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Thursday, June 7, 2001

—

THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Thursday, June 7, 2001

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

[*Translation*]

Prayers.

ROUTINE PROCEEDINGS

SENATOR'S STATEMENT

MR. NELSON MANDELA

REFUSAL TO BESTOW HONORARY CITIZENSHIP

Hon. Donald H. Oliver: Honourable senators, I rise today to express my shock, dismay and condemnation over the refusal of the other place to adopt unanimously a resolution naming former South African President Nelson Mandela an honorary citizen of Canada.

Nelson Mandela is one of the world's great statesmen. He is a Nobel Laureate and a man respected and revered everywhere.

When I was a young lawyer, honourable senators, I vividly remember reading of the cries to "Release Mandela," the human rights activist who stood up for and spoke out against the intrinsic evils of apartheid. This is a man who was deprived of his freedom and liberty for 27 years, the formative years of his life, and, when he emerged to freedom, he did not take revenge or punish or even admonish any of those who had treated him wrongly.

Honourable senators, this is greatness. Such conduct is what moved Nelson Mandela beyond the status of mere mortal and beyond even the least flirtation with the temptation for revenge. Such conduct elevated him to greatness.

Honourable senators, I went to South Africa as a UN observer when Nelson Mandela won the first-ever democratic elections in that country. Whites and Blacks alike voted for this great man. One person called him "an icon of the human spirit."

Honourable senators, I call upon the leadership of the Government of Canada in the Senate to do something to erase the veil of ignominy that has fallen on the Parliament of Canada as a result of the abject refusal on the part of some elected representatives to honour this great man.

Hon. Senators: Hear, hear!

AUDITOR GENERAL

ANNUAL REPORT 2000-01 TABLED

The Hon. the Speaker: Honourable senators, I have the pleasure of laying on the table the 2000-01 annual report of the Auditor General on the Privacy Act, pursuant to section 72 of the Privacy Act.

[*English*]

SALES TAX AND EXCISE TAX AMENDMENTS BILL, 2001

REPORT OF COMMITTEE

Hon. E. Leo Kolber, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, June 7, 2001

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

SEVENTH REPORT

Your Committee, to which was referred Bill C-13, An Act to amend the Excise Tax Act, has, in obedience to the Order of Reference of Wednesday, May 1, 2001, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LEO KOLBER
Chairman

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

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

TOBACCO TAX AMENDMENTS BILL, 2001

REPORT OF COMMITTEE

Hon. E. Leo Kolber, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, June 7, 2001

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

EIGHTH REPORT

Your Committee, to which was referred Bill C-26, An Act to amend the Customs Tariff, the Excise Act, the Excise Tax Act and the Income Tax Act in respect of tobacco, has, in obedience to the Order of Reference of Thursday, May 17, 2001, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LEO KOLBER
Chairman

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

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

INCOME TAX AMENDMENTS BILL, 2000

REPORT OF COMMITTEE

Hon. E. Leo Kolber, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, June 7, 2001

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

NINTH REPORT

Your Committee, to which was referred Bill C-22, An Act to amend the Income Tax Act, the Income Tax Application Rules, certain Acts related to the Income Tax Act, the Canada Pension Plan, the Customs Act, the Excise Tax Act, the Modernization of Benefits and Obligations Act and another Act related to the Excise Tax Act, has, in obedience to the Order of Reference of Wednesday, May 30, 2001, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LEO KOLBER
Chairman

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

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

- (1340)

DEFENCE AND SECURITY

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

Hon. Colin Kenny, Chair of the Standing Senate Committee on Defence and Security, presented the following report:

Thursday, June 7, 2001

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

FIRST REPORT

Your Committee, which was authorized by the Senate on May 31, 2001, to conduct an introductory survey of the major security and defence issues facing Canada with a view to preparing a detailed work plan for future comprehensive studies, 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 within and outside Canada for the purpose of such study.

