options were submitted for the Minister's review or approval. Therefore, an opinion on the appropriateness of an option would be merely speculation.

CAPE BRETON DEVELOPMENT CORPORATION

DIVESTITURE PROCESS—REQUEST FOR UPDATE

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I also have an answer to a two-part question posed on September 20, 2000, by Senator Murray, regarding the Cape Breton Development Corporation divestiture process.

Hon. Lowell Murray: Would the Deputy Leader of the Government read that, please?

Senator Lynch-Staunton: Was it a written question or an oral question?

• (1500)

Senator Hays: Honourable senators, I am not sure whether it is a written or oral question. In any event, Senator Murray asked me to read the response, and I believe our practice in that event is to read the response. For it to make sense, I will read both the question and the response.

There are two questions, the first of which is as follows:

...I wish to ask the Leader of Government a question about the Cape Breton Development Corporation file on which I have no doubt that he is fully conversant and informed.

We passed a bill in June to facilitate the privatization of that Crown corporation. It appears that on July 6, a letter of intent was signed by Devco with Oxbow Carbon & Minerals Inc. of the United States for the sale of Devco. Nothing seems to have happened since that time.

One understands that the three conditions attached to a successful completion of the transaction are: first, that the sale of coal contract be negotiated with Nova Scotia Power; second, that the collective agreement be signed with the United Mine Workers, District 26, and third, that the purchase price be acceptable.

Why is it taking so long? What is the status of this transaction?

The response is that negotiations are ongoing with respect to an asset purchase agreement. Devco's goal is to conclude the sale process as soon as possible.

The second question is:

I understand that there is no deadline, publicly at any rate, for a conclusion of the transaction.

Would the minister ascertain whether, for planning purposes, the Department of Finance has set a date by which it expects to be clear of the Cape Breton Development Corporation?

The response is that Devco is proceeding with the sale as expeditiously as possible. However, irrespective of the timing of any sale, Devco has ongoing liabilities, which will require government funding for several years. Following a sale, a shell corporation would continue in order to address liabilities.

[Translation]

CANADA-JAPAN INTER-PARLIAMENTARY GROUP

REPORT OF CANADIAN DELEGATION TABLED

Leave having been given to revert to Tabling of Reports from Inter-Parliamentary Delegations:

Hon. Marie-Paule Poulin: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report by the delegation of the Canada-Japan Inter-Parliamentary Group on the annual visit by our Chair with the members of the Diet, from September 4 through 10, 2000.

BUSINESS OF THE SENATE

[English]

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, before we get into government business, I should like to ask my colleague the Deputy Leader of the Government to share his expectations with all honourable senators so that we may have a sense of our schedules over the next few weeks.

My understanding is that next week the other place will not be sitting. Monday is a statutory holiday. If the House of Commons is not sitting, there will be no legislation coming to this house from that place. Is there an expectation that we would sit on Monday, October 16, and throughout that week?

Furthermore, whilst there are many schools of thought, there is only one person in town who knows what will happen, or whether there will be a visit to Rideau Hall on that weekend. I have been taught that it is always much safer to speak as a historian rather than as a prophet in these matters. With that background, I wonder whether my honourable colleague could give us a sense of his expectations?

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I should like to thank Senator Kinsella for the question because he is correct. Events that we have read about have left us uncertain as to the length of this Parliament. It is possible that we are in a bigger hurry than we might otherwise have been to deal with matters on our Order Paper. We are having discussions but the question, of course, indicates to all in this place that those are ongoing.

Honourable senators, the expectation that I have at the present time is that when we come to the adjournment motion at the end of the Notice Paper today I will propose — and I will require unanimous consent for this — that we adjourn to Monday, October 16, at two o'clock. Senator Kinsella has indicated that the House is not sitting next week so we will not be receiving any legislation. However, the other place is dealing with legislation that, in the context of the honourable senator's question, is important; namely, Bill C-41 on veterans' benefits; Bill C-44 on Employment Insurance; Bill C-45 on fiscal arrangements.

We may get one of those bills tomorrow, although, as I have indicated, when we get to the adjournment motion it is my intention to adjourn to Monday, October 16. That gives us time to deal with that legislation if there is a will in this place to do so. As my counterpart knows, I am aggressively pursuing the matter to ensure that we do have a will to deal with these things.

Honourable senators, that is the expected sitting time, as I stand here at this moment. Bill S-25, concerning defence production, will be considered later this day. The report of the committee that has been dealing with Bill S-25 has been circulated. This bill is important in terms of the defence industry's licensing with the United States. Hopefully we will be able to deal with that bill. If we are not able to deal with that bill today, I suppose we could deal with it tomorrow. I am hoping that we can deal with that today.

For the rest of it, the bills on the Order Paper will be subject to the usual process. In terms of management of this place, between ourselves, but for the benefit of all senators, that will be an ongoing discussion.

One final matter that I should like to raise is that later this day I plan to move the motion that I gave notice of yesterday with respect to the Privacy Commissioner. We have established a practice here of hearing from the Privacy Commissioner from time to time. When we have heard from him in the past, we have televised the proceedings. The motion is, in effect, a request of the government to confirm a new Privacy Commissioner, who is the current acting Privacy Commissioner. I would hope that early on in the week we return, if we adjourn as I have indicated, we will be able to hear from the nominated acting Privacy Commissioner in that fashion.

In any event, honourable senators, that is the way I see our work unfolding at the present time. It will continue to be the subject of discussion between us.

Hon. Marcel Prud'homme: Honourable senators, I believe there is a little ambiguity now. I was waiting to ask a question when the deputy leader puts his motion pertaining to Mr. Radwanski's appointment as Privacy Commissioner. The deputy leader has just raised the matter so I hope His Honour will not see fit to rule me out of order, as he would normally if I were to ask questions about something that is to take place later. If honourable senators agree that I can put my question now, I will. If not, I do not want to lose my chance of questioning later when we come to this order if someone were to say that I had my chance before. I am in your hands. I did not open the subject.

The Hon. the Speaker: Honourable Senator Prud'homme, the question asked by Honourable Senator Kinsella to Honourable Senator Hays was with regard to the business of the Senate and the timing and management of legislation.

• (1510)

If the question is one of management of time, there is no problem in asking the question. However, to ask a question on the substance of an item is not appropriate, such as the subject of the Privacy Commissioner. If the question relates to when we may hear the matter or how it will be handled, such a question would be in order.

Senator Prud'homme: Therefore, I shall ask my question now. How is it intended that the matter will proceed? I have just read the minutes of the other chamber. I will be very blunt: As usual, the House of Commons was stampeded. I read the speeches of many members of the other place who appear to have woken up a little bit too late. I would have thought the Senate would proceed differently, in a more orderly fashion. We are under no pressure. I should like to know in what manner the matter will be disposed of.

There are two possibilities. First, send the matter to the appropriate committee. The committee will do its work and report back for debate in the full Senate. Second, there are

[Senator Hays]

precedents where the Privacy Commissioner could appear before us. We have heard from Mr. Phillips twice on the floor of the Senate. We have very few commissioners whose authority comes from Parliament and not from government. We should not deal with that lightly. Once we agree, that is it. Our bed is made. I should like to have an indication from the parties, including the Official Opposition, as to how they intend to proceed and what kind of suggestions they are ready to offer.

Senator Hays: As I indicated earlier, I will move the motion and speak. That will open the matter for debate. I would encourage all senators to take advantage of that, starting today.

As to the disposition of the motion, that will not occur until we return. There is no will to do it today, nor is it timely. However, early in the week that we return, it will be my intention to ask this place to go into Committee of the Whole and receive Mr. Radwanski so that we may hear his statement and question him. I hope that the Committee of the Whole will then report back to the house and that we will then vote or deal with its report.

The Hon. the Speaker: If there are no further questions, we will proceed to Orders of the Day.

