



Debates of the Senate

1st SESSION

•

37th PARLIAMENT

•

VOLUME 139

•

NUMBER 26

OFFICIAL REPORT
(HANSARD)

Thursday, April 5, 2001

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THE HONOURABLE DAN HAYS
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, April 5, 2001

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

Prayers.

[*Translation*]

SENATORS' STATEMENTS

QUEBEC

THE RIGHT OF WOMEN TO VOTE—
CONTRIBUTION OF ADÉLARD GODBOUT

Hon. Lucie Pépin: Honourable senators, today I should like to pay tribute to Adélarde Godbout, Premier of Quebec in 1936 and from 1939 to 1944.

The contribution of Mr. Godbout merits our attention because of the major reforms that took place under his leadership. His determination and courage are what make it possible for the women of Quebec to commemorate the 41st anniversary of their obtaining the right to vote, on April 11 of this year. The true contribution of Adélarde Godbout has recently been hotly debated. I am not in the least anxious to get involved in the polemics, but wish only to focus on his many accomplishments.

Joseph Adélarde Godbout was born on September 24, 1892 at Saint-Éloi, Quebec. He followed in his father's footsteps as an agronomist. In 1929, he was elected to the Legislative Assembly of Quebec to represent the district of l'Islet. He was regularly returned until 1944.

His career quickly skyrocketed, in part because of his devotion to his work and his serious approach. He was appointed Minister of Agriculture in November 1930, and then in June 1936 was called upon to succeed Louis-Alexandre Taschereau as leader of the Quebec Liberal Party and premier of the province.

His five years at the head of the Quebec government were distinguished by a number of significant reforms, particularly in the areas of agriculture, education, labour relations, natural resources and democracy.

It is to him that we owe such things as the creation of Hydro-Québec, compulsory school attendance free of charge for children between the ages of 6 and 14 years, and the modernization of agriculture. As well, during his premiership, the women of Quebec gained the right to vote in 1940, as well as the right to run in provincial elections.

From 1926 until they received the right to vote, women witnessed the defeat of some fifteen bills in this regard. Adélarde Godbout, to his credit, followed the initiative from the suffragist movement to women's being given the right to vote, despite the

strong opposition the bill raised in the conservative clerical establishment of the day.

Adélarde Godbout had to fight hard to keep his bill alive. His desire to go the full distance led him to threaten the clergy with resignation if they did not stop their campaign against the right to vote for women. His fierce determination succeeded in quashing this opposition.

Adélarde Godbout was far-sighted in recognizing with this intervention the obvious equality of men and women. I cannot resist citing a part of his speech:

The conditions in which we live make women the equal of men. They often have the same duties and obligations as men, why deny them the same rights, especially when many of the questions we must deal with are more within their domain than our own.

This statement, which, today, may appear rather banal, was ahead of its time then. Bill 18 was finally passed on April 11, 1940 by the Legislative Assembly and subsequently on April 25 of that year by the Executive Council. Quebec women could then vote and be elected to office, a right they would use for the first time on August 8, 1944.

Subsequently, in 1941, this right to vote and to run for office was extended to the municipal level, and Quebec women were allowed to practice law.

THE LATE ROBERT GAUTHIER

TRIBUTE

Hon. Marie-P. Poulin: Honourable senators, last week, Canada lost one of its great builders. Robert Gauthier died at the age of 99. For nearly 75 years, this man worked enthusiastically in the service of life in French in Ontario. His enthusiasm took various forms, at different times, according to needs, priorities and contexts.

Here is one example among many. In 1950, I was in one of the first French-language pre-school classes in Ontario, a kindergarten located in the Sainte-Anne parish hall, in Sudbury. I can still hear the calm and low voice of my father, Alphonse Charette, telling me: "This morning, if you can go to school and learn to read, write and count in French, it is thanks to Robert Gauthier and to all the work that he did with us parents, teachers and business people."

Honourable senators, the first French-language kindergarten in Ontario is but one of the many things we owe to Robert Gauthier's vision and hard work. The list of his lasting achievements is a long one. It includes associations, educational institutions, training tools and events.

Last Friday, at his funeral, Monique Cousineau said words that all those who were present will remember. She was able to convey the pride, creativity, dedication, insight, charming personality and humour of Robert Gauthier, a great Canadian.

[English]

• (1340)

THE HONOURABLE HERBERT O. SPARROW

CONGRATULATIONS ON BEING INDUCTED INTO THE
SASKATCHEWAN AGRICULTURAL HALL OF FAME

Hon. Leonard J. Gustafson: Honourable senators, I rise today to pay tribute to and to compliment a fellow senator from Saskatchewan on his induction into the Saskatchewan Agricultural Hall of Fame. Senator Sparrow is our senior senator in this place.

Hon. Senators: Hear, hear!

Senator Gustafson: I could not put it better than how it is written in the *News-Optimist* of the Battlefords:

Senator Herbert O. Sparrow, of North Battleford, world renown as a strong advocate for soil conservation, is among six people named to the Saskatchewan Agricultural Hall of Fame.

He will be inducted August 5 at the Hall's home at the Western Development Museum in Saskatoon.

Sen. Sparrow was born and educated in Saskatoon and later moved to North Battleford, where he is a businessman and a farmer/rancher.

He was appointed to the Senate at the age of 38, and is the longest serving senator in Canada. In the Senate he established his reputation as an advocate of preserving the environment.

While chair of the Senate's agricultural, fisheries and forestry committee, he helped write the book *Soil at Risk, Canada's Eroding Future*.

He was founder and first president of Soil Conservation Canada.

Out of this group came the Save our Soils program, which focuses on grassing waterways, seeding marginal and saline soils to forage and reducing tillage.

Sen. Sparrow addressed the United Nations' Environmental Program in Australia.

He is an honorary life member of the Agricultural Institute of Canada, and of the Soil Science Society of Canada.

[Senator Poulin]

This is a long article, and the comments in it are well-deserved. I will have it circulated to all honourable senators. Senator Sparrow is a most deserving inductee.

Hon. Senators: Hear, hear!

Senator Gustafson: Honourable senators, I believe that no one in Canada has worked harder on these issues than Senator Sparrow. He has defended farm issues, and perhaps at times some would say too forcefully, but he has always stood up for farmers and done his best to help agriculture in Canada. I am very pleased that we honour him today in the Senate.

Hon. Senators: Hear, hear!

[Later]

Hon. Herbert O. Sparrow: Honourable senators, I want to express my appreciation to Senator Gustafson for his kind remarks. It took me some time to realize that he was really talking about me, but I thank him for those remarks.

I was speaking at a meeting not long ago, and I was introduced as "Senator Swallow," that I was from Alberta, that I was in the oil business, and that I made \$250,000 last year. I had to get up and correct the speaker, and tell them that my name was not "Swallow," but Sparrow. I am not from Alberta; I am from Saskatchewan. I am not in the oil business; I am a farmer. I did not make \$250,000 last year; I lost \$250,000.

I want to state further that sometimes when you feel like a big-time operator, you are brought back to reality. When I was introduced at a meeting as being a rancher and farmer, the fellow sitting next to me said, "You are a farmer?" I said, "Yes." He said, "Are you a big farmer?" I said, "Well, when I get in my half-ton truck in the morning, it takes me until noon to get to the other side of my farm." And he said, "I know what you mean. I used to have a truck like that, too."

In the extra 30 seconds I have left —

The Hon. the Speaker: I am sorry, Senator Sparrow.

Hon. Senators: More! More!

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): I request from honourable senators leave for Senator Sparrow to continue.

Hon. Senators: Hear, hear!

Senator Sparrow: Thank you very much. What I do want to say is that the Senate, during my period of time here, and certainly before my time, has done a lot of important work on behalf of the Canadian people. It has looked at the nation and said, "Where are there injustices? Where those injustices are, we will try to alleviate them and look after them."

That was true in projects involving aging, pensions, child care and numerous other matters. I am sure that the Senate will continue to do that work.

I should like to refer particularly to the agricultural community in this time of crisis. The Standing Senate Committee on Agriculture and Forestry and the Senate as a whole have been very supportive of the agricultural industry across this country. The Senate and the Senate Agriculture Committee is being recognized as bringing the needs of the agriculture community to the forefront of the nation. Certainly, the Agriculture Committee, now chaired by Senator Gustafson and by others before him, has done this job. I should like to thank the Senate on behalf of the agricultural community for pursuing this very serious problem.

Hon. Senators: Hear, hear!

[Translation]

GUGLIELMO MARCONI

ONE HUNDREDDTH ANNIVERSARY OF FIRST TRANSATLANTIC
WIRELESS COMMUNICATION

Hon. Marisa Ferretti Barth: Honourable senators, Canadian inventions are known throughout the world. Over the years, our ability to transmit information over large distances has played a critical role.

This year, on December 12, we will celebrate the 100th anniversary of an invention of Guglielmo Marconi, born in Bologna, Italy. To this day, I had not realized that, upon his return to Italy, Marconi was appointed marquis and senator, which means he was a colleague of us all.

[English]

I am well aware of Canada's strong interest in the celebration of this event. Italy shares this interest, not only because of the historical importance of these inventions but also because they are examples of close cooperation between Italy and Canada.

I apologize for my English.

[Translation]

Needless to say, Canada's contribution was vital in helping this invention, which changed the world forever.

When he was only 21, our young physicist discovered a transmitter capable of sending a radio signals over a short distance. At first, Marconi's invention produced little enthusiasm in Italy: The Italian minister at the time even thought that the invention was not appropriate to telecommunications.

In 1897, after patenting his system in England, the country in which his mother, whose ancestors were Irish, was born, he founded a private company to develop his invention. Transmission distances became longer and longer. Radio-telegraphy had become a reality.

After a storm destroyed his experimental station in the United States, Marconi moved to Canada. In 1901, the great Italian physicist and inventor, Guglielmo Marconi, successfully effected the first transatlantic wireless communication between England

and Newfoundland, where he had installed a receiver at the Signal Hill station, not far from St. John's.

For this achievement, he was awarded the Nobel Prize for physics in 1909. The world will long remember the tragedy of the *Titanic*, when an SOS was radioed, saving 705 passengers.

Honourable senators, I will be pleased to tell you about the celebrations surrounding these historic events in due course.

[English]

WORLD HEALTH DAY, 2001

Hon. Wilbert J. Keon: Honourable senators, World Health Day 2001, declared by the World Health Organization, will be celebrated on April 7 worldwide. A new theme is selected each year to highlight public health issues of concern. World Health Day 2001, a global advocacy of awareness-raising activity dedicated to mental health issues, has the prime objective of raising awareness of mental health problems and dispelling common myths to reduce stigma. It is an opportunity to impact public opinion and stimulate debate on how to improve the current condition of mental health around the world.

We are thankful that international attention is increasing for mental health issues. Mental health is relevant to all. No country and no person is immune to mental health disorders, and their impact in psychological, social and economic terms is quite high. The economic burden of direct and indirect cost is enormous.

Mental disorders, often considered the invisible disabilities, are real, diagnosable, common and universal. Some 400 million people in the world, and close to 6 million Canadians, suffer from mental or neurological disorders. That is one in five. Women aged 15 and older are almost 1.5 times more likely to experience mental disorders.

Consider the homeless person you may have passed on the street, or the single mother with a young autistic child or the senior who is chronically depressed and isolated. Mental health problems cannot be resolved without clear national policies, research and infrastructure investments, programs on the promotion of mental health, and the control and understanding of mental disorders.

Please join me in supporting this advocacy group.

• (1350)

ROUTINE PROCEEDINGS

PATENT ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. David Tkachuk, Deputy Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, April 5, 2001

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

THIRD REPORT

Your Committee, to which was referred Bill S-17, An Act to Amend the Patent Act, has, in obedience to the Order of Reference of Monday, March 12, 2001, examined the said Bill and now reports the same without amendment, but with observations, which are appended to this report.

Respectfully submitted,

E. LEO KOLBER
Chairman

(For text of observations, see today's Journals of the Senate, Appendix "A," p. 325.)

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

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

CANADA BUSINESS CORPORATIONS ACT CANADA COOPERATIVES ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. David Tkachuk, Deputy Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, April 5, 2001

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

FOURTH REPORT

Your Committee, to which was referred Bill S-11, An Act to Amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts in consequence, has, in obedience to the Order of Reference of Wednesday, February 21, 2001, examined the said Bill and now reports the same with the following amendments:

1. *Page 1, long title:* Replace the long title with the following:

“An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts”.

2. *Page 23, clause 42:* Replace lines 1 to 6 with the following:

“**113.** (1) A corporation shall, within fifteen days after

(a) a change is made among its directors, or

[Senator Tkachuk]

(b) it receives a notice of change of address of a director referred to in subsection (1.1),

send to the Director a notice, in the form that the Director fixes, setting out the change, and the Director shall file the notice.