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,

COLIN KENNY
Chair

(For text of budget, see today's Journals of the Senate, Appendix "A", p. 658.)

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

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

**BUDGET IMPLEMENTATION ACT, 1997
FINANCIAL ADMINISTRATION ACT**

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Lowell Murray, Chairman of the Standing Senate Committee on National Finance, presented the following report:

Thursday, June 7, 2001

The Standing Senate Committee on National Finance has the honour to present its

SIXTH REPORT

Your Committee, to which was referred Bill C-17, An Act to amend the Budget Implementation Act, 1997 and the Financial Administration Act, has, in obedience to the Order of Reference of Wednesday, May 30, 2001, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LOWELL MURRAY
Chairman

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.

**INTERNAL ECONOMY, BUDGETS AND
ADMINISTRATION**

SEVENTH REPORT OF COMMITTEE PRESENTED

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

Thursday, June 7, 2001

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

SEVENTH REPORT

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

Aboriginal Peoples (Legislation)

Professional and Other Services	\$ 6,200
Transport and Communications	3,000
Other Expenditures	<u>500</u>
Total	\$ 9,700

RICHARD 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*]

SCRUTINY OF REGULATIONS

BUDGET—REPORT “C” 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, June 7, 2001

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

FIRST REPORT — “C”
(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 to attend the International Conference on Regulations Reform, Management and Scrutiny of Legislation in Sydney, Australia.

Pursuant to Section 2:06 of the *Procedural Guidelines for the Financial Operations of Senate Committees*, the Committee requests that it be empowered to travel outside Canada.

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 budget, see today’s Journals of the Senate, Appendix “B”, p. 672.*)

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.

SECOND REPORT OF JOINT COMMITTEE TABLED

Thursday, June 7, 2001

Hon. Céline Hervieux-Payette: Honourable senators, I have the honour to table the second report of the Standing Joint Committee on Scrutiny of Regulations on fresh fruit and vegetables.

[English]

HUMAN RIGHTS

BUDGET—REPORT OF COMMITTEE PRESENTED

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Human Rights, presented the following report:

Thursday, June 7, 2001

The Standing Senate Committee on Human Rights has the honour to present its

FIRST REPORT

Your Committee, which was authorized by the Senate on Thursday, May 10, 2001, to examine issues relating to human rights, and *inter alia*, to review the machinery of government dealing with Canada's international and national human rights obligations, 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,

RAYNELL ANDREYCHUK
Chair

(For text of budget, see today's Journals of the Senate, Appendix "C", p. 678.)

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

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

CANADA ELECTIONS ACT ELECTORAL BOUNDARIES READJUSTMENT ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Lorna Milne, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

EIGHTH REPORT

Your Committee, to which was referred Bill C-9, An Act to amend the Canada Elections Act and the Electoral Boundaries Readjustment Act, has, in obedience to the Order of Reference of May 9, 2001, examined the said Bill and now reports the same without amendment, but with the following observations:

The major impetus for Bill C-9 was the recent ruling of the Ontario Court of Appeal in *Figueroa v. Canada (Attorney General)* in August 2000. The Court held that the sections of the *Canada Elections Act* which provide that only registered parties can have the party affiliation of their candidates listed on the ballot violate the right to vote in section 3 of the *Canadian Charter of Rights and Freedoms* and are not justifiable limits to that right under section 1. The Court found that the right to vote contains an informational component, and the listing of party affiliation on the ballot is an important piece of information for voters. While the provisions in the Act seek to avoid voters being confused or misled, it did not follow that because a political party nominates 49 or fewer candidates, the listing of the party affiliation on the ballot will mislead or confuse voters. In fact, for smaller parties, it may provide the only information that the voter has about that particular candidate. These provisions were therefore declared invalid, but the declaration was suspended for six months to allow Parliament a reasonable opportunity to amend the legislation.