ORDERS OF THE DAY

WESTERN CANADA TELEPHONE COMPANY

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Hays, seconded by the Honourable Senator Callbeck, for the third reading of Bill S-26, to repeal An Act to incorporate the Western Canada Telephone Company.

Hon. Donald H. Oliver: Honourable senators, it is an honour to rise on third reading of Bill S-26, to repeal an Act to incorporate the Western Canada Telephone Company.

I have a long-standing interest in telephony and telecommunications and I have served as Chairman of the Senate Standing Senate Committee on Transport and Communications when we did a detailed pre-study of Bill C-62, the Telecommunications Act.

I subsequently had an opportunity to study and learn, from the inside, some of the outreach and new initiatives from BC Tel during a working study sponsored by the Parliament Business and Labour Trust a few years ago.

The telecommunication industry is in a state of flux and rapid change. Convergence and movement from analogue to digital technology, from wire line to wireless and speed enhancements in our fibre optic technology have revolutionized the way that business is carried out in this country and around the world.

For that reason, it was imperative that the Parliament of Canada address statutes like the British Columbia Telephone Company Special Act of 1916 and other acts through Bill S-26 to bring them up-to-date and to ensure that the western communications system can be competitive with the rest of Canada and the world.

When I was at BC Tel and met with the then chairman and CEO Brian Canfield, he explained that, in 1993, his company was reorganized under a holding company, BC Telecom Inc. which, as honourable senators know, subsequently merged with the Alberta company, Telus.

Honourable senators, I agree with Honourable Senator Fitzpatrick's statement that the BC Tel Act is now outdated and that it imposes restrictions on BC Tel.

The former BC Tel has requested that the BC Tel Act be repealed by the end of 2000 so that they can structure important regulatory submissions due in early 2001 based on a merged operating company. Such a major change to their submissions following the due date would impose significant costs and regulatory delay.

Honourable senators, I can find no provisions in the statute as drafted that require change, alteration or amendment. Accordingly, I support early passage of this bill to afford BC Tel the flexibility it needs to compete with the rest of Canada and the world.

The Hon. the Speaker: If no other senator wishes to speak, I will proceed to third reading.

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

Hon. Senators: Agreed.

Motion agreed to and bill read third time and passed.

CANADIAN TOURISM COMMISSION BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Callbeck, seconded by the Honourable Senator Cook, for the third reading of Bill C-5, to establish the Canadian Tourism Commission.

Hon. Marjory LeBreton: Honourable senators, I am pleased to speak today to third reading of Bill C-5, to establish the Canadian Tourism Commission.

The intent of this bill is to transform the commission into a Crown corporation. I am pleased that the Standing Senate Committee on Social Affairs, Science and Technology studied this bill and had the privilege of having the new president and CEO, Mr. Jim Watson, as a witness. Our committee referred the bill back to this chamber without amendment.

This bill is widely supported by the tourism industry and those directly impacted by tourism. It will provide greater freedom and flexibility to the commission in executing its duties to plan, manage and implement programs that generate and promote tourism in Canada.

The tourism industry exerts a substantial financial impact on our country and accounts for nearly \$51 billion of income. In Ontario, tourism accounts for \$6.9 billion of the provincial GDP. That places tourism well ahead of agriculture, mining, logging and forestry.

The far reach of a booming tourism industry has a remarkable impact across the economic spectrum from the individual to small and large businesses.

Tourism is one of the world's largest and fastest growing industries. As Canada competes for a greater share of the growing world market, we must continually improve our plans in order to maintain a high level of competency in this most competitive market.

By becoming a Crown corporation, the Canadian tourism industry will now be better able to promote tourism at home and around the world. These changes will enable the commission to conduct itself in a more structured, business-like way, allowing for greater administrative, financial and personal flexibility.

Honourable senators, with the establishment of the Canadian Tourism Commission, the Crown corporation can now move to a new level of responsibility which will ensure the best possible framework from which to sustain and generate Canadian tourism. As the Canadian Tourism Commission continues to work towards expanding and enhancing our reputation, our tourism industry will continue to grow and thrive. The result will be a tremendous benefit to Canada, its citizens and our economy.

In closing, honourable senators, I would add a personal word about the recent appointment of Mr. Jim Watson, the former mayor of the City of Ottawa. Those of us who are privileged to know him and have had the opportunity to observe first-hand his considerable talent and untiring commitment to public service celebrate his appointment as President and CEO of the commission. His enthusiasm, knowledge and talent, not to mention his love of Canada, can only leave us to contemplate how far he will take the Canadian Tourism Commission. We are indeed fortunate to have his services.

I am honoured and happy to support this bill.

• (1520)

The Hon. the Speaker: If no other honourable senator wishes to speak, we will proceed to third reading.

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

Hon. Senators: Agreed.

Motion agreed to and bill read third time and passed.

DEFENCE PRODUCTION ACT

REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the tenth report of the Standing Committee on Banking, Trade and Commerce, on Bill S-25, to amend the Defence Production Act, presented earlier this day.

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I should like to speak to this item. Bill S-25 was reported earlier this day and we have agreed to deal with it at this time.

The sponsor of the bill is Senator Rompkey and he has spoken in depth on the importance of it. I reiterate his request that honourable senators deal with the bill today. The reason for the request is that if, by chance, the Senate does not sit beyond the next week that we are scheduled to sit, there would be a long period during which our defence industry would be without the benefit of having made good on an undertaking to continue particular licensing arrangements with the United States. The licensing arrangements allow us to produce and manufacture defence products using proprietary information. Accordingly, it is important that we deal with this matter in a timely fashion.

Senator Lynch-Staunton observed, quite properly, that a bill reported unamended is one thing, while a bill reported with amendments may be another matter. I have had an opportunity to look at the amendments. The amendments resulted from the evidence of witnesses and are fairly technical. They are important and do change the nature of the bill.

One amendment changes the title from "Regulation of Controlled Goods" to "Regulation of Access to Controlled Goods." Clause 5 is amended to refer to an additional section, 39.1, which refers to the making of regulations exempting an individual from registration. There are two parts to that amendment. The other deals with what happens when an exemption is granted.

A further amendment, this one to page 4, line 26, changes the conjunctive word "and" to the disjunctive word "or." That is a fairly straightforward amendment, as are the others.

The next amendment is to page 5 of the bill at line 16. Because section 39.1 is added, the amendment is for consistency and refers to sections 39 and 39.1.

Finally, the bill is amended on page 7 by replacing line 35 with the words "section 46, the schedule set out in the." That makes the bill consistent with the existence of the section and the schedule.

I agree that it is important, when dealing with legislation, to give full consideration to a committee's report, but we must keep other things in mind, and I have raised those points. I hope that we can deal with this bill expeditiously, and have the question put today because, as was observed, the House of Commons is not sitting next week under their rules. Although it is sitting the

following week, there is a possibility of dissolution following the week of October 16.

The passage of this important bill would be of great advantage to an important sector of our economy, namely, the defence production sector, in that we have undertaken to have this legislation in place in order to continue licensing arrangements that serve us very well.

Hon. Bill Rompkey: Honourable senators, I want to add my support to —

The Hon. the Speaker: Honourable senators, in order to get our procedure into the proper order, would the Honourable Senator Rompkey move that this report be adopted now?

Senator Rompkey: I so move.

The Hon. the Speaker: It is was moved by the Honourable Senator Rompkey, seconded by the Honourable Senator Robichaud (*Saint-Louis-de-Kent*), that this report be adopted.

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

Hon. John Lynch-Staunton (Leader of the Opposition): What was Senator Hays doing?

The Hon. the Speaker: The problem was that Senator Rompkey, the sponsor of this bill, was not in his seat at the time the order was called, so Senator Hays spoke. If it is agreeable, we will assume that Senator Hays spoke on the motion for the adoption of the report.

Senator Lynch-Staunton: You said that there was no motion.

The Hon. the Speaker: There is now.

Senator Lynch-Staunton: It is all retroactive.