(1.1) A director shall, within fifteen days after changing his or her address, send the corporation a notice of that change.”

3. *Page 38, clause 55:*

(a) Replace line 20 with the following:

“(4) Unless the by-laws otherwise provide, any person”; and

(b) Replace line 27 with the following:

“during the meeting, if the corporation makes available such a communication facility. A person participating in”.

4. *Pages 42 and 43, clause 59:* Replace lines 43 and 44 on page 42 and lines 1 to 3 on page 43 with the following:

“may be, notify in writing the person submitting the proposal of its intention to omit the proposal from the management proxy circular and of the reasons for the refusal.”.

5. *Page 44, clause 61:* Replace lines 3 to 7 with the following:

“(3) Despite subsection (1), unless the by-laws otherwise provide, any vote referred to in subsection (1) may be held, in accordance with the regulations, if any, entirely by means of a telephonic, electronic or other communication facility, if the corporation makes available such a communication facility.

(4) Unless the by-laws otherwise provide, any person participating in a meeting of shareholders under subsection 132(4) or (5) and entitled to vote at that meeting may vote, in accordance with the regulations, if any, by means of the telephonic, electronic or other communication facility that the corporation has made available for that purpose.”.

6. *Page 48, clause 68:* Replace line 10 with the following:

“(b) has fifty or fewer shareholders en-”.

7. *Pages 58 and 59, clause 97:* Replace lines 29 to 39 on page 58 and lines 1 to 8 on page 59 with the following:

“**193.** A corporation may carry out a going-private transaction. However, if there are any applicable provincial securities laws, a corporation may not carry out a going-private transaction unless the corporation complies with those laws.”.

8. *Page 63, clause 100:* Replace lines 27 to 32 with the following:
- “shareholder may
- (a) within ninety days after the date of termination of the take-over bid, or
- (b) if the shareholder did not receive an offer pursuant to the take-over bid, within ninety days after the later of
- (i) the date of termination of the take-over bid, and
- (ii) the date on which the shareholder learned of the take-over bid,
- require the offeror to acquire those shares.”.
9. *Pages 64 and 65, clause 102:*
- (a) Replace lines 34 to 37 on page 64 with the following:
- “including the restoration of any rights and privileges whether”;
- (b) Replace lines 12 to 14 on page 65 with the following:
- “(c) a person who, although at the time of”;
- (c) Replace line 19 on page 65 with the following:
- “(d) a trustee in bankruptcy for the dissolved”.
10. *Page 93, clause 148:*
- (a) Replace line 3 with the following:
- “(3) Unless the by-laws provide otherwise, a member or”;
- (b) Replace line 10 with the following:
- “ing, if the cooperative makes available such a communication facility.”.
11. *Page 97, clause 153:*
- (a) Replace line 3 with the following:
- “section 52, the cooperative must, within the”;
- (b) Replace line 7 with the following:
- “tion 58(2.4), as the case may be, notify in writing”;
- and
- (c) Replace line 10 with the following:
- “and of the reasons”.
12. *Page 97, clause 154:* Replace lines 20 to 24 with the following:
- “(3) Despite subsection (1), unless the by-laws provide otherwise, any vote referred to in subsection (1) may be held, in accordance with the regulations, if any, entirely by means of a telephonic, electronic or other communication facility, if the cooperative makes available such a communication facility.
- (4) Unless the by-laws otherwise provide, a member or shareholder participating in a meeting of the cooperative under subsection 48(3) or (3.1) and entitled to vote at that meeting may vote, in accordance with the regulations, if any, by means of the telephonic, electronic or other communication facility that the cooperative has made available for that purpose.”.
13. *Page 98, new clause 160.1:* Add after line 47 the following:
- “160.1 Section 91 of the Act is replaced by the following:**
- 91.** (1) A cooperative must, within fifteen days after
- (a) a change is made among its directors, or
- (b) it receives a notice of change of address of a director referred to in subsection (2),
- send to the Director a notice, in the form that the Director fixes, setting out the change.
- (2) A director must, within fifteen days after changing his or her address, send the cooperative a notice of that change.
- (3) Any interested person, or the Director, may apply to a court for an order to require a cooperative to comply with subsection (1), and the court may so order and make any further order it thinks fit.”.
14. *Page 108, new clause 184.1:* Add after line 34 the following:
- “184.1 Paragraph 165(2)(b) of the Act is replaced by the following:**
- (b) it has fifty or fewer shareholders entitled to vote at a meeting, two or more joint holders being counted as one shareholder.”.
15. *Page 116, new clause 192.1:* Add after line 18 the following:
- “192.1 Subsection 176(1) of the Act is replaced by the following:**

176. (1) If a shareholder holding shares of a distributing cooperative does not receive a notice under this Part, the shareholder may

(a) within ninety days after the date of the end of the take-over bid, or

(b) if the shareholder did not receive an offer pursuant to the take-over bid, within ninety days after the later of

(i) the date of the end of the take-over bid, and

(ii) the date on which the shareholder learned of the take-over bid,

require the offeror to acquire those shares.”.

16. Pages 119 and 120, clause 206:

(a) Replace line 37 on page 119 with the following:

“of the Act before paragraph (b) is replaced”;

(b) Add after line 46 on page 119 the following:

“(a) restored to its previous position in law, including the restoration of any rights and privileges whether arising before its dissolution or after its dissolution and before its revival; and”;

(c) Add after line 6 on page 120 the following:

“(8) In this section, “interested person” includes

(a) a member, a shareholder, a director, an officer, an employee and a creditor of the dissolved cooperative;

(b) a person who has a contractual relationship with the dissolved cooperative; and

(c) a trustee in bankruptcy for the dissolved cooperative.”.

17. Page 136, new clauses 230.1, 230.2, 230.3 and 230.4:

Add after line 24 the following:

“Air Canada Public Participation Act

230.1 (1) Subsections 6(4) of the Air Canada Public Participation Act is repealed.

(2) The portion of subsection 6(5) of the Act before paragraph (a) is replaced by the following:

(5) For the purposes of this section,

(3) Subsection 6(5) of the Act is amended by adding the word “and” at the end of paragraph (a) and by repealing paragraph (b).

Canada Development Corporation Reorganization Act

[Senator Tkachuk]

230.2 (1) Subsections 5(6) of the Canada Development Corporation Reorganization Act is repealed.

(2) The portion of subsection 5(7) of the Act before paragraph (a) is replaced by the following:

(7) For the purposes of this section,

(3) Subsection 5(7) of the Act is amended by adding the word “and” at the end of paragraph (a) and by repealing paragraph (b).

CN Commercialization Act

230.3 (1) Subsections 8(4) of the CN Commercialisation Act is repealed.

(2) The portion of subsection 8(5) of the Act before paragraph (a) is replaced by the following:

(5) For the purposes of this section,

(3) Subsection 8(5) of the Act is amended by adding the word “and” at the end of paragraph (a) and by repealing paragraph (b).

Nordion and Theratronics Divestiture Authorization Act

230.4 (1) Subsections 6(4) of the Nordion Theratronics Divestiture Authorization Act is repealed.

(2) The portion of subsection 6(5) of the Act before paragraph (a) is replaced by the following:

(5) For the purposes of this section,

(3) Subsection 6(5) of the Act is amended by adding the word “and” at the end of paragraph (a) and by repealing paragraph (b).”.

Respectfully submitted,

E. LEO KOLBER
Chairman

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

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

STUDY ON AGRICULTURE AND AGRI-FOOD INDUSTRY

BUDGET AND REQUEST FOR AUTHORITY TO TRAVEL
AND ENGAGE SERVICES—REPORT OF AGRICULTURE
AND FORESTRY COMMITTEE PRESENTED

Hon. Leonard J. Gustafson, Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Thursday, April 5, 2001

The Standing Senate Committee on Agriculture and Forestry has the honour to present its

SECOND REPORT

Your Committee, which was authorized by the Senate on March 20, 2001 to examine international trade in agricultural and agri-food products, and short-term and long-term measures for the health of the agricultural and the agri-food industry in all regions of Canada, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of the Committee's examination and to adjourn from place to place within Canada and to travel outside Canada for the purpose of such examination.

Pursuant to Section 2:07 of the *Procedural Guidelines for the Financial Operations of Senate Committees*, the Budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report of said Committee are appended to this report.

Respectfully submitted,

LEONARD J. GUSTAFSON
Chair

(For text of appendix, see today's Journals of the Senate, Appendix "B", p. 327.)

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

Senator Gustafson: With leave of the Senate, and notwithstanding rule 58(1)(g), I move that the report be adopted now.

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

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, might it not be a better practice if the report was now circulated and, at the end of the proceedings of the day, leave was requested to revert to the matter? That leave would either be granted then or not granted, based upon some knowledge. We do not want to hold up this matter, but it would be helpful if we knew what we were dealing with.

Senator Robichaud: Later this day.

The Hon. the Speaker: Senator Gustafson, as to your request for leave, the suggestion has been made, and I will put it to honourable senators, that this matter be placed on the Orders of the Day for consideration later this day, under the appropriate heading.

Is leave granted, honourable senators?

Hon. Senators: Agreed.

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

INTERNAL ECONOMY, BUDGETS
AND ADMINISTRATION

FOURTH REPORT OF COMMITTEE PRESENTED

Hon. Richard H. Kroft, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, April 5, 2001

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

FOURTH REPORT

Your Committee recommends that the following funds be released for fiscal year 2001-2002.

Social Affairs, Science and Technology (Legislation)

Professional and Other Services	\$ 5,000
Transport and Communications	0
Other Expenditures	0
Total	<u>\$ 5,000</u>

Transport and Communications (Legislation)

Professional and Other Services	\$ 24,500
Transport and Communications	700
Other Expenditures	700
Total	<u>\$ 25,900</u>

Energy, the Environment and Natural Resources (Legislation)

Professional and Other Services	\$ 9,500
Transport and Communications	500
Other Expenditures	1,000
Total	<u>\$ 11,000</u>

Respectfully submitted,

RICHARD H. KROFT
Chair

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

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

[Translation]

Thursday, April 5, 2001

SCRUTINY OF REGULATIONS

BUDGET—REPORT “B” OF JOINT COMMITTEE PRESENTED

Hon. Céline Hervieux-Payette, Joint Chair of the Standing Joint Committee for the Scrutiny of Regulations, presented the following report:

Thursday, April 5, 2001

The Standing Joint Committee for the Scrutiny of Regulations has the honour to present its

FIRST REPORT—“B”
(presented only to the Senate)

Your Committee, which is authorized by section 19 of the *Statutory Instruments Act*, R.S.C. 1985, c. S-22, to review and scrutinize statutory instruments, now requests approval of funds for 2001-2002.

Pursuant to section 2:07 of the *Procedural Guidelines for the Financial Operation of Senate Committees*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

CÉLINE HERVIEUX-PAYETTE, P.C.
Joint Chair

(For text of appendix, see today's Journals of the Senate, Appendix “C”, p. 329.)

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

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

[English]

STUDY ON ECONOMIC DEVELOPMENT OF NATIONAL PARKS IN NORTH

BUDGET AND REQUEST FOR AUTHORITY
TO ENGAGE SERVICES AND TRAVEL—
REPORT OF ABORIGINAL PEOPLES COMMITTEE PRESENTED

Hon. Thelma J. Chalifoux, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

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

SECOND REPORT

Your Committee, which was authorized by the Senate on Monday, March 12, 2001, to examine and report upon the opportunities to expand economic development, including tourism and employment, associated with national parks in Northern Canada, within the parameters of existing comprehensive land claim and associated agreements with Aboriginal Peoples and in accordance with the principles of the *National Parks Act*, and to present its final report no later than September 28, 2001, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary, and to adjourn from place to place in Canada, for the purpose of its examination.

Pursuant to Section 2:07 of the *Procedural Guidelines for the Financial Operation of Senate Committees*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

THELMA J. CHALIFOUX
Chair

(For text of appendix, see today's Journals of the Senate, Appendix “D”, p. 337.)

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

On motion of Senator Chalifoux, with leave of the Senate and notwithstanding rule 58(1)(g), report placed on the Orders of the Day for consideration later this day.

EMPLOYMENT INSURANCE ACT EMPLOYMENT INSURANCE (FISHING) REGULATIONS

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-2, to amend the Employment Insurance Act and the Employment Insurance (Fishing) Regulations.

Bill read first time.