In response to the judgement of the Court of Appeal, Bill C-9 would allow "political parties" — that is, groupings or entities who nominate at least 12 candidates — to have the affiliation of their candidates shown on the ballot. Clause 12 of the bill further provides that in the case of by-elections, only those parties that had nominated at least 12 candidates in the preceding general election are entitled to have their candidates identified on the ballot. This is not, however, any different than is currently the case for new registered parties under the *Canada Elections Act*.

In his appearance before your Committee on May 30, 2001, the Chief Electoral Officer of Canada, Mr. Jean-Pierre Kingsley, stated that while his office had no concerns with the technical and administrative amendments proposed in Bill C-9, he felt that the changes regarding identification of political affiliation of candidates on electoral ballots raise some important issues. In particular, Mr. Kingsley felt that a

candidate representing a political party at a by-election should be allowed to have his or her political affiliation on the ballot, provided the party has fulfilled all the requirements of the *Canada Elections Act*. It, therefore, logically follows that a single candidate representing a political party at a general election, should also be allowed to have his or her political affiliation on the ballot, again provided that the party had met the requisite legislative requirements.

In his appearance before your Committee, the leader of the Christian Heritage Party provided a practical example of how, in his view, the current threshold provisions on ballot identification can work to generate misinformation among voters. Due to the de-registration of the Party, its candidates could not be identified on the ballot during the last general election. Apparently, one member of the party spoiled her ballot because she believed that the Party's candidate was no longer running for the Christian Heritage Party, since he was not identified on the ballot as being endorsed by the Party.

The Chief Electoral Officer also used this example before your Committee in support of his position that a single candidate representing a political party at a general election should be permitted to have his or her political affiliation on the ballot. As well, the Chief Electoral Officer referred to the *Figuroa* decision where the Court pointed out that the Communist Party of Canada (CPC) is a political party within the common understanding of that concept, even though in the general election of 1993, the CPC nominated only seven candidates, and in the general election of 1997, it fielded none at all. The Court noted that the CPC has all the attributes of a party: a leader, officers, a membership, a platform and it chooses and supports candidates for election. Moreover, the CPC is prepared to register and subject itself to the various provisions which regulate the identification of party affiliation on the ballot. In the Court's view, denying candidates of the CPC the right to show their party affiliation on the ballot does nothing to avoid confusing or misleading voters. To the contrary, it denies them information which could assist in determining how to cast their ballot. For example, some (and, history suggests, only a few) will want to cast their ballot in favour of a candidate because he or she is endorsed by the CPC. Others (and, history suggests, the vast majority) would never vote for a candidate endorsed by the CPC. In either case, the voter will be assisted in making an informed choice if the candidate's affiliation with the CPC appears on the ballot.

In response to questions by a member of your Committee concerning the argument that Bill C-9's proposed threshold number of 12 has a certain familiarity and historical

[Senator Milne]

resonance with the House of Commons, Mr. Kingsley drew a distinction between those who are elected and those who are trying to get elected. He stated that it was not clear to him why the threshold for the former should be the same for the latter, and he pointed to the fact that the Court of Appeal in *Figuroa* clearly indicated that it is possible to have different thresholds for different purposes under the Act.

While your Committee sympathizes with the Chief Electoral Officer's view that the political affiliation amendments in Bill C-9 raise some interesting issues, we are cognizant of the fact that the Court of Appeal suspended its declaration of invalidity for a period of only six months commencing August 16, 2000. Your Committee has therefore passed the bill without amendment; however, it is our expectation that this issue will be given due consideration when Mr. Kingsley submits his report on proposed legislative amendments to the *Canada Elections Act*, pursuant to section 535 of the Act. For its part, the Standing Committee on Legal and Constitutional Affairs will continue to monitor these issues in relation to election law and the electoral process.

Respectfully submitted,

LORNA MILNE
Chair

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

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

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of a delegation from Saudi Arabia led by Dr. Abdulaziz Al Fayeze, member of the Consultative (Shura) Council.