The Hon. the Speaker: No one raised a point of order saying that Senator Hays was speaking without a motion before us. I allowed him to continue, and now I want to regularize the proceedings in order that we do have a motion before us.

Senator Rompkey: Honourable senators, I wish to reiterate what Senator Hays has said about the necessity of proceeding with this legislation with some expedition. This matter is of importance to the defence production industry in this country, particularly in the provinces of Quebec and Ontario. There are 85,000 jobs at stake in that industry in Canada, as well as billions of dollars.

There was a change in the American regulations and the purpose of this bill is to harmonize our system with theirs. The Americans have agreed to the process, but they want the new system in place this spring. There is an agreement between our minister and his counterpart in the United States to review this matter this winter. We need to deal with it expeditiously. The defence industry believes that it is very important that we proceed with this bill.

From the point of view of timing, as Senator Hays has said, if we do not sit next week, and if the universe unfolds as it should in future weeks, neither we nor the House of Commons may be able to deal with this bill. It is important that this bill not die. It is very important to the 85,000 people who work in the defence production industry in Canada and it is important for our economy. I hope that senators will support the bill.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, might I ask the Honourable Senator Rompkey a question?

Senator Rompkey: Of course.

Senator Kinsella: Did the committee hear from the minister?

Senator Rompkey: The committee heard from the minister this morning. It is fair to say that there was support for this bill on both sides of the committee. The amendments are amendments in wording to make the intent of the bill more clear. They do not change the substance of the bill at all.

Senator Kinsella: Was there a debate in the committee on whether, when an inspector decides to inspect any place, the inspector's belief has to be on reasonable grounds? If the answer is in the affirmative, how did the committee conclude on that particular point?

• (1530)

Senator Rompkey: Honourable senators, on that particular point, we heard from lawyers. I believe if Senator Forrestall were here he would agree with me, that the lawyers advised it would be better not to put that wording in, for purposes that I cannot fully explain and which have to do with the Charter of Rights and Freedoms and other issues. The advice we received from the lawyers who were present this morning was agreed to by both sides. As a matter of fact, the Honourable Senator Kinsella is referring to Senator Forrestall's amendment. It was the advice, and Senator Forrestall concurred, that it was best, for legal reasons, not to insert those words in the bill.

Senator Kinsella: Honourable senators, perhaps we could ask Senator Beaudoin and others with acute legal minds to focus for a moment on that point, the point being that, in committee, if I understand the notes I have received, the principle of an inspector being able to go into somebody's place, in our free society, is a serious invasion of the right of privacy and the right of the person to control his or her environment. Thus, there must be reins placed upon the power that Parliament would give to an inspector.

Is the argument that the inspector would not be carrying out an investigation or an inspection in the same way that a peace officer with a search warrant would be carrying out a search or an inspection of a place where criminal activity is apprehended or suspected? Certainly the principle is clear that a reasonable apprehension has to exist before the peace officer is given the right to invade our privacy.

Under this measure, it is more of an administrative type of inspection that is being carried out.

Is my understanding correct? If not, perhaps others could assist me in that regard.

Senator Rompkey: Honourable senators, obviously Senator Kinsella has a much more acute legal mind than I do. It was admitted this morning that this is not perfect. The arguments Senator Kinsella made were considered, but the committee felt that it was better for the bill to go ahead as is, that is, without the inclusion of those words. Perhaps the explanation given by Senator Kinsella is the appropriate one.

I might also say that, of course, the regulations have not been promulgated. They will also be coming back to us. Perhaps when the regulations come forward, that issue will become clearer.

We were advised by the legal community present in the room this morning that it was better not to put those words in the bill. I am afraid I cannot fully explain why. It was accepted by the minister and by both sides of the chamber present this morning.

Senator Kinsella: Honourable senators, I have the tendency to want to err on the side of the protection of the person's castle and to protect that abode or place of work, humble as it may be, against all the King's horses and all the King's men. Therefore, this point is not trivial and has a degree of seriousness, because we are interfering with the rights of the proprietor. I think you will find in most federal statutes which allow for an inspection that they require that the inspector's belief in the relevance of the materials that he or she is looking at must be based "on reasonable grounds."

Some specific examples of this, honourable senators, are in the Health of Animals Act, the Canada Agricultural Products Act, the Explosives Act, the Wild Animal and Plant Protection Act, the Regulation of International and Interprovincial Trade Act, the Marine Transportation Security Act, the Canada Wildlife Act, the Plant Protection Act, the Oceans Act, the Employment Equity Act, the Fisheries Act, and, indeed, the Firearms Act. Thus, the pattern, honourable senators, throughout federal legislation is that they do not say, "Well, this is just an administrative matter and not criminal; therefore, the inspector under the Firearms Act or the Plant Protection Act need not have reasonable grounds upon which to enter." Indeed, it is the contrary. Most statutes of Canada require an inspector to exercise that discretion only on reasonable grounds. Therefore, it seems to me that this is a flaw in this legislation. It is a serious enough flaw that I will move an amendment to the bill at the appropriate time.

My questions are directed to Senator Rompkey. Perhaps I should allow him to answer them and then I will seek to speak and move an amendment if I do not receive a satisfactory answer.

Senator Hays: Might I ask a question of the Honourable Senator Kinsella before I lose the opportunity? To what clause of the bill does he refer?

Senator Kinsella: Clause 42.

The Hon. the Speaker: I assume that Senator Kinsella does not consider this to be a threat and that it is simply an observation.

Senator Kinsella: I was not at the committee meeting. Senator Rompkey has a chance to clear this matter up right now.

Senator Rompkey: I am afraid, honourable senators, that this requires a legal opinion that I am not competent to give.

The arguments just put forward by Senator Kinsella and the acts which he listed were recited by Senator Forrester this morning. The same points we are discussing now in the chamber were discussed in committee this morning. The conclusion of the committee, having had advice from the lawyers who were much more expert on wording than I, is that it was better not to put those words in this particular bill, perhaps because of the sensitivity of the material involved.

This is no ordinary bill. We are talking about classified information that is extremely important to the companies involved and, indeed, to the country. It is not an ordinary bill in that sense.

Those bills to which Senator Kinsella referred were recited by Senator Forrester this morning. There was an open discussion in committee, both sides having their say. The minister and the legal experts were there. The advice, which was agreed to by all sides, both parties and the minister, was that, under normal circumstances, yes, perhaps it would be well to include those words, but in this particular instance, for reasons that I am not competent to explain clearly, I am afraid, it is better not to put those words in.

I might say again that the bill and the wording of it is fully supported by the aerospace industry in Quebec and Ontario. We have heard from the industry and from individual companies that they would like to have this bill passed as soon as possible in order to get on with their work with their American counterparts.

Senator Kinsella: I thank Senator Rompkey for his information. As a preface to my next question, I would say that there is no desire here to hold this matter up.

In answering the previous question, the honourable senator indicated that perhaps the reason for this legislation reading the way it does is that the inspectors in this sphere of activity are dealing with sensitive matters that may have to do with national security and so on. Am I correct in that?

• (1540)

Second, if that is the case, then do these inspectors have security clearance at the level of secret or top secret or confidential? If they do, why would that not be the protection?

Senator Rompkey: I am sure that is true, honourable senators. The reason behind this bill is to give protection against the unauthorized exchange of information and the leakage of information into the wrong hands. We already have in Canada a list of classified material unauthorized for distribution. We are

simply adding to that list because of changes that were made in the United States. The United States has toughened its requirements. This bill is to harmonize our system with theirs so that the two systems will work in conjunction. To a certain extent, we already have a list of classified material. We are adding to that list and building in penalties for those who break the law. The inspectors are to see that the law is followed and not broken. I am quite sure that they must have security clearance if they are dealing with classified material.

The Hon. the Speaker: If no other honourable senator wishes to speak, is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to and report adopted.

THIRD READING

The Hon. the Speaker: Honourable senators, we are now at the third reading stage. When shall this bill be read the third time?