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

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

[Translation]

INTER-PARLIAMENTARY FORUM OF THE AMERICAS

REPORT ON INAUGURAL MEETING TABLED

Hon. Céline Hervieux-Payette: Honourable senators, I have the honour to table in both official languages, as well as in Spanish and Portuguese, the report of the inaugural meeting of the Inter-Parliamentary Forum of the Americas, which was held in Ottawa, March 7 through March 9, 2001. Since our Speaker took part in the opening ceremony, he knows the inaugural meeting was held at the invitation of the Parliament of Canada. I had the honour to head the Canadian delegation, while our colleague Bill Graham from the other place chaired the meeting. Honourable senators, I am pleased to report to you that the meeting was a great success. We were successful in creating a true forum here in Ottawa.

[English]

The Hon. the Speaker: I must advise Senator Hervieux-Payette that under this item on the Order Paper, senators are only entitled to table their reports, not to speak to them.

QUESTION PERIOD

HEALTH

COMMISSION ON THE FUTURE OF HEALTH CARE—
REQUEST FOR SCHEDULE OF ISSUES TO BE REVIEWED

Hon. Wilbert J. Keon: Honourable senators, I have a question for the Leader of the Government in the Senate.

With the announcement yesterday of the Commission on the Future of Health Care, very capably headed by Mr. Roy Romanow, I tried to monitor the news last night because this subject is of tremendous interest to me. I noticed that, once again, the momentum of the debate in the media is swinging to how much money we will throw at this issue, who will pay the bills and what arrangements will be made. I had hoped that this time around we would be able to see this issue through a different paradigm based on population health, preventive measures and therapeutic measures, the outcomes of which can be measured scientifically. The goal, of course, is to close the loop and reinstitute appropriate preventive and therapeutic measures.

The reason for my question is that there may still be time for input from the Leader of the Government in the Senate. Could a

schedule be laid out this time around whereby sufficient time would be devoted to a look at the situation from the top?

• (1410)

I can appreciate the pressure that Mr. Romanow will come under from all of the stakeholders when he begins holding his hearings, and so forth. He then has to meet his deadlines. Once again, I am afraid we may drift to the same bottom line.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. He is quite right. If one were to look only at the media reports, it would be once again a debate on how much money is needed and who will pay the bill. That would indeed be a very missed opportunity.

I have been given assurances that this will be a very broadly based study. The commission will look at the whole situation through a different lens, and issues such as health outcomes and measurement will be an important part of that study. However, if there is, in fact, a schedule of the exact types of topics they are to engage in, then I will provide that to the honourable senator at the first opportunity.

COMMISSION ON THE FUTURE OF HEALTH CARE—
TERMS OF REFERENCE

Hon. Lowell Murray: Honourable senators, I have a supplementary question. I should perhaps know the answer to this. Are there terms of reference? Have they been tabled? Under what statute has this study been decided? Is it a royal commission? Are there other members on the commission?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I do not have the answers to all of Senator Murray's questions. However, it has not been designated a royal commission; it has been designated as a commission. I am not sure what difference there is between a royal commission and a commission, but the word "royal" does not precede, for whatever reason.

As to a statute, this initiative has been undertaken by the Prime Minister directly, because the commission will report directly to him, so it comes under the authority of the Prime Minister's Office.

As to the specific terms of reference, I do not have any, other than what was included in the press release. I am given to understand that the mandate is sufficiently broad that Mr. Romanow can, in fact, go wherever he chooses in his research mode.

Senator Murray: I take it from the leader's answer that it is in the nature of a task force appointed by the Prime Minister, rather than a commission appointed by Order in Council. Does the honourable leader confirm that?

Senator Carstairs: That is certainly my understanding.

COMMISSION ON THE FUTURE OF HEALTH CARE—
CONSULTATION WITH MEDICAL EXPERTS

Technology indicates that the work of that committee will be an integral part of his study.

Hon. Pierre De Bané: Honourable senators, I should like to ask the Leader of the Government in the Senate, in view of the immense contribution of Senator Keon to medicine and to health services in this country, if she can ensure that he and other experts whom we have in this institution, the Senate, will be consulted by Chairman Romanow of this royal commission. I am referring, of course, to Dr. Keon and Dr. Morin. These people have devoted their lives to the improvement of the health of Canadians, and could have earned a lot more by moving to the United States but decided to remain in this country in order to help their fellow Canadians.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. I think that it not only behooves the newly appointed chairperson of this commission to interview people like Senator Keon, but that he work very closely with the members of the Standing Senate Committee on Social Affairs, Science and Technology who have done excellent work to date and who I anticipate will continue in that work. They are making a singular contribution to this debate. I understand that the Chair of the Senate committee and Mr. Romanow met this morning.

COMMISSION ON THE FUTURE OF HEALTH CARE—
INVOLVEMENT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY
COMMITTEE

Hon. Douglas Roche: Honourable senators, to the Leader of the Government, there seemed to be confusion a moment ago about the terms of reference for Mr. Romanow. Surely the terms of reference are contained in Privy Council Document 2001-569, and thus it is an Order in Council appointment that Mr. Romanow has received. This is nearly a three-page document. Inasmuch as it does not —

Senator Murray: Is it under the Inquiries Act?

Senator Roche: This is a document that is certified to be a true copy of a minute of a meeting of the committee of the Privy Council, approved by her Excellency the Governor General on April 3, 2001.

Inasmuch as this document that spells out the terms of reference for Mr. Romanow — all the work that he is mandated to do — does not make even a single mention of the ongoing work of the Senate committee, can the Leader of the Government explain or offer some sort of view as to why the work of the Senate committee was not even formally referred to Mr. Romanow so that he could officially take into his consideration the ongoing work of the Senate committee?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I think actions speak louder than words, and the very fact that Mr. Romanow, in his first act as the newly-appointed Chair of this commission, met with the Chair of the Standing Senate Committee on Social Affairs, Science and

THE SENATE

INVOLVEMENT IN PARLIAMENTARY PROCESS

Hon. Douglas Roche: Honourable senators, I share with the minister the hope and aspiration that the excellent work that the Senate committee is doing will indeed be part of the Romanow process, but my question is aimed at being a little deeper than that.

This is the second time in recent months — the first time being Bill C-20 — that the government has omitted reference to the functions of the Senate in an important action. Does the minister see any pattern here? Does she share my concern about the government's view of the ongoing function of the Senate and how that must be respected by the government? Does the minister share my concern about the ability of the Senate itself to communicate its message of what is really going on here to both the government as a whole and, certainly, to the public?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for that question. I do not think he is accurate, however. Many of us had concerns about the role of the Senate in the debate and discussion on Bill C-20. That was a piece of government legislation. This is a task force, a commission that has been appointed, and the very first action of the new commissioner was to meet with the chair of a Senate committee. Far from saying that the Senate committee is out of the process, I would say that they are very much in the process.

HEALTH

COMMISSION ON THE FUTURE OF HEALTH CARE— MANDATE OF COMMISSIONER

Hon. A. Raynell Andreychuk: Honourable senators, there have been many questions coming into my office, and I am sure to that of other senators, because of the significance of the medical situation in Canada. The Leader of the Government has used the terms "task force" and "commission." Mr. Romanow has indicated that he has quasi-judicial powers. The minister has indicated that he is the Chair, and was not sure whether there were other members. Mr. Romanow indicated that he would be a single commissioner and that he would have perhaps four — he said three first and then four — special advisors in special areas. He was told that he would receive \$15 million, and that he would be preparing the budget.

With no reflection on the capability of Mr. Romanow, surely the government, on something so significant, would be concerned as to what powers and responsibilities they were delegating to this person, and what authority he has to do his job. If he is not given a clear mandate and the mandate is not clearly understood by the people of Canada, we are off on the wrong foot.

• (1420)

Honourable senators, could the questions that were raised about the minister be answered in a press release and in a reply to me? What has Mr. Romanow been asked to do? Where does his authority come from? Who was consulted? Who drafts the budget? Who will maintain the budget? Who will be responsible for the hiring of staff? Who will Mr. Romanow report to on an administrative basis?

We know that he will, of course, report directly to the Prime Minister and not to Parliament. There are many unanswered questions that need clarification. Mr. Romanow is from Saskatchewan, where there have been medical changes. I am certain that the people of Saskatchewan need to know with what authority this process will take place and what the outcome might be.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for her very detailed questions. I will do my best to obtain detailed answers for her.

For the record, clearly I said yesterday that it was a one-person commission and that the commissioner was the Honourable Roy Romanow. There has never been any question about others on the commission, because it is comprised of a commissioner only. That was on the record as of yesterday.

In respect of the actual title, it is a commission on the future of health care in Canada; thus that is the title of the mandate that was given to him. In respect of the specifics about the preparations of budget and documentation, and to whom Mr. Romanow will report, other than the Prime Minister, I will attempt to obtain the details for the honourable senator.

Senator Andreychuk: I thank the honourable senator for her elaboration. If it is a one-person commission, we need a clarification, because “commission” has implications. Will Mr. Romanow then have the exclusive authority to hire the other individuals who will be connected to the commission?

Senator Carstairs: Honourable senators, that is part of the question that the honourable senator asked previously: how the budget will be detailed. I will obtain that information for the honourable senator.

Hon. Michael A. Meighen: Honourable senators, I am sorely tempted to ask Senator Kirby to answer the questions of Senator Roche and Senator Andreychuk, since he is the only person who has had the benefit of a meeting with Mr. Romanow. Perhaps he shares the government leader’s interpretation of the

meeting. I presume that the government leader did not attend the meeting, but Senator Kirby did attend the meeting.

PRIME MINISTER

ABSENCE FROM FUNERAL OF THE LATE KING HUSSEIN OF JORDAN

Hon. Michael A. Meighen: Honourable senators, the funeral for the late King Hussein of Jordan took place on Monday, February 8, 1999. As we all know, our Prime Minister did not attend. The then Leader of the Government in the Senate told us that the Prime Minister was unable to attend the funeral because he could not give the military the 24-hours notice that they required to make the appropriate flight arrangements.

We have since learned that the Prime Minister’s Office knew on Friday, February 5, 1999, at 5:51:00 a.m. to be precise — not on Saturday or Sunday — some three days in advance, that King Hussein was clinically dead. That provided more than enough time to fly the Prime Minister to Jordan.

Honourable senators, in light of this new information, could the minister tell us whether this chamber was misled at that time, or was the then Leader of the Government in the Senate misled by the Prime Minister, or by his office?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I will be very clear: No one misled this chamber. It is true that the late King Hussein was, apparently, clinically dead. However, the family had made no decision as to when to disconnect the late King’s life support system. The family did not make that decision for another two days. In my view, it would have been highly presumptuous for anyone to go to a nation that was not yet in mourning, because the family had not yet made a decision about the disconnection of the life-support system.

Senator Meighen: With great respect, honourable senators, over 50 world leaders found the time to make travel arrangements and go to the funeral, including President Yeltsin, who was very ill at the time. In his life, King Hussein was a great friend of Canada, and a great champion of peace in the Middle East.

I impart to the minister that it was neither appropriate nor acceptable to blame the military for the Prime Minister’s failure to attend the funeral. If the Prime Minister will not tell us the real reason for that failure, would he at least stand up and apologize to the military, to all Canadians and to the people of Jordan, for his absence?

Senator Carstairs: Honourable senators, in response to the honourable senator’s question, I will reiterate that the late King Hussein was clinically dead. The family had not made a decision about the disconnection of the life support system. It would have been highly presumptuous for the government to take action before the family of the late King, who was a husband, a father and a grandfather, had made their decision.

Senator Meighen: Honourable senators, I hear the honourable leader, but I suggest to her that the reason the late King was on life support was to give leaders of the world the opportunity to make arrangements to attend his funeral. He would not have been on life support for as long as two weeks.

Senator Carstairs: That is a very presumptuous position, if I may be so bold. Families make their own decisions in these matters, and in some cases they keep their family members on life support systems for a very long time. In other cases, they choose not to do that.

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS— CHANGES TO PROCUREMENT PROCESS

Hon. J. Michael Forrestall: Honourable senators, I have a question for the Leader of the Government in the Senate. I respectfully ask her if she is in a position to table some documents that I have been seeking for a number of days.

I have in my possession a briefing document from the Department of National Defence to the Privy Council Office, dated March 4, 2001, recommending that the Maritime Helicopter Project be conducted. The document states, and I quote:

Total Weapon system integration is a key concept to achieve capability at lowest cost over full life cycle.

Briefly, this means that the department is looking at best value, and, in part, best value arising from commonality. Why was this procurement process changed, by either the Privy Council or the Prime Minister's Office, to exclude commonality savings?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, with leave of the Senate, I ask to table the Conflict of Interest Guidelines and post the Employment Code for Public Office Holders in both official languages.

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

Hon. Senators: Agreed.