- (1350)

They are accompanied by His Excellency Mohammed Raja Al Hussaini, Ambassador to Canada for the Kingdom of Saudi Arabia.

They are guests of the Honourable Senators Rompkey, Milne, Nolin and Prud'homme, and the Honourable Leader of the Opposition, Senator Lynch-Staunton, all of whom visited Saudi Arabia recently.

On behalf of all senators, I bid you welcome to the Senate of Canada.

Hon. Senators: Hear, hear!

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MEETING OF MAY 10 TO 12, 2001, REPORT OF CANADIAN
DELEGATION TABLED

Hon. Rose-Marie Losier-Cool: Honourable senators, pursuant to rule 23(6), I have the honour to table in this house, in both official languages, the report of the Canadian section of the Assemblée parlementaire de la Francophonie and therelated financial report. The report concerns the meeting of the APF Political Committee in Port Louis, Mauritius, from May 10 to 12, 2001.

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

COUNCIL OF EUROPE PARLIAMENTARY ASSEMBLY MEETINGS
FROM MARCH 12 TO 14, 2001—REPORT OF CANADIAN
DELEGATION TABLED

Hon. Consiglio Di Nino: Honourable senators, I have the honour to table the report of the Canada-Europe Parliamentary Association which participated at the Political Affairs Committee of the Parliamentary Assembly of the Council of Europe held in Paris, France, on March 12 and 13, 2001 and at the meeting of the Parliamentary Assembly of the Council of Europe Standing Committee, held in Paris, France, on March 14, 2001.

COUNCIL OF EUROPE PARLIAMENTARY ASSEMBLY MEETING FROM
APRIL 23 TO 27, 2001—REPORT OF CANADIAN DELEGATION RE
SECOND PART OF 2001 SESSION TABLED

Hon. Consiglio Di Nino: Honourable senators, I have the honour to table the report of the Canada-Europe Parliamentary Association which participated at the second part of the 2001 Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France, from April 23 to 27, 2001.

MR FAISAL HUSSEINI

TRIBUTE—NOTICE OF INQUIRY

Hon. Pierre De Bané: Honourable senators, I give notice that on Tuesday next, June 12, 2001, I will call the attention of the Senate to Mr. Faisal Hussein, one of the great leaders of the Palestinian people, who died on May 31.

QUESTION PERIOD

FOREIGN AFFAIRS

SAUDI ARABIA—STATUS OF CANADIAN PRISONER—GOVERNMENT
INITIATIVES TO SECURE RELEASE

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I would like to inquire of the Leader of the Government in the Senate as to what steps the Government of Canada is taking to secure the release of Canadian Bill Samson, currently imprisoned in Saudi Arabia, where there are allegations that he has been tortured.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. The issue, of course, is a complex one. Mr. Samson has had charges laid against him. The embassy in Saudi Arabia is ensuring that every safeguard that can be applied by our embassy is applied. However, I think it is also important to put on the record that there is no proof whatsoever that Mr. Samson was in any way tortured.

Senator Kinsella: Honourable senators, it is reported in today's *Ottawa Citizen* that Interior Minister Prince Nayef said the Crown Prince of Saudi Arabia had made an "honourable response" to Canadian concerns about the Saudi treatment of a Canadian man imprisoned there.

The unjust campaign in the Canadian press and the remarks by the foreign minister...

— to wit, Mr. Manley —

...has prompted my master, the crown prince, to cancel his visit to Canada.

What has been the statements or position of Mr. Manley, in the view of the government, that has caused the Crown Prince to cancel his visit?

Senator Carstairs: The Prime Minister has been informed that the trip has been postponed. It has not been cancelled; it has been postponed. We certainly hope that the Crown Prince will come to Canada. The message that the Crown Prince sent to the foreign ministry offered no specific reason for the postponement of his visit.