Hon. Bill Rompkey: With leave, now, honourable senators.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

Motion agreed to and bill, as amended, read third time and passed.

PRIVACY COMMISSIONER

MOTION TO APPROVE APPOINTMENT OF MR. GEORGE RADWANSKI—DEBATE ADJOURNED

Hon. Dan Hays (Deputy Leader of the Government), pursuant to notice of October 4, 2000, moved:

That, in accordance with Section 53 of the *Privacy Act*, Chapter P-21 of the Revised Statutes of Canada 1985, the Senate approve the appointment of George Radwanski as Privacy Commissioner.

He said: Honourable senators, I should like to begin debate on this motion. The term of the previous Privacy Commissioner, Mr. Bruce Phillips, expired on August 30 of this year. In order to ensure the position was not vacant for any significant period of time, and pursuant to subsection 53(4) of the *Privacy Act*, which states that the Governor in Council may appoint another qualified person to hold office until a new Privacy Commissioner is appointed, the government considered that Mr. George Radwanski should be appointed as interim commissioner.

I am pleased to seek the support of honourable senators today to approve a motion for the appointment of Mr. George Radwanski as Canada's next Privacy Commissioner.

As background, honourable senators may be aware that the other place has considered Mr. Radwanski's appointment in committee and has agreed to the motion that we have before us today.

I am sure all honourable senators will agree that privacy is one of our most cherished rights. The Senate has been a strong supporter of privacy legislation, has been active in ensuring the appointment of qualified persons for the position of Privacy Commissioner, and has taken a keen interest in an ongoing dialogue with the previous commissioner on privacy matters.

[Translation]

The Privacy Act came into effect on July 1, 1983, with the objective of protecting the privacy of individuals. This legislation enables Canadians to have access to the personal information the government holds concerning them, barring certain restrictions set out in the legislation.

[English]

By the same token, the act also protects personal information on Canadians and sets out how government can collect, use and dispose of personal information. The Privacy Commissioner plays a key role in implementing the provisions of the act.

Because of the need for independence from the government, the Privacy Commissioner is an independent officer of Parliament and is appointed by and accountable to Parliament. The Privacy Commissioner acts as an ombudsperson on behalf of Canadians who may have complaints or wish to obtain information about the government's handling of their personal information. The Privacy Commissioner ensures that Canadians are provided with information about them held by the government and that such information is protected in accordance with the act. In this regard, the Privacy Commissioner's key functions are the following: to look into the complaints of Canadians, to monitor compliance under the Privacy Act, and to undertake research.

Mr. George Radwanski will be well known to many honourable senators for his work as a former journalist. His more than 20 years of experience in this area makes him well suited for this position. His career in journalism spans a wide range of responsibilities and positions with a number of major newspapers, including associate editor with the *Montreal Gazette*, Ottawa editor and national affairs columnist with the *Financial Times* of Canada, and editor-in-chief of *The Toronto Star*.

Mr. Radwanski's excellence as an editorial writer was also recognized by his peers in 1980 and 1981 when he was awarded the National Newspaper Award for editorial writing.

Following his departure from the journalism field, Mr. Radwanski began his public service when he was appointed by then Ontario premier David Peterson to head major studies into matters of importance to the Canadian public, including a study into the service sector in Ontario.

[Translation]

In 1996, at the request of the Canadian government, Mr. Radwanski headed an examination into the mandate of Canada Post Corporation. Recently, as the head of a consulting firm, he has specialized in communication policies and services. He is very familiar with the challenges relating to public policy and privacy.

[English]

I am sure all honourable senators will agree that his independence as a journalist makes him particularly well suited for the role of Privacy Commissioner. Therefore, I would urge all honourable senators to support the motion to appoint Mr. Radwanski as Privacy Commissioner.

As I indicated earlier today in response to questions about house business, I believe that the Senate made a practice of hearing from the Privacy Commissioner when the predecessor commissioner, Mr. Bruce Phillips — and hopefully Mr. Radwanski's appointment will be confirmed by us — was brought before this chamber in Committee of the Whole for purposes of our putting questions to him. I believe that was a good practice, one that we will want to follow again. Senator Prud'homme, in particular, was interested in knowing how much time we would have for debate and how much time we would have for a meeting with Mr. Radwanski. Of course, it will be up to this chamber as to how we proceed. That is my suggestion and that is what I will be seeking as a procedure.

• (1550)

If we follow that procedure, I believe we will do a good job of examining his qualifications and his reputation. Many of us in this chamber already know him by reputation. However, this matter is in the hands of all senators. I urge honourable senators to support his appointment.

Hon. Marcel Prud'homme: Might I ask a question?

Senator Hays: Senator Prud'homme has a question, honourable senators, which I would be happy to try to answer.

Senator Prud'homme: I think someone may ask for an adjournment of the debate, so my question will be very short. I look forward to Mr. Radwanski's appearance before this chamber where we will have an opportunity to pose questions to him. Following his withdrawal from the Senate chamber there will be a debate. Am I correct in my understanding of how we shall proceed?

Senator Hays: Yes. A report to the Senate by the Committee of the Whole, or any committee, as I understand it, is a debatable item on our agenda. Yes, there will be an opportunity to debate the report of the committee.

Hon. Joan Fraser: Honourable senators, I would ask your indulgence for one moment. Because of parliamentary business elsewhere, I will probably not be here when Mr. Radwanski's case comes before us again.

I would just like to say that I have known George Radwanski for 35 years. In fact, I knew him better 35 years ago than I do now. I worked on two papers with him when we were all bright young journalists working together. He is a man of extraordinary intelligence, extraordinary attention to detail, and with the ability to grasp complicated concepts and apply them practically. I believe he would be an excellent Privacy Commissioner.

Senator Prud'homme: Since Senator Fraser has decided to speak, might I ask her a question?

The Hon. the Speaker: If the honourable senator is willing to receive questions, yes.

Senator Prud'homme: The honourable senator has asked for "one" moment, so I will ask only one question.

The honourable senator said that she has known Mr. Radwanski for 35 years. Does she know all his views on major issues?

Senator Fraser: As I said, honourable senators, I knew him better 35 years ago than I do today. In fact, I have not spoken with him for some time. I was speaking essentially to his fundamental abilities, which I have no reason to believe have changed.

As to his views on major issues, first, no one knows everyone's views on major issues and, second, I am not sure the broad spectrum of national issues is pertinent to his appointment as Privacy Commissioner. I think he is admirably suited to be Privacy Commissioner.

Senator Prud'homme: We do not want to know about his private views. I am talking about his public views.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I rise to speak to the motion which is before us. I would take as my general schema in approaching this question that, given the success of Mr. Bruce Phillips as the last Privacy Commissioner, we ought to follow the same ratification or approval process that was utilized when his commendation was before the Senate. We should take our time and be deliberate. I cannot remember how many months it took, or was it years? I am advised it took six months.

Senator Lynch-Staunton: At least.

Senator Kinsella: I think that this house might be able to do a little bit better than taking six months to review this particular

nomination. I will certainly do my part to see that we do our duty in the approval process as required by the act because of the importance of the right of privacy that was articulated by Senator Hays in his remarks on moving this motion.

This sort of ombudsman-type model that we have adopted in Canada has been highly successful. The fact is that the model that we are utilizing is one wherein the Privacy Commissioner is an officer of Parliament and is obligated to report to both Houses of Parliament. When one examines in detail the report of prior submissions to this house from the Privacy Commissioners, one can see that it takes a little bit of time to understand the appropriate protocol and the proper form of address when sending reports to this house. One will recall, for example, that the penultimate report did not properly address the Speaker of the Senate, and I would hope that the new commissioner will pay attention to detail not only because the commissioner is an officer of both Houses of Parliament, but also because this institution of Parliament is very much involved in the protection of privacy.

Privacy is not simply delegated to an officer of Parliament. We are not absolved of our role as parliamentarians to protect privacy. The commissioner is an officer of Parliament and does not replace Parliament. We maintain our responsibility and duty in the promotion and protection of the privacy rights of Canadians.