Senator Carstairs: Honourable senators, in reply to the honourable senator, I do not have the communiqué between DND and PCO, to which he makes reference and dated March 4, 2001. I am certain that the honourable senator will provide the document. During the recess, I shall attempt to obtain the answer that he desires.

Senator Forrestall: Honourable senators, I have a similar briefing. In this case, it is to the French government officials and it states, and I quote:

DND would like to avoid any option that places the government in the position of filling the role of prime contractor, whereby the department would be responsible to coordinate the work of two contractors...

This is no longer the case, and I am curious as to why. As well, who changed the department's procurement strategy?

Senator Carstairs: Honourable senators, I shall take that question as notice, and I shall attempt to obtain a response to the honourable senator's question as quickly as possible.

• (1430)

Senator Forrestall: I believe that I have about 13 or 14 other questions to which the minister has undertaken to provide responses. With the benefit of the Easter break, I shall look forward to some good reading when I return.

Senator Carstairs: If the honourable senator will wait a few moments, we will have one of the responses for him this afternoon.

MULTICULTURALISM

COMMENTS BY MINISTER

Hon. David Tkachuk: Honourable senators, my question is directed to the Leader of the Government in the Senate. Yesterday, the Leader of the Government said that even if Minister Fry's statement had been about Winnipeg, the leader would have accepted Minister Fry's apology.

I will ask now if the leader believes that Minister Fry should resign as Secretary of State for Multiculturalism, even though the apology was accepted?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, no, I must say that I do not believe that. I work more according to the approach of the Mayor of the City of Kamloops. That mayor wrote to the Honourable Hedy Fry on March 29, 2001. The letter states:

Thank you for your letter of today's date offering an unequivocal apology to the people of Kamloops for your comments of 1997 in the Edmonton Journal.

Your apology has cleared up the situation and I appreciate the prompt reply to my request.

That is the means by which I think we should accept apologies.

THE CABINET

RESPONSIBILITY OF MINISTERS FOR UTTERED REMARKS

Hon. David Tkachuk: Honourable senators, from that answer one would conclude that lying to parliamentarians is no longer a cause for resignation. Resignation for that cause is an age-old tradition of the House of Commons and Parliament. Is this the new standard of the Liberal government for ministers of the Crown?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I realize that I cannot raise a matter of order since we are in Question Period, but the word “lying” is considered not to be a parliamentary word. I do not think that it should find its way into this chamber, and I do not believe that that is what occurred.

Senator Tkachuk: Honourable senators, I will ask the question again. I am not asking this question because of the ill-conceived remarks of Minister Fry, but because I should like to know the new standard for ministers in the other place when they address parliamentarians and when they speak during Question Period.

If a minister must only apologize in Parliament, then there is no onus on them to tell the truth, which is what Parliament is all about. We have no other way to deal with ministers of the Crown.

I ask the question of the leader again: Having said what the minister said, and I will not use that word — even though she admitted that that is what she did —

Senator Taylor: You are learning.

Senator Tkachuk: I have learned a lot in this place. I am trying to teach Senator Taylor, because obviously he has not learned.

Is this a new standard of the Liberal government for ministers of the Crown?

Senator Carstairs: Honourable senators, the standard is clear. When a minister inadvertently puts something on the record that is not correct, that minister stands in this place and apologizes. A few weeks ago, I put something on the record that was not correct. I realized that it was not correct before the Senate sat the next day and during Question Period I stood up and made an apology. That is what is expected of all members of the Crown.

Senator Tkachuk: Honourable senators, the minister was making a statement about multiculturalism when she said those things about Prince George that I read out yesterday. She left and then came back for Question Period at which time she said that she had talked to the mayor who had formed a task force. She said that she had approved funding for the task force in Prince George. She said that she had received a letter. It was not as if she had had the time to find the truth. She had time to exacerbate her untruthfulness.

The instance cited by the honourable leader was inadvertent. We all know that, we accepted it, and there was no problem. That is not what happened with Minister Fry.

Is this the standard to which the ministers of the Liberal government will be held in Parliament?

Senator Carstairs: Honourable senators, I reiterate that standard, which is clear. When a minister makes a remark that is

incorrect and has done so inadvertently, at the next possible opportunity, the minister stands in this place or the other place and apologizes for the remark.

CANADIAN WHEAT BOARD

REGULATORY PROCESS FOR GENETICALLY MODIFIED WHEAT

Hon. Mira Spivak: Honourable senators, Wheat Board officials were before the Standing Senate Committee on Agriculture and Forestry the other day clearly warning that Canada’s wheat sales could suffer dramatically if Monsanto’s genetically modified wheat is approved. Sales to Europe, Japan and the Philippines are of particular concern. These sales comprise 2.5 million tonnes of the 6 million tonnes of premium wheat sold overseas.

Experimental trials of genetically modified wheat are underway in Western Canada and the U.S. Monsanto expects to apply to register the wheat in 2003, according to the Wheat Board.

The Wheat Board Chairman, Mr. Ken Ritter, said that market acceptance is not factored in to the regulatory process, but it should be. He also noted that registration in 2003 could come before testing or segregation systems are in place, which would mean a great loss of customers.

Is he accurate about the regulatory process? I believe that he is. Will the government, in looking at the application by Monsanto, ensure that market acceptance at very least is in place during this regulation process?

Hon. Sharon Carstairs (Leader of the Opposition): Honourable senators, I thank the honourable senator for that question. I was not aware of the discussions that occurred in the Agriculture Committee or in the other place, but I will get the Hansard for that session.

Senator Spivak: It was in the Senate.

Senator Carstairs: Then I will get the transcript of the committee hearing. Based on the evidence and the honourable senator’s question today, I will try to get a specific response.

INDUSTRY

POSSIBLE ADVICE TO SOFTWOOD LUMBER PRODUCERS

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, in today’s Charlottetown *Guardian*, the following was written:

It is time P.E.I. farmers realized the United States is unlikely to back away from the debilitating potato dispute and consider growing something else the federal agriculture minister said yesterday.

It is my understanding, honourable senators, that Mr. Vanclief made this statement when appearing before the Standing Senate Committee on Agriculture and Forestry.

In light of the view of the Minister of Agriculture that the current protectionist attitude of the United States cannot be fought successfully, and that Canadian farmers should simply plant alternate crops rather than argue the point, is the leader's colleague the Minister of Industry planning to offer the same advice to Canada's softwood lumber producers? Would the Minister of Industry suggest that producers could avoid the problem entirely by ceasing to produce softwood lumber and simply do something else?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for that question. Clearly, the producers of softwood in this country should continue to participate fully in the softwood industry, and so, too, should the growers of potatoes.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table two delayed answers. First, I am tabling the answer to Senator Buchanan's question of March 13, 2001 regarding the Cape Breton Development Corporation. Second, I am tabling the answer to Senator Forrester's question on March 28, 2001 regarding the Prime Minister's Office.

CAPE BRETON DEVELOPMENT CORPORATION

REQUEST FOR UPDATE ON SALE

(Response to question raised by Hon. John Buchanan on March 13, 2001)

– On March 27, 2001, the Cape Breton Development Corporation (Devco) announced that it had decided to discontinue negotiations with Oxbow Carbon & Minerals Inc. regarding the sale and purchase of Devco's operating assets.

– Devco intends to immediately approach the second qualified purchaser to determine its interest in acquiring Devco's operations. The objective for the Corporation remains unchanged; that is, to conclude a sale of its operating assets on a going-concern basis to an entity having the operational experience and financial strength necessary to sustain the operations. In the meantime, Devco will continue normal operations.

– Donkin Resources Limited and Devco continue to be in discussions on the sale of the Donkin mine. The court action initiated in the fall of 1999 has been placed in abeyance while the parties continue discussions.

PRIME MINISTER'S OFFICE

DUTIES OF MR. DAVID MILLER AS SENIOR ADVISER— POSSIBLE CONFLICT ON INTEREST

(Response to question raised by Hon. J. Michael Forrester on March 28, 2001)

– Mr. Miller joined the Prime Minister's staff as a Senior Adviser on April 2 of this year.

– As a PMO employee, Mr. Miller is required to comply with the full requirements of the Conflict of Interest and Post-Employment Code.

– Mr. Miller will fully respect this code.

– The Public Registry for Lobbyists currently reflects that Mr. Miller has terminated his registrations for all lobbying activities, including those for Eurocopter Canada Ltd.

– I am informed by the Office of the Ethics Counsellor that compliance arrangements will be put in place in the normal fashion.

– The Prime Minister himself has given assurances that Mr. Miller has not been and will not be involved in the Maritime Helicopter file because it is not part of his responsibilities. Mr. Miller has not been involved since taking up his position on April 2, 2001, and will not be involved in the future.

[*Translation*]

• (1440)

ORDERS OF THE DAY

FINANCIAL CONSUMER AGENCY OF CANADA BILL

SECOND READING—DEBATE ADJOURNED

Hon. Céline Hervieux-Payette moved the second reading of Bill C-8, to establish the Financial Consumer Agency of Canada and to amend certain Acts in relation to financial institutions.

She said: Honourable senators, I am pleased to participate in the debate on Bill C-8, to establish the Financial Consumer Agency of Canada and to amend certain Acts in relation to financial institutions.

This is a very important bill, because of its ramifications, as well as an extremely voluminous one. It amends 23 pieces of legislation, creates one entirely new one, and takes up some 900 pages. It is one of the most voluminous legislative texts ever brought before Parliament. The bill we are examining today is essentially the same as Bill C-38. There are no policy changes, merely technical ones.

Honourable senators, I believe we all agree that the financial services sector plays a crucial role in Canada's economic well-being. Financial services are an essential element in the everyday lives of Canadians. A modern commercial economy cannot function properly without efficiently processed payments, savings, investment funding and risk management.

As well, Canada's financial institutions play an equally important role in the lives of Canadians. They protect customers' assets, allow consumers and businesses to finance major purchases and investments, and contribute to economic growth as well as job creation.

In our opinion, honourable senators, financial institutions fulfill these responsibilities well. The sector provides work for over half a million Canadians and pays out over \$22 billion in salaries annually. It contributes nearly \$50 billion each year to our exports and generates over \$9 billion a year in tax revenues for the various levels of government.

Honourable senators, as legislators, it is our duty to ensure this sector operates well. Canada's federal financial institutions operate in a legislative and regulatory framework established by Parliament. Under these laws, the government is required to examine this framework periodically and to submit necessary changes to Parliament to ensure it remains effective and relevant in terms of the needs of the economy.

The last examination was in 1997. Although only three years have passed, we have witnessed many important changes within the industry: new competition, new alliances, new products and new expectations, and, especially more recently, a fairly turbulent economic climate.

The 1997 legislative examination was essentially technical, but the government was aware that many broader strategic questions were emerging. It was clear that the subsequent examination would have to be more thorough and deal with the focus of the financial sector and with its role within Canadian society and Canada's economy at the dawn of the 21st century.

Because of the speed of the changes and the complexity of the forces in play in the sector, the Minister of Finance established, in December 1996, the Task Force on the Future of the Canadian Financial Services Sector, better known as the MacKay Task Force.

Comprising experts with a vast variety of experience, skills and interests, the task force was mandated to examine a financial services sector in the throes of vigorous change and to provide recommendations to ensure that our financial system remained solid and dynamic in the 21st century. These experts looked at almost all aspects of financial services in Canada, including: job creation, competition, efficiency and innovation, international competition, new technologies and the interests of Canadian consumers.

After conducting intensive studies and consultations for close to two years, the task force submitted to us, on September 15,

1998, a voluminous report with 124 recommendations. Following the release of that report, two parliamentary committees, including one in the Senate, held national public consultations on the conclusions and recommendations of the task force. These two committees heard close to 200 people, businesses, associations and other interest groups.

The government was receptive to the views expressed by Canadians in their submissions to the task force, in their testimony before the committees, and in their meetings with ministers and public officials.

Honourable senators, according to the first recommendation of the task force, changes are occurring too quickly to wait to take action until the next review, scheduled for 2002. We endorse that recommendation. Since market forces can change much faster than laws, it is very important to act as quickly as possible.

This is why the government announced a new strategic framework that includes a comprehensive set of 57 measures. That initiative is described in a policy paper entitled "Reforming Canada's Financial Services Sector: A Framework for the Future." The bill before us today is based on that policy paper.

I should like to remind the Senate of the four fundamental principles that guided the government in developing the specific measures included in that document. These principles should also guide our debate on this bill.

The first principle provides that banks, trust companies, credit unions, insurance companies and other financial institutions should have the necessary leeway to adjust to market changes, be competitive and expand, both domestically and abroad. This principle must be respected to preserve the contribution of the financial sector to economic growth and job creation.