Senator Kinsella: Honourable senators, Canada is party, as are many other countries, to many international standards with regard to the treatment of prisoners, including the provision of *habeas corpus* and other rights of prisoners. Given that we have a Canadian citizen who has been detained for over six months in a Saudi prison without being formally charged, how will your government ensure that Canadian citizens abroad are guaranteed the fundamental rights that we expect that all citizens should be enjoying?

Senator Carstairs: Honourable senators, clearly, the protection of Canadian citizens, whether they are in this country or abroad, is an important issue. However, there has been no inability on the part of our consular and ambassadorial staff to meet with Mr. Samson. We were allowed to arrange for his medical examination by a doctor of our choice. That doctor reported on May 31 that the version of events provided by the Saudi authorities and also by Mr. Samson were identical and that the facts are that Mr. Samson's injuries appear to be the result of a struggle with his guards.

The issue of making sure that justice is achieved for Mr. Samson is an ongoing responsibility of our ambassador on the ground.

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS—SOURCE OF DECISIONS ON PROCUREMENT PROCESS

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

A few weeks ago, on May 15, the Chief of the Air Staff said that he did not know when we would see a replacement for the Sea King helicopter.

Mr. Alan Williams, the Assistant Deputy Minister Materiel for the Department of National Defence, said that he had never seen a split procurement like the present one for the Maritime Helicopter Project.

Could the minister tell us, then, where all of the decisions on defence procurement are being made? Is it in the Deputy Prime Minister's office?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the decisions on the Maritime Helicopter Project are ultimately, of course, the decisions of the Government of Canada. However, those decisions are the result of the best possible advice we can get from our military and the desire of the government to get the best possible pieces of equipment at the lowest possible price.

• (1400)

REPLACEMENT OF SEA KING HELICOPTERS—CABINET COMMITTEE OVERSEEING PURCHASE COMPETITION

Hon. J. Michael Forrestall: Honourable senators, yesterday, the Prime Minister, in answer to a question in the other place, said that Deputy Prime Minister Gray was not chairing the so-called Gray committee that oversaw the Maritime Helicopter Project.

As the minister knows, because I have quoted from them in the past here in the chamber, I had the officials' agenda pages that

showed the flurry of activity to brief Minister Gray on the helicopter program. Additionally, on March 13, the Minister of National Defence admitted that the Maritime Helicopter Project was being overseen by a cabinet committee chaired by Mr. Gray, the Deputy Prime Minister. Why did the Prime Minister jump to his feet yesterday in the other place to deny the Deputy Prime Minister's involvement in the Maritime Helicopter Project?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the Deputy Prime Minister, in this case, had been briefed in exactly the same way, I understand, that the honourable senator has been asking for some weeks that I be briefed. My briefing will take place on Monday. I also understand, however, that it will not make me a process to any decision making other than at the cabinet table.

[*Translation*]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table in this house three delayed answers: the answer to the question by Honourable Senator Gauthier, raised on April 3, 2001, concerning the Treasury Board and the reform of the public service; the answer to the question by Honourable Senator Buchanan, raised on May 8, 2001, concerning Devco; and the answer to questions raised by Honourable Senator Roche on May 30, 2001 and June 6, 2001, regarding the anti-missile defence.

TREASURY BOARD

REFORM OF THE PUBLIC SERVICE—INVOLVEMENT OF PARLIAMENT

(*Response to question raised by Hon. Jean-Robert Gauthier on April 3, 2001*)

This government is committed to a comprehensive reform of the Human Resources Management systems.

The Task Force on Modernizing Human Resources Management is composed of public service employees and is led by Mr. Ran Quail, a respected senior public servant who has a wealth of knowledge and experience. It is essential that we utilize our knowledge of the current system to make the right changes for the future.

The Task Force was established to provide concrete recommendations that in essence will be the basis of the government's action plan. MP's and Senators will undoubtedly have the opportunity to provide their views and input to the Government on this very important reform.