I would hope, for example, a number of the more contemporary issues of privacy will be raised with this candidate when he appears before, as I understand from the comments made by the Deputy Leader of the Government, the Committee of the Whole expected to be convened during the week of October 16.

I would even make the suggestion that we try to agree now that we will invite the candidate to appear before the Committee of the Whole at 4:00 p.m. on Monday, October 16. Knowing this time to be certain, all honourable senators would be able to prepare over the next 10 days the kinds of inquiries that they would like to make of the candidate. As Senator Prud'homme has suggested, after that hearing with the candidate, there would be a report to the Senate and a fulsome debate on the proposition of confirmation or not confirmation.

We are seized already in this house with a number of legislative initiatives, for example Senator Finestone's bill which is before one of our standing committees, which deal with privacy. The issue of privacy, indeed, is often raised in the legislation that remains before us. This house is very much concerned with questions of privacy. I think it is appropriate that we would want to examine in detail our principal officer who will deal with privacy matters.

With that, honourable senators, I think that we might be well advised to try to achieve the same quality of analysis that was achieved when we examined the candidacy of Mr. Bruce Phillips, but try to do it within a time line that would be more prospective.

Senator Hays: I have a question of the Honourable Senator Kinsella, honourable senators, and this will be my opportunity to respond as well. Senator Kinsella mentioned 4:00 p.m. on Monday, October 16 as a good time to convene a Committee of the Whole. I am not sure whether 4:00 p.m. is appropriate. Would the honourable senator be agreeable to some time later in the afternoon, perhaps when the Senate rises? Hopefully we would be available for a Committee of the Whole by 4:00 p.m. However, I would ask the honourable senator how much flexibility he has in mind when he sets out that time frame.

• (1600)

Senator Kinsella: As my honourable friend would be willing to testify, in his dealings with me there is always great flexibility. It is not, however, like the legend attributed to a great philosopher, namely, that everything about me is in flux, to the extent you can never step twice into the same spot of the river.

Senator Hays: Honourable senators, I move that the debate stand adjourned until the next sitting of the Senate.

The Hon. the Speaker: You have spoken to the motion, though, Honourable Senator Hays. Can someone else adjourn the debate?

Hon. John Lynch-Staunton (Leader of the Opposition): I will adjourn it, then.

On motion of Senator Lynch-Staunton, debate adjourned.

[Translation]

TOBACCO YOUTH PROTECTION BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Kenny, seconded by the Honourable Senator Moore, for the third reading of Bill S-20, to enable and assist the Canadian tobacco industry in attaining its objective of preventing the use of tobacco products by young persons in Canada.

Hon. Pierre Claude Nolin: Honourable senators, twice in this Parliament we have been asked to speak to a measure such as the one proposed in Bill S-20. This bill asks us to give the Canadian tobacco industry the means to achieve one of its objectives, that of preventing young people from using tobacco products.

I know that a number of you may have smiled when you read the title of this bill. Those who have been following this bill closely since we discussed it at second reading will agree that the objective of the tobacco industry is truly to prevent smoking among young people.

I remember that senators from both sides of this Chamber had reservations as to how the committee proceeded to enlist the participation of representatives from the tobacco industry. Be that as it may, the leaders of the three major Canadian cigarette

manufacturers appeared before the committee. Two of them, who represented the two largest companies, accounting for close to 80 per cent of all the cigarettes produced in Canada, said, and this came as a bit of a surprise to us, that they supported the measure that we are asking you to support today.

I do not intend to repeat all the arguments that Senator Kenny made when the debate at third reading began two weeks ago.

Honourable senators, it is important to note that two years ago, with Bill S-13, we had a measure similar to the one before us. For procedural reasons, certain changes had to be made in Bill S-20 over what was originally in Bill S-13. You heard Senator Kenny's arguments in this respect. Canadians, and particularly young Canadians, are waiting for this measure.

You surely saw in newspapers across the country full-page advertisements paid for by the tobacco industry to support this legislation. Therefore, I urge you to adopt this bill, so that we can send a message to the other place as soon as possible.

Motion agreed to and bill read third time and passed.

[English]

ENVIRONMENTAL ASSESSMENT OF PROPOSED LANDFILL AT ADAMS MINE, TIMISKAMING DISTRICT, ONTARIO

REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL
RESOURCES COMMITTEE ON STUDY PURSUANT TO MANDATE—
DEBATE ADJOURNED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Energy, the Environment and Natural Resources (study on issues relating to energy, the environment and natural resources generally in Canada), presented in the Senate on September 21, 2000.—
(Honourable Senator Spivak).

Hon. Mira Spivak moved the adoption of the report.

She said: Honourable senators, I will be brief. I have written to the Minister of the Environment, according to the committee's instructions, conveying to the minister the committee's support for petitions calling for a full federal environmental assessment of the Adams Mine landfill proposal and urging the minister to respond in a positive manner.

We had hoped that this chamber could also signal the minister by adopting our report, which was delivered post haste on September 21, the same day we heard witnesses who informed us of the facts of the proposal and the legal triggers for a full panel review under the Canadian Environmental Assessment Act.

Today, elected officials in the City of Toronto are on the brink of a final vote ratifying a plan to send 20 million tonnes of garbage 600 kilometres north for disposal in a former open-pit mine that is now filled with water and constitutes a lake one kilometre in length, in fractured rock on a height of land — a site that all of the experts say should never be used as a dump.

It was our hope that the minister would exercise his legal authority to require a federal review of the project before a contract was signed. While there has been a great deal of secrecy shrouding details of the contract in the last several days, according to one report the federal minister has until February 15, 2001, to order an environmental assessment without triggering contractual obligations between the City of Toronto and the landfill proponent, which would result in penalties — amounting to quite a huge sum of money. It is my personal wish that the minister announce shortly that a full panel federal environmental assessment will be conducted. The facts as we have heard them suggest that there is an urgent need for federal intervention.

The 20 million tonnes of Metro Toronto garbage to be shipped to the former mine site will produce leachate — a polite word for the toxic soup that is brewed in all landfills. The technology to deal with more than 300 million litres of leachate per year is unproven. Computer modelling suggests that it can be contained by drawing water from the bottom of the pit, pumping it to the surface, treating it and returning water to nearby rivers. The active treatment phase would span 120 years.

• (1610)

On the other hand, the facts show that the area is susceptible to earthquakes and, indeed, has experienced a few in recent months — a fact brought to public attention only days ago. Only weeks ago, geological reports prepared when the pit was an operating mine came to light. Those reports show serious fractures in the rock formation which could be a pathway for leachate which could contaminate groundwater south of the site, spreading pollution into Quebec and to the mouth of the Ottawa River.

The people who stand to be most affected by the mammoth dump — farmers and First Nations people who have an unresolved land claim in the area — have never had an opportunity to vote on it. The so-called willing hosts with which the City of Toronto has signed are the towns of Kirkland Lake, Larder Lake and Englehart — not the people of Boston Township where the dump is to be located.

In fact, the mayor of Kirkland Lake came to Toronto to say that the people were not in favour of it.

Last February, an Oracle Research poll found that 85 per cent of residents in Timiskaming district are concerned about harm to surface and groundwater and two-thirds are opposed to the project. The Témiscamingue First Nation has petitioned the Minister of the Environment to hold a full environmental assessment. There is the outstanding land claim. There is a reserve that draws its drinking water from waters that could be polluted by leachate. There are traditional harvesting practices throughout the territory that will suffer, and there is the rich farmland around the area for which the farmers need clean water.

Clearly, there are federal interests at stake, not to mention the Fisheries Minister's duty to review projects that have a potential adverse affect on fish habitat. Moreover, the Minister of the Environment could use his discretionary power to order a panel

review because of the potential transboundary impact of the project which is between Ontario and Quebec.