This is why the bill provides greater flexibility to banks and insurance companies, so that they can become holding companies and consider new ways of improving their efficiency, including a reduction of their regulatory burden.

Similarly, the bill increases the ownership ceiling in widely held financial institutions from 10 per cent to 20 per cent of voting shares and to 30 per cent of non-voting shares, as recommended in the Senate report. This new definition of "widely held" makes it possible to pave the way for significant exchanges of shares, which are necessary for the conclusion of strategic alliances and joint venture agreements. This is an important business strategy which is becoming increasingly widespread among other industries, and one which Canada's financial institutions should also be able to take advantage of.

The bill considerably broadens the range of investments which can be made by financial institutions, both for holding companies and for parent companies. Financial institutions will be able to choose the structure they prefer, without being subject to various restrictions. It will be possible to make authorized investments internally, in a branch of the parent company, or in an affiliated company which is part of a holding company.

The new framework also provides for a transparent merger review process among major banks. Under this process, plans to merge major banks will be reviewed by the Competition Bureau from the perspective of market competition, and by the Office of the Superintendent of Financial Institutions from the perspective of safety and soundness. The banks will also have to provide and make public a Public Interest Impact Assessment (PIIA) describing the costs and benefits of the proposed merger, its probable impact on sources of financing for consumers and small enterprises, costs, quality and availability of services, and access to the network of branches nationally, among other things.

Under the bill, this aspect will be examined by the House of Commons Standing Committee on Finance and by the Standing Senate Committee on Banking, Trade and Commerce, which will hold public hearings, contrary to the view expressed in the Senate report, which wished to avoid introducing partisanship into such a strategic sector.

• (1450)

The bill also ensures that these financial institutions comply with the mechanisms and conditions for approval of mergers or acquisitions, and sets out sanctions for non-compliance.

The second principle behind this bill is the importance of competition. We feel, honourable senators, that the presence of healthy competition in the financial services sector is necessary if consumers and businesses are to be able to benefit from the widest selection at the best possible price.

Even if there is already a wide choice of suppliers in the financial market, I believe that honourable senators present would probably all agree that there could be more competition in this sector.

In recent years, not many new banks have been created. In fact, only two new Canadian banks have been created since 1987. That is why the government is taking steps to eliminate obstacles to the creation of new banks, and to stimulate the introduction of new players. This is an aspect of great interest to the Senate committee. We are therefore reducing the minimum capital requirements for starting up a bank to \$5 million, from \$10 million.

We also propose a new ownership regiment with three different categories depending on size, which makes sole ownership of small banks possible. In other words, we will allow one individual or one corporation to own all the shares in one bank, provided that the bank's equity is under \$1 billion.

Under the present regulations, an entrepreneur can start up a bank, but he is required to dispose of all but 10 per cent of his shares after 10 years, regardless of the business's growth. This

[Senator Hervieux-Payette]

dissuades many entrepreneurs from starting up a bank; no one wants to start something up, raise it to a respectable size, and then be forced to sell nearly all of it 10 years later.

Banks with equity totalling between \$1 billion and \$5 billion will also have the choice of not being widely held, so long as at least 35 per cent of their shares are widely distributed.

We believe these measures will encourage new firms to enter the banking sector. We hope they will lead to the creation of small community institutions serving the needs of a particular community.

Moreover, commercial businesses will also be entitled to set up new banks. This could be of interest to retail businesses that have a network of stores or commercial establishments.

Our biggest banks, those with equity worth over \$5 billion will, however, remain widely held, and the prohibition against a single shareholder or a group of shareholders exercising control over a major financial institution will be maintained.

This bill provides as well measures to strengthen credit unions and caisses populaires. These community financial institutions play an important role in all provinces. They are often the only financial institution in a town or village.

Credit unions have, however, a number of challenges to face. They cannot serve their customers in other provinces. They consider there is a lot of duplication in their support activities, increasing their administrative costs. In addition, it is very difficult for them to coordinate and to offer common national products and services, such as a credit union credit card.

Credit unions have come up with a plan to meet these challenges and have discussed it at length with their members. The plan is based on the creation of a national service entity. I am happy to say that this bill attempts to respond to the needs of the credit unions. It contains measures that will enable them to restructure so as to reduce their current fragmentation and to increase efficiency. These changes will help to strengthen Canadian credit unions, making them more competitive and better able to withstand the competition of other suppliers of financial services nationally.

We also propose to extend access to the Canadian system of payments to life insurance companies, to securities dealers and to money market funds. Currently, only deposit-taking institutions can be members of the Canadian Payments Association. We feel that a greater choice of participants in the payments system will encourage competition, since these companies will be able to offer payments services similar to a chequing account. In addition, we will introduce measures to integrate the entry of foreign banks into Canada into the new strategic framework in order to demonstrate greater flexibility towards those foreign banks which wish to set up in Canada. Foreign banks offering financial services in Canada will have the same choice of investments as Canadian banks, including the possibility of owning more than one bank. They will also be able to set up more than one branch in Canada.

We have also simplified the regulatory authorization system for foreign banks in line with the legislative amendments for Canadian banks. The purpose of these measures is simple: to stimulate the healthy presence of foreign banks in Canada and to encourage competition in our own financial services sector. They will not necessarily be on an equal footing, but they will make an important contribution to building this new system, because some of their activities will still be governed by provincial legislation.

Overall, these measures will bring about greater competition in the financial services sector, thus helping to ensure that Canadians can obtain the best offer possible from the suppliers of financial services.

However, greater competition will not be enough to ensure a fairer balance between clients and financial institutions. As consumers, we must comparison shop in order to reap the benefits of competition. We must seek out and choose the best services for ourselves. To do that, we must have access to suppliers of services, we must have all the required information to make an informed choice, and we must be treated equitably.

This is why our bill deals with the third fundamental principle whereby consumers, regardless of their income and of whether they live in urban or rural areas, and companies, regardless of whether they are big or small, should benefit from services that meet the highest quality standards.

In this regard, the bill improves access to bank accounts. It allows us to define, through regulations, reasonable identification requirements to open a bank account. The bill also allows us to adopt legislative provisions on low cost accounts and requires banks to follow a fair and reasonable process for branch closures.

I should point out that memoranda of understanding have already been successfully negotiated with each bank regarding low fee retail deposit accounts. While such accounts may vary from bank to bank, they must all comply with certain standards, so that all Canadians have access to a bank account at an affordable price.

The bill creates two new agencies to protect the interests of consumers in the financial sector, and our committee intends to take a close look at them.

The federal government is already allocating resources to protect consumers in the financial services sector, but these resources are spread in a number of departments and organizations. This is why we are creating a new federal body, the Financial Consumer Agency of Canada, to regroup and strengthen these resources.

The new agency will ensure that financial institutions are in compliance with consumer provisions and that they respect the commitments made in their memoranda of understanding. It will also provide information to consumers and help improve their understanding of financial goods and services.

The government will also cooperate with financial institutions to create a new ombudsman for Canadian financial services. This body will act as an independent, objective and impartial third party, and it will review complaints from consumers and small business owners who feel they have been treated unfairly by their financial institution and were not able to settle the dispute directly with the management of the financial institution.

Banks will be required to adhere to the new body. Federally regulated trust companies and insurance companies will be subjected to a dispute settlement system by a third party and, in this regard, we are inviting them to choose the new ombudsman.

- (1500)

Financial institutions under provincial regulation will also be able to link up with the new ombudsman if they wish. Of course, it is better to treat clients fairly from the start than to resort to a long and tedious process of dispute resolution. This is why the government is proposing a number of measures to promote healthy business practices.

This includes greater transparency and the release of information in documents on financial services, so that clients know exactly what is going on.

We will also require financial institutions with equity of over \$1 billion to publish annual statements describing their contribution to Canada's economy and society, a practice already in effect among our neighbours to the south.

These statements will describe the institution's progress in response to the needs of specific groups, such as improved access to banking services for low-income individuals, seniors and persons with disabilities. They will also include statistics on branch openings and closings. We know, however, that government measures always carry a cost, which brings me to the fourth and final fundamental principle underlying our bill.

We believe we must contribute to improving the security and solidity of the sector, but we must also take every opportunity to lighten the regulatory burden when we can.

Canada's regulatory context is largely up to date. In reality, many improvements were made no later than 1997. Some aspects of the regulatory system must, however, be improved, and we have used this opportunity to do so.

First, we will simplify the authorization mechanism for many operations requiring the approval of the superintendent. The superintendent will have 30 days following receipt of a request for authorization to express concerns, obtain more information or require a report. Otherwise, the operation is automatically authorized after the 30-day period.

Second, we propose to amend the manner in which we manage our payments system. The bill amends the mandate and public management structure of the Canadian Payments Association, giving the public a greater role in the decision-making process. It also authorizes the Minister of Finance to ensure that all the bylaws, regulations and standards of the Canadian Payments Association are in the public interest. The bill also provides for the oversight by the minister of other designated payments systems.

Third, we must ensure that the prudent safeguards for the financial system are consistent with the new reality of stronger competition which we are trying to promote. This is important, because our financial system has a hard-won reputation for safety and soundness. The bill therefore increases the authority of the superintendent of financial institutions to settle the cases of companies which do not observe the relevant regulatory requirements and it increases the superintendent's authority to intervene in the affairs of a financial institution in difficulty.

These three amendments are timely improvements to our regulatory structure and will facilitate other measures taken under the new framework.

In conclusion, honourable senators, the measures set out in the bill we will be debating today, and in the weeks to come, are consistent with and advance each of the four principles: They promote the efficiency and growth of our financial institutions; they encourage competition on the Canadian market; they protect Canadian consumers and make them accountable in their dealings with financial institutions; and finally, they improve the regulatory context.

Each of these four principles is important. By taking each of them into account and adopting measures on all fronts, we ensure that the new financial services legislative framework will be comprehensive, balanced and equitable.

This bill makes this objective possible. Small and medium-sized enterprises will also benefit from the increased choice of suppliers of financial services.

Honourable senators, Canada's financial sector has an excellent reputation and our financial institutions are prosperous, both here and abroad. In order for our financial institutions to maintain this excellent reputation and remain strong, we need this new strategic framework for the future, since it will take into account the changes that are occurring, allow our financial institutions to take advantage of new opportunities and manage change in a way that benefits Canadians.

Honourable senators, the Senate, which has always played a prominent role in the legislation affecting Canadian financial institutions, must ensure that the measures proposed in this bill will allow the creation of that framework.

On motion of Senator Tkachuk, debate adjourned.

[Senator Hervieux-Payette]

KANESATAKE INTERIM LAND BASE GOVERNANCE BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Fraser, seconded by the Honourable Senator Gauthier, for the second reading of Bill S-24, to implement an agreement between the Mohawks of Kanesatake and Her Majesty in right of Canada respecting governance of certain lands by the Mohawks of Kanesatake and to amend an Act in consequence.

Hon. Jean-Claude Rivest: Honourable senators, it is a pleasure to speak today, at second reading stage of Bill S-24, to implement an agreement between the Mohawks of Kanesatake and Her Majesty in right of Canada respecting governance of certain lands by the Mohawks of Kanesatake and to amend an Act in consequence.

Of course, when we discuss this issue in Canada — and this is particularly true in Quebec, since we are talking about the Mohawks and the Oka crisis — it brings back bad memories to the Aboriginal people concerned, to Quebecers and to all Canadians. We cannot forget that Corporal Lemay of the Sûreté du Québec lost his life during this terribly painful crisis.

Subsequent efforts at negotiation, which led to this interim agreement, are a striking example of how necessary it is to try to reconcile differences rather than escalating confrontation.

The confrontations that took place at that time had tragic consequences. Honourable senators will recall that the Premier of the day, Robert Bourassa, had to put off medical treatment, with tragic results. People were held hostage by this crisis. It spread as far as Châteauguay because the bridges were blocked.

Honourable senators, after this crisis, the Government of Quebec signed an agreement with the people of Kanesatake on police activities. Discussions have been ongoing with representatives of the Mohawks and with the Canadian government. A governance agreement has been reached, the one addressed by this bill.

Over and above the unfortunate incidents that occurred, we must remember that the events of the Oka crisis are part of the far broader context of the Aboriginal situation in this county and of the way Aboriginals have been treated. All of us are aware of their economic and social difficulties.

The increasing number of agreements throughout Canada are an illustration of the radical sea change that has occurred in Canadian public opinion, as the public now acknowledges the importance of addressing the situation of our Aboriginal peoples.

The Aboriginal leadership and the chiefs of the various nations are working increasingly in conjunction with local governments and with local communities to find for both a space for development which enables Aboriginal communities to catch up to the standards of other communities and to contribute through their rich culture and talents to improving the general conditions of life in this country.