CAPE BRETON DEVELOPMENT CORPORATION

REQUEST FOR UPDATE ON SALE

(Response to question raised by Hon. John Buchanan on May 8, 2001)

On May 16, 2001 the Government of Canada announced that it would discontinue the sale of assets process involving Prince mine and would immediately begin an orderly closure of the mine. There will be an immediate cessation of all development work, and the closure will be completed no later than the Fall, 2001.

Efforts to sell the surface assets, including the International Pier, the Devco railroad and the coal lifting/banking centre, will continue and are expected to be successfully concluded.

The Corporation has begun the process of meeting with representatives of the employees affected by the announcement to discuss an appropriate human resources strategy for them.

Concurrent with this announcement, the Government of Canada announced commitments totalling \$28.0 million of additional funds for economic development in Cape Breton, resulting in total federal funding of \$96 million for additional economic development activities on the Island since 1999.

Regarding the offer made by the Cape Breton Cooperative Group, I understand that the Minister of Natural Resources responded to this group on May 16, 2001.

FOREIGN AFFAIRS

UNITED STATES—MISSILE DEFENCE SYSTEM—AVAILABILITY OF BRIEFING PAPERS DESCRIBING PROPOSAL—CONSULTATIONS WITH INTERNATIONAL ORGANIZATIONS AND OTHER COUNTRIES—COST TO CANADA

(Response to questions raised by Hon. Douglas Roche on May 17, 30 and June 6, 2001).

In their discussions with Canadian officials on May 15, the U.S. delegation did not present any proposals or conclusions regarding the thinking of the Bush administration with respect to a new strategic framework, including missile defence. The U.S. team came to Ottawa to launch a process of official bilateral consultations. While texts of introductory remarks were exchanged to assist note takers, the U.S. delegation did not provide any written material on their proposed strategy or missile defence system noting that their plans are still in a preliminary stage.

Canada is already engaged in a dialogue on these issues with our NATO allies, as well as with Russia and China. Minister Manley will pursue these issues within the Alliance during the May 29-30 NATO Foreign Ministers' Meetings

in Budapest. The meetings of Alliance Defence Ministers June 7-8 and the informal NATO Summit to be held June 13 will be further occasions to discuss this issue with our allies. Prime Minister Chrétien has discussed missile defence with both the leaders of Russia and China. He has underscored the importance of continuing discussions. We will continue to take the views of our allies, of Russia and China, and of other concerned countries into consideration in determining Canada's approach to these important issues.

The new U.S. administration has only just begun its consultations with friends and allies on missile defence and it is still reviewing its plans. The U.S. has not taken any decisions itself on the architecture of the system. Consequently, it is not known what the system might cost. Until the architecture is defined more fully, and until the Canadian government has decided whether and how it might participate, we cannot begin to consider the question of costs. President Bush spoke of a system capable of protecting friends and allies and the "common responsibility" they share with the U.S. to provide protection. What this might mean in terms of eventual costs has yet to be elaborated.

[English]

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker: Honourable senators, before proceeding to Orders of the Day, I should like to introduce to you visiting pages from the House of Commons.

On my right is Crystal Chipuer. She is enrolled in the Faculty of Arts at the University of Ottawa, and she comes from St. Albert, Alberta. Welcome.

On my left is Monique Moreau of Calgary, Alberta, I say with pride. She is pursuing her studies in the Faculty of Arts at the University of Ottawa. Her major is communications. Welcome.

Ceilidh Purdy, who is enrolled in the Faculty of Arts at the University of Ottawa, is from Sackville, Nova Scotia. Welcome.

Hon. Senators: Hear, hear!