I will not go on. There are lots of other facts, including the fact that the people who will run this project have been convicted many times for poor practices.

To sum up, the Minister of the Environment has the legal triggers for a federal assessment. The facts cry out for a federal review. I urge honourable senators to support the committee's request, unanimously passed, that the minister respond positively to the many people who demand just and equitable treatment in the decision-making process.

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I wish to speak to this report and will do so at the next sitting of the Senate.

On motion of Senator Hays, debate adjourned.

BUSINESS OF THE SENATE

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Monday, October 16, 2000, at 2 p.m.

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

Hon. Senators: Agreed.

Hon. Marcel Prud'homme: Honourable senators, perhaps the Leader of the Government would kindly send the other chamber a message because I hear there is a possibility of a major event taking place in the country with which we have nothing to do; we are here to do our job. Would the leader kindly ask the other chamber not to pile on us next week every bill they possibly can, expecting us to pass them just because there may be an event the following Saturday?

Some Hon. Senators: Order!

Senator Prud'homme: I do not care who calls "order" because I am in order. I could debate this for an hour, but I will not. I am just asking a question in the hope that, when we come back two weeks from now, we will not face a pile-up. As we have heard today, in one instance 85 people are waiting for a bill, and in another instance 300,000 people are waiting for the passage of another bill. We feel bad when we cause people unhappiness if we do not pass a certain bill. I am merely expressing the wishes of, I am sure, a couple of senators. That is all.

Senator Hays: Honourable senators, in the debate on the motion for adjournment — which we asked leave to deal with — I will speak to Senator Prud'homme's speech. There are some important bills in the other place which we will probably receive on Monday and during the course of the week of October 16. I mentioned them earlier in the day in response to a question by the Deputy Leader of the Opposition, Senator Kinsella. Bill C-41 deals with veterans' benefits. Bill C-44 deals with employment insurance. Bill C-45 deals with fiscal arrangements which are health care transfers. We have on our Order Paper a number of bills which I do not think would fall into the category of concern

to the honourable senator, but I want to put on the record that it will probably be a fairly busy week.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Monday, October 16, 2000, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(2nd Session, 36th Parliament)
Thursday, October 5, 2000

GOVERNMENT BILLS
(SENATE)

| No. | Title | 1st | 2nd | Committee | Report | Amend. | 3rd | R.A. | Chap. |
|------------|---|------------|------------|----------------------------------|---------------|---------------|------------|-------------|--------------|
| S-3 | An Act to implement an agreement, conventions and protocols between Canada and Kyrgyzstan, Lebanon, Algeria, Bulgaria, Portugal, Uzbekistan, Jordan, Japan and Luxembourg for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income | 99/11/02 | 99/11/24 | Banking, Trade and Commerce | 99/12/07 | 0 | 99/12/16 | 00/06/29 | 11/00 |
| S-10 | An Act to amend the National Defence Act, the DNA Identification Act and the Criminal Code | 99/11/04 | 99/11/18 | Legal and Constitutional Affairs | 99/12/16 | 2 | 00/02/09 | 00/06/29 | 10/00 |
| S-17 | An Act respecting marine liability, and to validate certain by-laws and regulations | 00/03/02 | 00/04/04 | Transport and Communications | 00/05/09 | 2 | 00/05/17 | | |
| S-18 | An Act to amend the National Defence Act (non-deployment of persons under the age of eighteen years to theatres of hostilities) | 00/03/21 | 00/04/04 | Foreign Affairs | 00/05/04 | 0 | 00/05/16 | 00/06/29 | 13/00 |
| S-19 | An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts in consequence | 00/03/21 | 00/04/06 | Banking, Trade and Commerce | | | | | |
| S-22 | A First Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law | 00/05/11 | 00/05/18 | Legal and Constitutional Affairs | | | | | |
| S-25 | An Act to amend the Defence Production Act | 00/06/14 | 00/09/21 | Banking, Trade and Commerce | 00/10/05 | 2 | 00/10/05 | | |
| S-26 | An Act to repeal An Act to incorporate the Western Canada Telephone Company | 00/06/15 | 00/06/28 | Transport and Communications | 00/09/21 | 0 | 00/10/05 | | |
| S-30 | An Act to amend the Proceeds of Crime (Money Laundering) Act | 00/10/05 | | | | | | | |

GOVERNMENT BILLS
(HOUSE OF COMMONS)

| No. | Title | 1st | 2nd | Committee | Report | Amend. | 3rd | R.A. | Chap. |
|------------|---|------------|------------|----------------------------------|---------------|---------------|------------|-------------|--------------|
| C-2 | An Act respecting the election of members to the House of Commons, repealing other Acts relating to elections and making consequential amendments to other Acts | 00/02/29 | 00/03/28 | Legal and Constitutional Affairs | 00/04/13 | 0 | 00/05/31 | 00/05/31 | 9/00 |

| | | | | | | | | | |
|------|---|---|----------|---|----------------------|---|----------|----------|-------|
| C-4 | An Act to implement the Agreement among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America concerning Cooperation on the Civil International Space Station and to make related amendments to other Acts | 99/11/23 | 99/12/01 | Foreign Affairs | 99/12/09 | 0 | 99/12/14 | 99/12/16 | 35/99 |
| C-5 | An Act to establish the Canadian Tourism Commission | 00/06/14 | 00/06/28 | Social Affairs, Science and Technology | 00/09/21 | 0 | 00/10/05 | | |
| C-6 | An Act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act | 99/11/02 | 99/12/06 | Subject matter 99/11/24 Social Affairs, Science and Technology | 99/12/06 99/12/07 | 2 | 99/12/09 | 00/04/13 | 5/00 |
| C-7 | An Act to amend the Criminal Records Act and to amend another Act in consequence | 99/11/02 | 99/11/17 | Legal and Constitutional Affairs | 99/11/30 | 4 | 99/12/08 | 00/03/30 | 1/00 |
| C-9 | An Act to give effect to the Nisga'a Final Agreement | 99/12/14 | 00/02/10 | Aboriginal Peoples | 00/03/29 | 0 | 00/04/13 | 00/04/13 | 7/00 |
| C-10 | An Act to amend the Municipal Grants Act | 00/03/28 | 00/04/10 | National Finance | 00/05/04 | 0 | 00/05/09 | 00/05/31 | 8/00 |
| C-11 | An Act to authorize the divestiture of the assets of, and to dissolve, the Cape Breton Development Corporation, to amend the Cape Breton Development Corporation Act and to make consequential amendments to other Acts | 00/06/08 | 00/06/15 | Energy, the Environment and Natural Resources | 00/06/22 | 0 | 00/06/27 | 00/06/29 | 23/00 |
| C-12 | An Act to amend the Canada Labour Code (Part II) in respect of occupational health and safety, to make technical amendments to the Canada Labour Code (Part I) and to make consequential amendments to other Acts | 00/06/01 (withdrawn 00/06/13) 00/06/13 (reintroduced) | 00/06/15 | Social Affairs, Science and Technology | 00/06/22 | 0 | 00/06/22 | 00/06/29 | 20/00 |
| C-13 | An Act to establish the Canadian Institutes of Health Research, to repeal the Medical Research Council Act and to make consequential amendments to other Acts | 00/03/30 | 00/04/04 | Social Affairs, Science and Technology | 00/04/06 | 0 | 00/04/10 | 00/04/13 | 6/00 |
| C-14 | An Act respecting an agreement with the Norway House Cree Nation for the settlement of matters arising from the flooding of land, and respecting the establishment of certain reserves in the province of Manitoba | 00/10/04 | | | | | | | |
| C-16 | An Act respecting Canadian citizenship | 00/05/31 | 00/06/27 | Legal and Constitutional Affairs | | | | | |
| C-18 | An Act to amend the Criminal Code (impaired driving causing death and other matters) | 00/06/19 | 00/06/22 | Legal and Constitutional Affairs | 00/06/28 | 0 | 00/06/29 | 00/06/29 | 25/00 |