• (1510)

I will say a brief word about this limited agreement, which we will have the opportunity to examine in detail in committee.

We have for the past while seen a multitude of agreements involving Aboriginal peoples. When we speak of Aboriginal peoples, we are not speaking of one single entity. There are great differences among the various nations. We can see this in specific crises concerning fishing rights, logging rights or hunting rights, where agreements are signed by various nations in Canada. These agreements often respond to local needs and concerns or to the interests of a given nation, without our really knowing if the federal government and the provincial governments have a vision and a general policy for responding to the needs of the Aboriginal peoples.

I fear that this multiplicity or this series of individual and very limited agreements may harm not only the Aboriginal populations concerned, but the people of Canada, who do not know exactly what is going on.

The federal and provincial governments have sometimes signed agreements that vary considerably. They do not have exactly the same meaning, although they concern basic demands for self-government by Aboriginal peoples.

This concerns me, especially as we find them in Bill S-24. There is no real cooperation between the federal government and the provinces in their attitude toward the demands and the agreements they sign with the First Nations. There is no consultation.

The same is true when it comes to areas of provincial jurisdiction. There is no consultation between provincial governments in the various regions of Canada on the way in which they must formulate agreements with Aboriginal peoples. The result is a very great disparity between the agreements signed over time. This bodes ill for the future. Such an approach sorts out some of the crises and problems, but the basic claims of the Aboriginal peoples and the way in which Canadian society and First Nations must structure their dealings in the future remains extremely confused and constrained.

In the medium term, there will be inconvenience. All those concerned with these issues will have to ponder this, all the more so as the Canadian government has the Erasmus-Dussault report,

a monumental study that involved considerable effort and research. We hear almost nothing about this report any more.

Getting back to this agreement, we have an agreement between the Canadian government and the leaders of the Kanésatake Mohawks. The Government of Quebec was not consulted; it is not a party to this agreement. Yet the important points in this agreement come under the jurisdiction of the Government of Quebec.

For example, the Government of Quebec does not know what the agricultural zoning requirements of this agreement will be. Will the Mohawks be authorized to build a casino in the commercial area? After the agreement was signed, meetings were held between officials, and the Government of Quebec asked the federal spokespersons twenty or so questions. According to the most recent information, the Government of Quebec had not yet received satisfactory answers to the technical questions it had asked, because it was not a party to the process.

The reverse is probably true. In Quebec, Minister Chevrette signs agreements with the Inuit. I am not sure that the Canadian government is involved in the negotiating process. The Aboriginal peoples, with all their great needs, must not be placed constantly in a position of jurisdictional conflict between the provincial governments and the federal government. This is why I am arguing that, when one level of government seeks to enter into an agreement with a given nation, it ought to be done cooperatively with the federal government in order to avoid all manner of questions cropping up after the agreement is signed. Such cooperation would avoid implementation of the agreement being blocked by the third party, which might have been excluded or insufficiently informed about the nature of the agreement.

The agreement states that the Mohawks are going to acquire a degree of power to enact laws and ordinances. When these laws and ordinances are incompatible with a federal statute, the latter prevails. However, should they be incompatible with a provincial statute, it is the Aboriginal law that prevails. By virtue of what? How can a provincial government accept that by signing an agreement with a First Nation, the federal government can disqualify a provincial statute? This raises questions.

The Government of Quebec still has a number of concerns about this particular agreement. They are unaware of the exact nature of the bill. They have tried to obtain information. According to what I have been told, nothing is conclusive. At this time, the agreement has been well received, nevertheless. One of the extremely positive aspects is that the municipality of Oka, through Mayor Patrie, has described this very limited agreement as a step in the right direction. It does set out that the exercise of the powers conferred upon the Mohawks in this agreement shall be exercised — and the Mohawks have accepted this — in harmony with the municipality. Thus, on this territory there is an obvious desire on both sides for harmonious cooperation, so that the local Aboriginal and non-Aboriginal populations may agree on a development approach for this region that will be respectful of both sides.

Honourable senators, I have a lot of questions for clause-by-clause examination of the bill. This agreement, by necessity very limited, does not deal at all with the land claims of the Mohawks in the region or with the dispute over native demands. It leaves the question of lands unresolved. This point is made very clear. It gives the Mohawks and Aboriginal populations powers of governance in an attempt to organize, develop and support development in their local community. In this regard, efforts must be praised in the hope that the concerns over harmonization, information and integration with other levels of government may be put in place so that each benefits in the best interests of all.

• (1520)

Hon. Lise Bacon: Honourable senators, the history of relations between Canadians and the Aboriginal peoples — at least the most recent — will always be marked by the crisis at Oka. This conflict had particularly serious consequences for Quebec, in human and economic terms, among others. It profoundly marked relations between the communities in this region for the past ten years.

In 1990, these events, distressing to us all, caught the attention of the entire world. The community's continued ignorance with respect to the Mohawk claims not only exacerbated them, but created profound resentment. We recall the decision by the municipality of Oka to expand a golf course using lands traditionally used by the Mohawks. It was clear this was unacceptable to them.

There is no need to consult the public to understand that they never want to experience another such period of instability and hostility again. Senator Rivest mentioned some of the events, and I share what he has just said to you.

Following these events, Canada bought the disputed land to be used and occupied by the Mohawks of Kanesatake, in August 1990. Of course, the fact that the federal government bought the land did not solve all the problems. After negotiating for a few months, the parties were still trying to come to an agreement. However, the ambiguity of the legal status of the land and of the issue of legislation applicable to Kanesatake made the negotiating process very difficult.

The parties then decided to negotiate so as to allow a more comprehensive treatment of the irritants and grievances that led to the demands made by each party.

The agreement reached by the Mohawks of Kanesatake and Ottawa on their rights to exercise self-government powers and its resulting measure, Bill S-24, are the outcome of these long months of negotiations. This was a monumental exercise. It is indicative of the desire of both sides to restore a peaceful and positive atmosphere.

But the most important thing was the process for ratification of the agreement by the Mohawks, which led to Bill S-24. Before

[Senator Rivest]

the land agreement was even initialed, the Mohawks informed members of their community of the negotiations that were taking place on a land agreement with the government. They asked their members for their opinion on a number of issues, including the thrust of these negotiations and the content of a possible agreement.

More often than not, these negotiations took the form of information sessions for all Mohawk members, whether residents or not.

From June 21, 2000, when the agreement was signed, until the eve of the ratification vote, the Mohawk council of Kanesatake led an intensive information and consultation campaign.

It was the day after the ratification vote that some members of the Mohawk community began to have doubts. They claimed that a simple majority was not enough to ratify the land agreement, particularly since the result was not conclusive, with a difference of only two votes.

It is necessary to recall at this point that a majority, however small, of members ratified the agreement using a democratic process. It is our duty to recognize this agreement.

I wish to add, however, honourable senators, that it is our duty not only to recognize this majority, but also to recognize this imposing minority, or at least to listen to it. Democracy requires it and our parliamentary institutions demand it.

Can we allow ourselves to forget the 237 Mohawks who did not wish to ratify the agreement? I do not think so. The Mohawk council does not seem to either. In response to criticism concerning the ratification of the agreement, it invited the Honourable Lawrence A. Poitras, retired Chief Justice of the Quebec Superior Court, to conduct an independent judicial audit of the ratification and voting procedures. The judge concluded that these procedures were in order in every respect.

Because of the absence of a sizeable majority, Mr. Poitras ordered a recount. On December 12, 2000, the result of the original vote in October was confirmed.

Approximately 25 per cent of Kanesatake Mohawks went to the polls on October 14. Does this mean they were not interested in their future? No, certainly not. Kanesatake is a young democracy. It must face the challenge of reconciling the practice of electing its government with traditional methods of selecting leaders. The same reality applies in the case of the mechanism to ratify the agreement.

Bill S-24 respecting Kanesatake governance establishes an interim land base for the Mohawk community. It also clarifies the constitutional and legal status of this land base, in addition to establishing Kanesatake's authority to pass legislation so that it can administer it. The bill provides for the harmonization of Kanesatake laws and municipal bylaws applying to neighbouring Mohawk and non-Mohawk property in the village of Oka.

However, the interim land base agreement is not intended to set the boundaries of the final land base ultimately established. It was in this context that the bill with respect to Kanesatake governance of the interim land base was drawn up. It will put this land under the exclusive legislative authority of the Parliament of Canada and will set the conditions for governance of these lands by the Mohawks.

The Government of Canada and Kanesatake are at present involved in historical research in order to create a shared data base that will be extremely useful in a definitive settlement of what is to become of the “reserved lands” as the Indian Act calls them, in particular the Lake of Two Mountains seigneurie. That is why this bill does not affect either the ancestral rights or the treaty rights of the Kanesatake Mohawks.

Finally, this agreement is neither a land settlement nor a definitive settlement of outstanding grievances. It is an agreement on the exercise of governing powers by Kanesatake over the interim land base. What must be kept in mind above all is that it confers the same powers for the administration of Mohawk lands as other First Nations have enjoyed for decades.

Despite what Senator Rivest has said, I am told that the Government of Quebec has given its support to the process and to the objectives of the land agreement, although these responsibilities are federal in nature.

I should like to emphasize that Bill S-24 is a step in the right direction for our government and for the Mohawks of Kanesatake. We hope other steps will follow, for they, too, are needed.

I should also like to pay tribute to the memory of the former Premier, Mr. Bourassa, who stayed on the job during the events of 1990, in the knowledge that he was extremely ill, because there was nothing more important to him than social peace.

Senator Rivest: Honourable senators, I should like to ask a question on the ratification process within the Mohawk community. In the agreement, no rules on how to do this are set out. For example, the fifty-plus-one rule is accepted. Is the question of no interest? Was the nature of the question clear? Is the government satisfied with the process in the case of the Mohawk nation? Did the Canadian government take any particular precautions in connection with this referendum process?

Senator Bacon: Honourable senators, the Mohawks of Kanesatake must be trusted to hold their vote, which they did. They must be trusted to assume the responsibilities of consulting and informing their members, which they did. The vote has been held, and, obviously, I deplore the fact that the people won by such a narrow margin, 239 to 237. This is why I said that this is a step forward and that I hope more steps will follow.

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

Hon. Senators: Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

[English]

FEDERAL LAW-CIVIL LAW HARMONIZATION BILL, NO. 1

THIRD READING—MOTION IN AMENDMENT—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator De Bané, P.C., seconded by the Honourable Senator Poulin, for the third reading of Bill S-4, 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,

And on the motion in amendment of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., that the Bill be not now read a third time but that it be amended,

(a) on page 1, by deleting the preamble; and

(b) in the English version of the enacting clause, on page 2, by replacing line 1 with the following:

“Her Majesty, by and”.

Hon. Gérald-A. Beaudoin: Honourable senators, Senator Grafstein proposed deleting the preamble in Bill S-4. I have great respect for that opinion, but I disagree. Here are my reasons.

The purpose of Bill S-4 is to harmonize federal legislation with the Quebec civil code. Very few senators, if any, are against the principle of the bill. Senator Grafstein questions the constitutionality of certain provisions of the preamble and the adequacy of certain words, and he invokes the Canadian Charter of Rights and Freedoms.

As we know, Bill S-4 is not a constitutional amendment. It is a bill, but a bill of great importance. It is quite valid and inside the parameters of the Canadian Constitution. The wording is technical to a certain extent. It could hardly be otherwise, considering the objective of the bill. To draft such a bill is an art.

Bill S-4 does not change our two private law systems, common law and civil law. They have cohabited for a long time. In Canada, we have a system of bijuralism which works very well. Bill S-4 harmonizes the civil law and federal legislation, and it is long overdue. I hope that the bill will be adopted this time.

Should we have a preamble? It is true that we are not concerned with the Constitution here, but many bills, as has been clearly explained by Senator Murray, have a preamble. At the present time, for example, Bill C-5, Bill C-7, and Bill C-10 now before Parliament have preambles.

Since we can trace the genesis of the present bill to the Quebec Act of 1774, as I explained last Tuesday, it is obviously justified in having a preamble. History is very important, and it is the time to show it clearly.

The Quebec civil code came into force in August 1866. It was adopted by the Province of Canada, that is, the system including at that time Upper Canada and Lower Canada, 1840-1867. It applied to Lower Canada, now the Province of Quebec, since 1867. In 1994, we had the new civil code in Quebec. It was adopted by the Quebec National Assembly.

The Quebec civil code is bilingual, and that is a very important fact.

In my view, it would be a mistake to delete the preamble. Certain senators think that we should amend the preamble, but that is another question.

The first “whereas” is criticized by some, but the words “avoir accès” in the first “whereas” do not mean physical access. They mean “to render more accessible to the lay person,” as Senator De Bané explained very clearly. I agree entirely with him.