ORDERS OF THE DAY

CUSTOMS ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, P.C., seconded by the Honourable Senator Mercier, for the third reading of Bill S-23, to amend the Customs Act and to make related amendments to other Acts, as amended;

And on the motion in amendment of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Simard, that the Bill, as amended, be not now read a third time but that it be further amended in clause 59:

(a) on page 64, by deleting lines 25 to 37; and

(b) on pages 64 and 65, by renumbering subclauses (5) and (6) as subclauses (4) and (5) and any cross-references thereto accordingly.

Hon. Sharon Carstairs (Leader of the Government):

Honourable senators, I wish to discuss with you this afternoon why the government and, indeed, Liberal senators do not believe that the motion in amendment raised by the Honourable Senator Murray is valid either from a public policy or a legal basis point of view. We believe strongly that the present bill reflects changes that are both necessary and valid. I understand that in the committee itself a great deal of debate took place with respect to this specific concept and the view of the majority of the senators at the committee was that it was not a valid position.

The provisions which are presently in the bill, to which Senator Murray takes some exception, are necessary. They are necessary to ensure that the export control legislation is enforced in the postal system. Currently, goods being exported from Canada may be examined to ensure compliance with Canada's export control legislation. However, these changes are necessary to clarify that goods being exported through the postal stream may be examined as separately specified in the Customs Act for the examination of import mail.

Without these changes, if controlled or embargoed goods are exported through the postal stream, CCRA officials would not have the authority to examine or detain these goods, even though they may be aware of the goods and their exportation as a result of targeting intelligence information. These goods could include strategic computer technology being sent to embargoed countries, or pieces or parts of bombs or explosives.

Currently, under the Customs Act, mail weighing over 30 grams imported into Canada may only be opened when officials suspect, on reasonable grounds, that they contain goods referred to in the Customs Tariff or goods which are prohibited, controlled or regulated. What is being sought for the examination of export mail is the same authority and the same standard for examination — suspicion on reasonable grounds — as for the examination of import mail. This standard for examination has been approved in Charter challenges by the higher court.

Also noted by departmental witnesses during the said committee review, the Privacy Commissioner did review the law and practices related to the examination of import mail and concluded that the activities of CCRA officials in examining mail are carried out lawfully, in good faith and for the legitimate policy reason of intercepting fraudulent goods and/or documents.

Honourable senators, these changes are necessary to ensure that the postal stream does not become a legal means of bypassing Canada's export controls.

The Hon. the Speaker: Is the house ready for the question?

Hon. Senators: Question!

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker: Will those honourable senators in favour of the motion in amendment please say "yea"?

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those honourable senators opposed to the motion in amendment please say "nay"?

Some Hon. Senators: Nay.

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

I declare the motion in amendment lost, on division, on a voice vote.

The Hon. the Speaker: Is the house ready for the question on Bill S-23, as amended?

[*Translation*]

Hon. Roch Bolduc: Honourable senators, I should like to come back to an issue which is dear to my heart and which concerns the Canada Customs and Revenue Agency.

This is what is known as a special operating agency. It has a broad mandate and will collect taxes from everyone. The federal government is raking money in.

This agency of 40,000 employees is responsible for collecting income, sales, commodity and customs taxes.

I tried to have it pointed out to the head of this agency that staff recruitment and promotion should be on the basis of merit and competence. In reality, this is the former Department of National Revenue, which was always governed by the Public Service Employment Act. The recruitment of career public servants, which is done on the basis of merit and competence, is an important principle in the public service and is measured in only one way.

Competence is generally measured by boards. The only way this can be done is through competition among candidates. This remains a relative and not an absolute competence, and it must be measured by means of a competition system which is not provided for in the bill.

Honourable senators, you will recall that last year I had insisted that the bill be amended. I am not saying that Public Service Commission procedures must be followed, but simply that it must be ensured that the people collecting our money are the most competent to do so, whether they are in Ottawa, Toronto, Montreal or anywhere else in Canada.

In an agency of this size — I repeat — the staff recruitment and promotion system should be based on competence and should be provided for in the legislation, so that the head and the managers of the agency are obliged to respect this principle. Otherwise, I am telling you, there will be patronage.