| | | | | | | | | | |
|------|--|-------------------------------------|----------|--|----------|---|----------|----------|-------|
| C-19 | An Act respecting genocide, crimes against humanity and war crimes and to implement the Rome Statute of the International Criminal Court, and to make consequential amendments to other Acts | 00/06/14 | 00/06/22 | Foreign Affairs | 00/06/27 | 0 | 00/06/28 | 00/06/29 | 24/00 |
| C-20 | An Act to give effect to the requirement for clarity as set out in the opinion of the Supreme Court of Canada in the Quebec Secession Reference | 00/03/21 | 00/05/18 | Special Committee of the Senate on Bill C-20 | 00/06/19 | 0 | 00/06/29 | 00/06/29 | 26/00 |
| C-21 | An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2000 | 99/12/14 | 99/12/15 | — | — | — | 99/12/16 | 99/12/16 | 36/99 |
| C-22 | An Act to facilitate combatting the laundering of proceeds of crime, to establish the Financial Transactions and Reports Analysis Centre of Canada and to amend and repeal certain Acts in consequence | 00/05/09 (withdrawn 00/05/11) | 00/05/17 | Legal and Constitutional Affairs (withdrawn 00/05/18) | 00/06/15 | 0 | 00/06/22 | 00/06/29 | 17/00 |
| | | 00/05/11 (reintroduced) | | Banking, Trade and Commerce (00/05/18) | | | | | |
| C-23 | An Act to modernize the Statutes of Canada in relation to benefits and obligations | 00/04/12 | 00/05/09 | Legal and Constitutional Affairs | 00/06/08 | 0 | 00/06/14 | 00/06/29 | 12/00 |
| C-24 | An Act to amend the Excise Tax Act, a related Act, the Bankruptcy and Insolvency Act, the Budget Implementation Act, 1997, the Budget Implementation Act, 1998, the Budget Implementation Act, 1999, the Canada Pension Plan, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Act, the Income Tax Act, the Tax Court of Canada Act and the Unemployment Insurance Act | 00/06/14 | 00/06/28 | Banking, Trade and Commerce | 00/09/21 | 0 | | | |
| C-25 | An Act to amend the Income Tax Act, the Excise Tax Act and the Budget Implementation Act, 1999 | 00/06/08 | 00/06/14 | Banking, Trade and Commerce | 00/06/22 | 0 | 00/06/22 | 00/06/29 | 19/00 |
| C-26 | An Act to amend the Canada Transportation Act, the Competition Act, the Competition Tribunal Act and the Air Canada Public Participation Act and to amend another Act in consequence | 00/05/16 | 00/05/30 | Transport and Communications | 00/06/15 | 0 | 00/06/20 | 00/06/29 | 15/00 |
| C-27 | An Act respecting the national parks of Canada | 00/06/14 | 00/06/28 | Energy, the Environment and Natural Resources | 00/10/05 | 0 | | | |
| C-29 | An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2000 | 00/03/23 | 00/03/28 | — | — | — | 00/03/29 | 00/03/30 | 3/00 |
| C-30 | An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2001 | 00/03/23 | 00/03/28 | — | — | — | 00/03/29 | 00/03/30 | 4/00 |
| C-32 | An Act to implement certain provisions of the budget tabled in Parliament on February 28, 2000 | 00/06/07 | 00/06/13 | National Finance | 00/06/15 | 0 | 00/06/19 | 00/06/29 | 14/00 |
| C-34 | An Act to amend the Canada Transportation Act | 00/06/15 | 00/06/19 | Agriculture and Forestry | 00/06/21 | 0 | 00/06/22 | 00/06/29 | 16/00 |

| | | | | | | | | | |
|------|--|----------|----------|-----------------------------|----------|---|----------|----------|-------|
| C-37 | An Act to amend the Parliament of Canada Act and the Members of Parliament Retiring Allowances Act | 00/06/15 | 00/06/28 | Banking, Trade and Commerce | 00/06/29 | 0 | 00/09/21 | 00/09/21 | 27/00 |
| C-42 | An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2001 | 00/06/19 | 00/06/22 | — | — | — | 00/06/22 | 00/06/29 | 18/00 |

COMMONS PUBLIC BILLS

| No. | Title | 1st | 2nd | Committee | Report | Amend. | 3rd | R.A. | Chap. |
|-------|--|----------|----------|----------------------------------|----------|--------|----------|----------|-------|
| C-202 | An Act to amend the Criminal Code (flight) | 00/02/08 | 00/02/22 | Legal and Constitutional Affairs | 00/03/02 | 0 | 00/03/21 | 00/03/30 | 2/00 |
| C-247 | An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences) | 99/11/02 | 00/05/18 | Legal and Constitutional Affairs | | | | | |
| C-276 | An Act to amend the Competition Act (negative option marketing) | 00/05/18 | 00/06/15 | Banking, Trade and Commerce | | | | | |
| C-445 | An Act to change the name of the electoral district of Rimouski—Mitis | 00/05/09 | 00/06/13 | Legal and Constitutional Affairs | 00/06/22 | 0 | 00/06/22 | 00/06/29 | 21/00 |
| C-473 | An Act to change the names of certain electoral districts | 00/04/10 | 00/06/13 | Legal and Constitutional Affairs | 00/06/22 | 0 | 00/06/22 | 00/06/29 | 22/00 |

SENATE PUBLIC BILLS

| No. | Title | 1st | 2nd | Committee | Report | Amend. | 3rd | R.A. | Chap. |
|-----|---|----------|----------|--|----------|--------|----------|------|-------|
| S-2 | An Act to facilitate the making of legitimate medical decisions regarding life-sustaining treatments and the controlling of pain (Sen. Carstairs) | 99/10/13 | 00/02/23 | Legal and Constitutional Affairs | | | | | |
| S-4 | An Act to provide for judicial preauthorization of requests to be made to a foreign or international authority or organization for a search or seizure outside Canada (Sen. Nolin) <i>(Dropped from Order Paper pursuant to Rule 27(3) 00/05/11)</i> | 99/11/02 | | | | | | | |
| S-5 | An Act to amend the Parliament of Canada Act (Parliamentary Poet Laureate) (Sen. Grafstein) | 99/11/02 | 00/02/22 | Social Affairs, Science and Technology | 00/06/22 | 0 | 00/06/28 | | |
| S-6 | An Act to amend the Criminal Code respecting criminal harassment and other related matters (Sen. Oliver) | 99/11/02 | 99/11/03 | Legal and Constitutional Affairs | | | | | |
| S-7 | An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament (Sen. Lynch-Staunton) | 99/11/02 | 00/02/22 | Privileges, Standing Rules and Orders | | | | | |