The words in the preamble are used by many federalists and are inspired by our history. The reintroduction in 1774 of French laws in a British colony is certainly unique, as well as the civil code of Lower Canada in the Province of Canada, before Confederation, and so are sections 94 and 98 of the Constitution Act, 1867. A preamble that is based on such historical facts is certainly justified, in my view.

• (1540)

Senator Grafstein is of the opinion that the preamble violates the Charter of Rights. The Charter of Rights refers to Canadian citizens in section 3 — that is the right to vote — section 6 and section 23, for obvious reasons. It refers to “every individual” in section 15, again for obvious reasons. The wording used in the first “whereas” is very general: “all Canadians,” not “Canadian citizens.” In my opinion, it looks adequate in the circumstances. I can hardly imagine that a court of law will declare the expression “all Canadians” unconstitutional in the context of the preamble and the act. After all, the Civil Code of Quebec and the common law of all the other provinces are already governed by

[Senator Beaudoin]

the Canadian Charter of Rights and Freedoms, and that will continue.

I do not see how the present preamble may violate the Charter of Rights and Freedoms. Some senators would perhaps prefer other words. I have total respect for such an opinion, but it is another view.

As Bill S-4 will be followed by many bills of the same nature, I invite honourable senators to accept the preamble, and I renew my invitation to proceed with the bill as it is.

Hon. Jeremiah S. Grafstein: Honourable senators, I thank the learned Senator Beaudoin for his explication. I have learned much about the origins of French law in the course of this debate. Our colleague Senator Stollery brought to our attention when he was co-chairman of the constitutional committee of this house that the origins of French law are even more complex than the the discussion before the committee indicates. Senator Stollery brought to my attention that prior to 1866 there were three strains of law in and for the area known as Lower Canada, and those were the civil code, the civil law — which was different from the civil code — and the common law, the common law that was expressed both in French and English. The civil law was expressed in both French and English and the code itself was expressed in both French and English. I believe Senator Beaudoin agreed that, in fact, the Quebec legislature, even when it promulgates a law, is not the sole authority as to what the civil law is.

From a cursory look at this whole area, it is clear that there is a great tradition of law we do not fully understand that deeply impacted the civil law and the civil code, and that is the seigneurial law that took place before their time.

I say this to demonstrate my view that it is very difficult in the course of a preamble to give a historical analysis in a phrase or two. I am not in any way derogating from what Senator Beaudoin has said. However, is it not preferable that if, in fact, there are rich sources in the province of Quebec that are different from the rest of Canada, they be reflected more clearly than this cursory, concise and misleading second “whereas”?

Senator Beaudoin: Honourable senators, there is one thing I should correct. What I have learned at the faculty of law is that in Lower Canada the seigneurial system was abolished in 1854, at the time of Lafontaine and Baldwin. It was a system in force in New France before Canada was ceded to Great Britain after the Battle of the Plains of Abraham.

I have some difficulty understanding why we consider the second “whereas” not to be clear-cut. It is:

WHEREAS the civil law tradition of the Province of Quebec, which finds its principal expression in the *Civil Code of Québec*...

and the verb is coming:

...reflects the unique character of Quebec society;

That is very clear-cut. We have a civil law tradition that finds its principal expression in the civil code. As I explained Tuesday, “droit civil” is larger than civil code, but it is the same genius.

The conclusion reflects the unique character of Quebec society. My argument is very simple. The introduction of French laws in a British colony by Lord North in 1774 is certainly unique in the history of Great Britain.

That is history. It is not me; it is history.

Senator Grafstein: I think this debate is helping all of us to have a clearer understanding of the origins of law in the province of Quebec. In that sense, if we are educating even me, this is a great move forward for me and for some of my colleagues in the Senate.

Having said that, I should like to refer to recital number 1, of which you have just given your view. The general interpretation indicates that if the word is not precise, one is to take the plain meaning as it applies. That is well known. I think it is an architectonic of interpretive law as it applies to legislation.

When I turn to “all Canadians,” the clear meaning is all Canadians, which would refer to all Canadian citizens. It certainly would not include refugees, residents, and people who do not have citizenship status. Again, it talks about all Canadians in a loose way, whereas on its plain meaning it could only refer to Canadian citizens. Certainly a resident in Canada who would normally have the advantage of the federal law in that province, either under the civil or the common law, could not be considered a Canadian. He or she is a resident. The same applies to refugees. We had a long and discursive discussion on exactly this point in the constitutional debates. In some instances it applies to citizens, and in others to everyone, but to say “all Canadians” leaves open a great uncertainty. Certainly, why leave it to the courts to define?

I obviously will not go on to the other recitals. Perhaps if there is further debate on this question, I will go on to serious questions of interpretation on some of the other issues. I leave it to honourable senators to respond to the “all Canadians” phrase.

[Translation]

The Hon. the Speaker *pro tempore*: I am sorry, Senator Beaudoin, but your speaking time has expired. Do you wish to seek leave to continue?

Senator Beaudoin: Honourable senators, I should like to be able to answer the question put to me by Senator Grafstein.

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

Hon. Senators: Agreed.

Senator Beaudoin: I thank the honourable senators. I have already limited my speech to the amendment. I would respond by saying that the words “entitled to access” —

[English]

This does not mean physical access, as I said. It means to render more accessible to the lay person. The drafter used the words “all Canadians” because, in his opinion, it was not very precise, but it means all those who are in our country. It means all those who are in Canada. It does not address itself to the world. It addresses itself to all those who are living in our federation.

It has been difficult to understand the meaning of harmonization. It is to adapt the federal statute to the genius of the civil law system as is already the case with the common-law system in nine other provinces. This is what it means.

Take the example of a car accident in Quebec. The vehicle is owned by the Crown and driven by a civil servant while in the execution of his duties. If the accident takes place in Montreal, the civil law applies because the Crown is liable, just like an ordinary citizen. If the car accident happens in Ottawa, the common law applies. Honourable senators, this bill does not change our bijuralism. It is there; we know it very well. All the courts know that, including the Supreme Court.

• (1550)

The Department of Justice has said that it is time to harmonize our federal laws to the genius of the civil code. Do not forget that in 1994 we adopted the new civil code, which is a fantastic code in my opinion. The department says that it will adapt federal statutes to the genius of the civil code in Quebec, as we have adapted them to the common-law genius in all the other provinces. This, of course, is unique because we have only one province with a civil code. The civil code is not restricted to French Canadians in Quebec; rather, it applies to the whole population of Quebec. When one goes to court, one may plead the English version of the civil code.

The phrase “all Canadians” is not precise. When the law is not precise, it must be interpreted in the way it is written, unless, at the very top of the judiciary, the Supreme Court decides otherwise. Honourable senators, ours is a very good system. If we do not use the words “all Canadians,” what would we use — “all inhabitants of Canada” or “all those who happen to be in Canada”? Federal statutes outline the rights of landed immigrants. These rights are not delineated in preambles. I would be stunned if a court of law were to say that because the drafters used the words “all Canadians,” the bill contravenes the Charter of Rights and the drafters should have been more precise. Sometimes it is dangerous to be too precise because we must adapt the genius of the system to the ordinary person.

Experts in this field would understand more clearly, perhaps, but since the law is addressed to every citizen of our federation, we must take the opportunity to render the federal law more accessible to the lay person. It is not more; it is not less.

On motion of Senator Cools, debate adjourned.

BILL TO MAINTAIN THE PRINCIPLES RELATING TO THE ROLE OF THE SENATE AS ESTABLISHED BY THE CONSTITUTION OF CANADA

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Corbin, for the second reading of Bill S-8, to maintain the principles relating to the role of the Senate as established by the Constitution of Canada.— (*Honourable Senator Christensen*).

Hon. Ione Christensen: Honourable senators, I rise to speak to Bill S-8. I have listened with interest to the debates on this issue and reread the transcripts. After hearing Senators Joyal, Beaudoin, Grafstein, Kinsella, Moore and Cools speak so eloquently on this issue, I am not sure that I can bring anything new to the debate on the role of the Senate. This is, however, an issue in which I have great interest, as senators know from my intervention on Bill C-20.

I have no expertise in constitutional matters, but as a senator and as an individual who believes in this institution and its place in our governing system, I should like to add my thoughts to the debate.

The Senate, as set out in our Constitution, is one of two inseparable legislative chambers that make up our bicameral system. Unfortunately, this fact has been, at times, conveniently ignored. Senators who have previously spoken on this issue have reminded us that the Senate and the House of Commons have the same powers in all but three areas: money bills, confidence votes and the limitation on constitutional matters. If it becomes the will of the people to change this, the proper constitutional changes must be brought forward. Until then, the Senate is to play its proper role.

Bill S-8 would rectify omissions made in the past that exclude the Senate. However, not including Bill C-20 in this bill causes me some concern, and I agree with other speakers who have addressed this issue.

When I first read the bill, honourable senators, the inclusion of the Yukon First Nations Land Claims Settlement Act gave me concern. This treaty was signed by three parties, and I have made inquiries and found that such changes can, in fact, be made.

Honourable senators, I go back to the words of Mr. McEvoy from the Faculty of Law at the University of New Brunswick. In appearing before the committee on Bill C-20, he said:

The legitimate role of the Senate is not as a second voice of the people but as the voice of the regions of Canada within the most basic federal institution.

That is what I think the Fathers of Confederation had in mind when they created our two Houses of Parliament. Unfortunately, today that vision of our country seems to have become blurred in some eyes.

The omission of the Senate in legislation is much like the exclusion of one marriage partner in the decision-making process. When making important decisions that affect the future of the family, one cannot assume that the other partner will agree without consultation. Both parliamentary partners are needed to provide good legislation for Canadians.

Honourable senators, I support the principle of Bill S-8, and I look forward to hearing further debate. However, regardless of the success of this bill, I feel that we, as senators, should ensure that, from this date forward, no legislation is accepted in this place that does not include or acknowledge the role of the Senate as set out in our Constitution.

On motion of Senator Robichaud, for Senator Carstairs, debate adjourned.

STUDY ON ECONOMIC DEVELOPMENT OF NATIONAL PARKS IN NORTH

BUDGET AND REQUEST FOR AUTHORITY TO ENGAGE SERVICES AND TRAVEL — REPORT OF ABORIGINAL PEOPLES COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Aboriginal Peoples, presented earlier this day.

Hon. Thelma J. Chalifoux moved the adoption of the report.

• (1600)

She said: Honourable senators, I am requesting that honourable senators approve this report today because we wish to travel to the northern part of our country where the summers are very short. In order for the committee to have safe working and travelling conditions, we need to get started on it right away.

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

Hon. Senators: Agreed.

Motion agreed to and report adopted.

BLACK HISTORY MONTH

PRESENTATION TO CANADIAN BAR ASSOCIATION—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools calling the attention of the Senate to the celebration of Black History Month in Canada, and the Canadian Bar Association of Ontario dinner in Toronto on February 1, 2001, at which she, as the keynote speaker, spoke to the topic “A Room With a View: A Black Senator’s View of the Canadian Senate.”—(*Honourable Senator Chalifoux*).

Hon. Thelma J. Chalifoux: Honourable senators, today, at long last, I am able to speak about Black History Month and the great contribution that Canadians of African heritage have made in the development of Alberta's history and heritage.

The first black rancher, John Ware, came to Alberta before it was a province. He obtained land and cattle. His struggles were the same as those of other pioneers of that time. I am sure that he faced some discrimination. In those days, survival was the paramount priority. John Ware always kept his door open. Everyone who needed a helping hand was welcomed at his door. He faced discrimination by rising to all challenges with kindness and wisdom. His family has been honoured by Alberta's ranching industry. The legacy that John Ware left for us all lives on in his family and in Alberta's history of inclusion for all people.

Many Americans of Black ancestry immigrated from Oklahoma to Alberta when the Jim Crow laws were enacted there. They settled north of Edmonton in Amber Valley and west of Edmonton in Wildwood. These immigrants were free men. They were not slaves. Their struggles were great and their challenges many. They farmed the land. They too faced discrimination, but they found allies with the Aboriginal peoples of the area. The newcomers who came to these areas joined together as a united force, as the country was harsh.

The same challenges were faced by the pioneers who settled in Wildwood. These brave, strong people settled into Canadian society by changing attitudes through kindness and education.

When I look at the changing faces of my province of Alberta, I see a mosaic of wonderful colours and of different cultures and ethnicity in all aspects of Alberta society. Yes, we have a long way to go in accepting each other's differences, and new immigrants must adjust to our Canadian ways.

I am very proud today to mention a page here in the Senate from Alberta. Jason Pearman, a third generation Canadian, is of Barbadian-Bermudian heritage. He is attending the University of Guelph studying bioengineering. I am so proud that he is an Albertan.