| | | | | | | | | | |
|------|--|----------|----------|----------|--|----------|---|--|--|
| S-8 | An Act to amend the Immigration Act (Sen. Ghitter) <i>(Dropped from Order Paper pursuant to Rule 27(3) 00/05/04)</i> | 99/11/02 | | | | | | | |
| S-9 | An Act to amend the Criminal Code (abuse of process) (Sen. Cools) | 99/11/03 | 00/05/04 | | Legal and Constitutional Affairs | | | | |
| S-11 | An Act to amend the Criminal Code to prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable (Sen. Perrault, P.C.) <i>(Dropped from Order Paper pursuant to Rule 27(3) 00/02/08)</i> <i>(Restored to Order Paper 00/02/23)</i> | 99/11/04 | | | | | | | |
| S-12 | An Act to amend the Divorce Act (child of marriage) (Sen. Cools) | 99/11/18 | | | | | | | |
| S-13 | An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella) | 99/12/02 | 00/02/22 | | National Finance | | | | |
| S-15 | An Act to amend the Statistics Act and the National Archives of Canada Act (census records) (Sen. Milne) | 99/12/16 | 00/09/19 | | Social Affairs, Science and Technology | | | | |
| S-16 | An Act respecting Sir John A. Macdonald Day (Sen. Girmard) | 00/02/22 | 00/06/28 | | Social Affairs, Science and Technology 00/06/29 | | | | |
| S-20 | An Act to enable and assist the Canadian tobacco industry in attaining its objective of preventing the use of tobacco products by young persons in Canada (Sen. Kenny) | 00/04/05 | 00/05/09 | 00/09/20 | 0 | 00/10/05 | Energy, the Environment and Natural Resources | | |
| S-21 | An Act to protect heritage lighthouses (Sen. Forrestall) | 00/04/12 | 00/06/01 | | Fisheries | | | | |
| S-23 | An Act respecting Sir Wilfrid Laurier Day (Sen. Lynch-Staunton) | 00/06/06 | 00/06/28 | | Social Affairs, Science and Technology 00/06/29 | | | | |
| S-24 | An Act to amend the Broadcasting Act (Sen. Finestone, P.C.) | 00/06/13 | | | | | | | |
| S-27 | An Act to guarantee the human right to privacy (Sen. Finestone, P.C.) | 00/06/15 | 00/06/27 | | Social Affairs, Science and Technology | | | | |
| S-29 | An Act to provide for the recognition of the Canadian Horse as the national horse of Canada (Sen. Murray, P.C.) | 00/06/27 | | | | | | | |

PRIVATE BILLS

| No. | Title | 1st | 2nd | Committee | Report | Amend. | 3rd | R.A. | Chap. |
|------|--|----------|----------|-----------|--------|--------|----------|----------|-------|
| S-14 | An Act to amend the Act of incorporation of the Board of Elders of the Canadian District of the Moravian Church in America (Sen. Taylor) | 99/12/02 | 99/12/07 | — | — | — | 99/12/08 | 00/03/30 | |
| S-28 | An Act to amend the Act of incorporation of the Conference of Mennonites in Canada (Sen. Carstairs) | 00/06/22 | | | | | | | |

CONTENTS

Thursday, October 5, 2000

| | PAGE | | PAGE |
|---|------|---|------|
| Visitors in the Gallery | | Inter-Parliamentary Union | |
| The Hon. the Speaker | 2019 | One Hundred and Third Conference, Amman, Jordan— Report of Canadian Group Tabled. Senator Finestone | 2025 |
| The Late Honourable Jacques Flynn, P.C., Q.C., O.C. | | Parliamentary Reform | |
| Tributes. Senator Lynch-Staunton | 2019 | Notice of Inquiry. Senator St. Germain | 2025 |
| Senator Hays | 2019 | | |
| Senator Murray | 2020 | | |
| Senator Rivest | 2020 | | |
| <hr/> | | | |
| SENATORS' STATEMENTS | | QUESTION PERIOD | |
| Visit to Democratic People's Republic of Korea | | National Defence | |
| Senator Wilson | 2020 | Replacement of Sea King Helicopters—Possible Sole-Sourcing of Program. Senator Forrestall | 2026 |
| World Teachers' Day | | Senator Boudreau | 2026 |
| Senator Losier-Cool | 2021 | Finance | |
| The Honourable Gildas L. Molgat | | Private Charitable Foundations—Tax Equity Regarding Capital Gains Provisions—Possibility of Inclusion in Possible Mini-Budget. | |
| Tribute on Thirtieth Anniversary of Appointment to Senate. | | Senator Spivak | 2027 |
| Senator Prud'homme | 2021 | Senator Boudreau | 2027 |
| The Hon. the Speaker | 2021 | Delayed Answers to Oral Questions | |
| Breast Cancer Month | | Senator Hays | 2027 |
| Senator Cohen | 2022 | National Defence | |
| Women's Mental Health | | Replacement of Sea King Helicopters—Costing Elements of Procurement Competition. | |
| Problems of Overmedication. Senator Pépin | 2022 | Question by Senator Forrestall. | |
| World Teachers' Day | | Senator Hays (Delayed Answer) | 2027 |
| Senator Cochrane | 2023 | Foreign Affairs | |
| Helen Rose Grafstein | | World Trade Organization—Request for Win-Loss Record on Dispute Rulings. | |
| Tribute on One Hundredth Birthday. Senator Grafstein | 2023 | Question by Senator Kelleher. | |
| | | Senator Hays (Delayed Answer) | 2028 |
| <hr/> | | | |
| ROUTINE PROCEEDINGS | | National Defence | |
| Official Languages | | Eviction of Military Families from Military Housing to Shelter Homeless. | |
| Annual Report Tabled. | 2023 | Question by Senator Forrestall. | |
| Canada National Parks Bill (Bill C-27) | | Senator Hays (Delayed Answer) | 2029 |
| Report of Committee. Senator Spivak | 2023 | The Senate | |
| Senator Banks | 2024 | Motion to Establish Office of Children's Environmental Health— Response of Government. | |
| Defence Production Act (Bill S-25) | | Question by Senator Spivak. | |
| Bill to Amend—Report of Committee. Senator Rompkey | 2024 | Senator Hays (Delayed Answer) | 2030 |
| Senator Hays | 2024 | Fisheries and Oceans | |
| Senator Lynch-Staunton | 2024 | Burnt Church, New Brunswick—Dispute Over Fishery— Alleged Offer of Incentives Not to Fish. | |
| Senator Kinsella | 2025 | Question by Senator Comeau. | |
| Senator Prud'homme | 2025 | Senator Hays (Delayed Answer) | 2030 |
| Proceeds of Crime (Money Laundering) Act (Bill S-30) | | Cape Breton Development Corporation | |
| Bill to Amend—First Reading. Senator Hays | 2025 | Divestiture Process—Request for Update. Senator Hays | 2030 |
| | | Senator Murray | 2030 |
| | | Canada-Japan Inter-Parliamentary Group | |
| | | Report of Canadian Delegation Tabled. Senator Poulin | 2031 |

| | PAGE |
|--------------------------|------|
| Senator Kinsella | 2031 |
| Senator Hays | 2031 |
| Senator Prud'homme | 2032 |

ORDERS OF THE DAY

Western Canada Telephone Company (Bill S-26)

| | |
|-------------------------------------|------|
| Third Reading. Senator Oliver | 2032 |
|-------------------------------------|------|

Canadian Tourism Commission Bill (Bill C-5)

| | |
|---------------------------------------|------|
| Third Reading. Senator LeBreton | 2033 |
|---------------------------------------|------|

Defence Production Act (Bill S-25)

| | |
|---|------|
| Report of Committee Adopted. Senator Hays | 2034 |
| Senator Rompkey | 2034 |
| Senator Lynch-Staunton | 2034 |
| Senator Kinsella | 2035 |
| Third Reading. Senator Rompkey | 2036 |

Privacy Commissioner

| | |
|--|------|
| Motion to Approve Appointment of George Radwanski— Debate Adjourned. Senator Hays | 2036 |
| Senator Prud'homme | 2037 |
| Senator Fraser | 2038 |
| Senator Kinsella | 2038 |
| Senator Lynch-Staunton | 2039 |

Tobacco Youth Protection Bill (Bill S-20)

| | |
|------------------------------------|------|
| Third Reading. Senator Nolin | 2039 |
|------------------------------------|------|

Environmental Assessment of Proposed Landfill at Adams Mine, Timiskaming District, Ontario

| | |
|---|------|
| Report of Energy, The Environment and Natural Resources Committee on Study Pursuant to Mandate—Debate Adjourned. | |
| Senator Spivak | 2039 |
| Senator Hays | 2040 |

Business of the Senate

| | |
|---------------------------------|------|
| Adjournment. Senator Hays | 2040 |
| Senator Prud'homme | 2040 |

| | |
|--------------------------------------|---|
| Progress of Legislation | i |
|--------------------------------------|---|



If undelivered, return COVER ONLY to:
Public Works and Government Services Canada —
Publishing
45 Sacré-Coeur Boulevard,
Hull, Québec, Canada K1A 0S9