I am a Métis from Alberta and the first Aboriginal woman appointed to the Senate. Like Canadians of Black heritage, we have faced many years of discrimination. That is why I can relate to and understand the struggles that we all face as Canadians in this multicultural mosaic. Mixed marriages between our nations have created wonderful colours, like a rainbow. My family consists of children ranging from very blond to very dark. The Métis have never been fully accepted by the First Nations because we are not dark enough, nor by the non-Aboriginals, as we are too dark. Children of mixed marriages between Black Canadians and others face the same discrimination. Most of us know who we are and the proud history of our ancestors, so we hold our heads high.

When I was offered the honour by the Prime Minister to serve in this wonderful chamber, I was humbled by his faith that I would carry out my duties in the best interests of all Canadians. Since being here, I have never faced any form of discrimination. My family was accepted with total respect when I was sworn in.

I realize that there is latent discrimination in all areas of the workforce, be it the public service or the private sector. Once it is identified, we must ask ourselves how we should deal with it. We can legislate many things, but we cannot legislate attitudes. When we allege discrimination without proof of our charges, we leave ourselves open to more confrontation.

Gandhi chose to practise passive resistance to address the terrible atrocities that faced his people. I have always encouraged my children to face discrimination with the courage to be who they are. My four sons have survived and have strong identities. My daughters have suffered more, as they are blond and brunette, with olive complexions.

Black History Month is vitally important, not only to emphasize discrimination but to celebrate the proud history of Canadians of Black ancestry.

My colleagues have honoured me by not looking at the rainbow colours of my family but by recognizing the qualities I bring to this chamber.

I wish to join Senator Oliver in expressing my pride in all Canadians of colour.

On motion of Senator Carstairs, debate adjourned.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY STATE OF FEDERAL GOVERNMENT POLICY ON PRESERVATION AND PROMOTION OF CANADIAN DISTINCTIVENESS—
DEBATE ADJOURNED

Hon. Michael Kirby, pursuant to notice of March 29, 2001, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report upon the state of federal government policy relating to the preservation and promotion of a sense of community and national belonging in Canada. In particular, the Committee shall be authorized to examine:

a) the effectiveness of the policies, programs, symbols and institutions that have been used in the past to promote and protect Canadian distinctiveness or which have fostered an element of Canadian distinctiveness merely by their existence;

b) the effects of globalization and rapid technological change on Canada's ability to preserve and promote its distinctiveness at home and abroad;

c) the options that exist to modernize federal policies with respect to preserving, creating and promoting the uniqueness of Canada in a changing national and international context;

d) the opportunities that exist to use new technologies to market our unique qualities to the world and to engender pride in Canadians about themselves and their country.

That the Committee submit its final report no later than December 20, 2002; and

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

He said: Honourable senators, this motion contains an order of reference for a study to be done by the Standing Senate Committee on Social Affairs, Science and Technology which, it is hoped, will be conducted by a subcommittee.

The study is an outgrowth of two things. The first is a study that the committee did when Senator Murray was chair. Indeed, Senator Murray has been instrumental in working with me in developing the terms of reference for the study. The committee has a detailed research plan that goes beyond the executive summary or the abridged version that is here in the report.

Essentially, the proposed study will look retrospectively at some of the policies adopted by Canadian governments over the last 30 years, which were designed to foster nationalism. Today, in an increasingly borderless world, many of those policies that were popular in the 1960s and 1970s could not possibly be put in place because we have such things as trade agreements and the Internet.

The first part of the study will look retrospectively at many of the policies that were put in place to try to assess how effective they have been. The second part of the study will look into the future to assess the kinds of policies that should go forward in light of the increasingly borderless nature of society, given both communications and trade agreements.

On motion of Senator Lynch-Staunton, debate adjourned.

[*Translation*]

• (1610)

ADJOURNMENT

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

Hon. Fernand Robichaud (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 Tuesday, April 24, 2001, at 2:00 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, April 24, 2001, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(2nd Session, 36th Parliament)
Thursday, April 5, 2001

April 5, 2001

GOVERNMENT BILLS
(SENATE)

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-2	An Act respecting marine liability, and to validate certain by-laws and regulations	01/01/31	01/01/31	—	—	—	01/01/31		
S-3	An Act to amend the Motor Vehicle Transport Act, 1987 and to make consequential amendments to other Acts	01/01/31	01/02/07	Transport and Communications					
S-4	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	01/01/31	01/02/07	Legal and Constitutional Affairs	01/03/29	0			
S-5	An Act to amend the Blue Water Bridge Authority Act	01/01/31	01/02/07	Transport and Communications	01/03/01	0	01/03/12		
S-11	An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts in consequence	01/02/06	01/02/21	Banking, Trade and Commerce	01/04/05	17			
S-16	An Act to amend the Proceeds of Crime (Money Laundering) Act	01/02/20	01/03/01	Banking, Trade and Commerce	01/03/22	0	01/04/04		
S-17	An Act to amend the Patent Act	01/02/20	01/03/12	Banking, Trade and Commerce	01/04/05	0			
S-23	An Act to amend the Customs Act and to make related amendments to other Acts	01/03/22							
S-24	An Act to implement an agreement between the Mohawks of Kanesatake and Her Majesty in right of Canada respecting governance of certain lands by the Mohawks of Kanesatake and to amend an Act in consequence	01/03/27	01/04/05	Aboriginal Peoples					

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-2	An Act to amend the Employment Insurance Act and the Employment Insurance (Fishing) Regulations	01/04/05							
C-8	An Act to establish the Financial Consumer Agency of Canada and to amend certain Acts in relation to financial institutions	01/04/03							
C-20	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	01/03/21	01/03/27	—	—	—	01/03/28	01/03/30	1/01
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, 2002	01/03/21	01/03/27	—	—	—	01/03/28	01/03/30	2/01

COMMONS PUBLIC BILLS

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

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-6	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)	01/01/31	01/01/31	National Finance	01/03/28	5			
S-7	An Act to amend the Broadcasting Act (Sen. Finestone, P.C.)	01/01/31	01/02/07	Transport and Communications					
S-8	An Act to maintain the principles relating to the role of the Senate as established by the Constitution of Canada (Sen. Joyal, P.C.)	01/01/31							
S-9	An Act to remove certain doubts regarding the meaning of marriage (Sen. Cools)	01/01/31							
S-10	An Act to amend the Parliament of Canada Act (Parliamentary Poet Laureate) (Sen. Grafstein)	01/01/31	01/02/08	—	—	—	01/02/08		
S-12	An Act to amend the Statistics Act and the National Archives of Canada Act (census records) (Sen. Milne)	01/02/07	01/03/27	Social Affairs, Science and Technology					
S-13	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)	01/02/07							
S-14	An Act respecting Sir John A. Macdonald Day and Sir Wilfrid Laurier Day (Sen. Lynch-Staunton)	01/02/07	01/02/20	Social Affairs, Science and Technology					

S-15	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)	01/02/07	01/03/01	Energy, the Environment and Natural Resources
S-18	An Act to Amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	01/02/20		
S-19	An Act to amend the Canada Transportation Act (Sen. Kirby)	01/02/21		
S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	01/03/12		
S-21	An Act to guarantee the human right to privacy (Sen. Finestone, P.C.)	01/03/13		
S-22	An Act to provide for the recognition of the <i>Canadien</i> Horse as the national horse of Canada (Sen. Murray, P.C.)	01/03/21		

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-25	An Act to amend the Act of incorporation of the Conference of Mennonites in Canada (Sen. Kroft)	01/03/29	01/04/04	Legal and Constitutional Affairs					

CONTENTS

Thursday, April 5, 2001

	PAGE		PAGE
SENATORS' STATEMENTS		QUESTION PERIOD	
Quebec		Health	
The Right of Women to Vote—Contribution of Adélar Godbout. Senator PÉPIN	583	Commission on the Future of Health Care—Request for Schedule of Issues to be Reviewed. Senator Keon	591
The Late Robert Gauthier		Senator Carstairs	591
Tribute. Senator Poulin	583	Commission on the Future of Health Care—Terms of Reference. Senator Murray	591
The Honourable Herbert O. Sparrow		Senator Carstairs	591
Congratulations on Being Inducted into the Saskatchewan Agricultural Hall of Fame. Senator Gustafson	584	Commission on the Future of Health Care—Consultation with Medical Experts. Senator De Bané	592
Senator Kinsella	584	Senator Carstairs	592
Senator Sparrow	584	Commission on the Future of Health Care—Involvement of Social Affairs, Science and Technology Committee. Senator Roche	592
Guglielmo Marconi		Senator Carstairs	592
One Hundredth Anniversary of First Transatlantic Wireless Communication. Senator Ferretti Barth	585	The Senate	
World Health Day, 2001		Involvement in Parliamentary Process. Senator Roche	592
Senator Keon	585	Senator Carstairs	592
<hr/>		<hr/>	
ROUTINE PROCEEDINGS		Health	
Patent Act (Bill S-17)		Commission on the Future of Health Care—Mandate of Commissioner. Senator Andreychuk	592
Bill to Amend—Report of Committee. Senator Tkachuk	585	Senator Carstairs	593
Canada Business Corporations Act		Senator Meighen	593
Canada Cooperatives Act (Bill S-11)		Prime Minister	
Bill to Amend—Report of Committee. Senator Tkachuk	586	Absence from Funeral of the Late King Hussein of Jordan. Senator Meighen	593
Study on Agriculture and Agri-Food Industry		Senator Carstairs	593
Budget and Request for Authority to Travel and Engage Services— Report of Agriculture and Forestry Committee Presented. Senator Gustafson	588	National Defence	
Senator Kinsella	589	Replacement of Sea King Helicopters—Changes to Procurement Process. Senator Forrestall	594
Senator Robichaud	589	Senator Carstairs	594
Internal Economy, Budgets and Administration		Multiculturalism	
Fourth Report of Committee Presented. Senator Kroft	589	Comments by Minister. Senator Tkachuk	594
Scrutiny of Regulations		Senator Carstairs	594
Budget—Report “B” of Joint Committee Presented. Senator Hervieux-Payette	590	The Cabinet	
Study on Economic Development of National Parks in North		Responsibility of Ministers for Uttered Remarks. Senator Tkachuk	594
Budget and Request for Authority to Engage Services and Travel— Report of Aboriginal Peoples Committee Presented. Senator Chalifoux	590	Senator Carstairs	595
Employment Insurance Act		Canadian Wheat Board	
Employment Insurance (Fishing) Regulations (Bill C-2)		Regulatory Process for Genetically Modified Wheat. Senator Spivak	595
Bill to Amend—First Reading.	590	Senator Carstairs	595
Inter-Parliamentary Forum of the Americas		Industry	
Report on Inaugural Meeting Tabled. Senator Hervieux-Payette	591	Possible Advice to Softwood Lumber Producers. Senator Kinsella	595
<hr/>		Senator Carstairs	596

	PAGE		PAGE
Delayed Answers to Oral Questions			
Senator Robichaud	596	Federal Law-Civil Law Harmonization Bill (Bill S-4)	
		Third Reading—Motion in Amendment—Debate Continued.	
		Senator Beaudoin	603
		Senator Grafstein	604
Cape Breton Development Corporation			
Request for Update on Sale.			
Question by Senator Buchanan.			
Senator Robichaud (Delayed Answer)	596	Bill to Maintain the Principles Relating to the Role of the Senate as Established by the Constitution of Canada (Bill S-8)	
		Second Reading—Debate Continued. Senator Christensen	606
Prime Minister's Office			
Duties of Mr. David Miller as Senior Advisor—			
Possible Conflict on Interest.			
Question by Senator Forrestall.			
Senator Robichaud (Delayed Answer)	596	Study on Economic Development of National Parks in North	
		Budget and Request for Authority to Engage Services and Travel—	
		Report of Aboriginal Peoples Committee Adopted.	
		Senator Chalifoux	606
<hr/>			
ORDERS OF THE DAY			
Financial Consumer Agency of Canada Bill (Bill C-8)			
Second Reading—Debate Adjourned.			
Senator Hervieux-Payette	596	Black History Month	
		Presentation to Canadian Bar Association—Inquiry—	
		Debate Continued. Senator Chalifoux	607
Kanesatake Interim Land Base Governance Bill (Bill S-24)			
Second Reading. Senator Rivest	600	Social Affairs, Science and Technology	
Senator Bacon	602	Committee Authorized to Study State of Federal Government	
Referred to Committee.	603	Policy on Preservation and Promotion of Canadian Distinctiveness.	
		Senator Kirby	607
Adjournment			
		Senator Robichaud	608
Progress of Legislation			
			i



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