The worst patronage is not that of ministers, but that of employees themselves, because they are promoting one another.

• (1410)

We need measures that will protect us, particularly in an organization such as the Canada Customs and Revenue Agency, which collects our money. Otherwise, if rules of competence are lacking, there may be no rules of ethics and, without them, our tax returns will be wandering all over the place.

This is what we saw last year when tax returns were travelling back and forth between Human Resources Development Canada and the Department of National Revenue. This needs to be stopped as soon as possible. It is important that the bill include rules of ethics.

Today, I am not going to try to convince my colleagues opposite, who do not wish to support an amendment to the bill. I find it terrible that they did not vote for such an amendment last year. This amendment only makes sense. It respects and protects the public interest of Canadians.

[*English*]

The Hon. the Speaker: I see no other senator rising. Is the house ready for the question?

Hon. Senators: Yes.

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

Hon. Senators: Agreed.

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

ELDORADO NUCLEAR LIMITED REORGANIZATION AND DIVESTITURE ACT PETRO-CANADA PUBLIC PARTICIPATION ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Tommy Banks moved third reading of Bill C-3, to amend the Eldorado Nuclear Limited Reorganization and Divestiture Act and the Petro-Canada Public Participation Act.

He said: Honourable senators, I rise to speak at third reading of this bill, and I have before me an exhaustive speech. However, I will curry the favour of honourable senators because the sun and other matters are beckoning us. I will be as succinct as I possibly can.

I know that honourable senators paid remarkably close attention to my speech at second reading and are therefore familiar with the content of this bill, which deals with reorganizing the ownership of Eldorado Nuclear, as it was once called — it is now called Cameco — and Petro-Canada.

This bill has received glaring scrutiny in the committee to which it was referred. That committee has reported on the bill. It is a good bill. It allows Petro-Canada and Cameco to be more competitive in the global market, which is good for our country.

I would be delighted to answer any questions that honourable senators may have. I simply urge honourable senators to vote now to pass this good bill.

On motion of Senator Kinsella, for Senator Eyton, debate adjourned.

CANADA FOUNDATION FOR SUSTAINABLE DEVELOPMENT TECHNOLOGY BILL

THIRD READING—DEBATE ADJOURNED

Hon. Nick G. Sibbeston moved the third reading of Bill C-4, to establish a foundation to fund sustainable development technology.

He said: Honourable senators, I am pleased to speak today on the outcome of discussions in the Standing Senate Committee on Energy, Environment and Natural Resources regarding the Canada Foundation for Sustainable Development Technology bill. When I spoke to honourable senators on April 26, 2001, I described the foundation as being an arm's-length organization to administer a \$100-million fund announced in the government's February 2000 budget. It will provide a new vehicle for engaging Canadians and fostering the long-term collaboration that is necessary to tackle the enormous challenge of sustainable development.

The current focus of the foundation will be on two important topics — climate change and clean air. It will concentrate on developing new technologies to deal with the problem of global warming, such as technologies to reduce greenhouse gas emissions; on making energy systems less carbon-intensive; on increasing energy efficiency; and on capturing, using and storing carbon dioxide. Bill C-4 provides a mechanism to engage the private sector in working harder in these areas.

I should like to point out to honourable senators how Bill C-4 demonstrates the government's commitment to developing partnerships to spur technology innovation. The foundation will give funding support to collaborative arrangements composed of private sector corporations and partners including technology developers, suppliers and users, universities, not-for-profit organizations, and industrial research associations. This will ensure that maximum impact is derived through the shared effort and expertise of partnered organizations.

The foundation will help develop and demonstrate new sustainable development technologies from the laboratory bench out into the Canadian economy. It will bring new money into the system and put it to work.

I will now update honourable senators on Parliament's review of Bill C-4. The Minister of Natural Resources appeared twice before the Standing Senate Committee on Energy, Environment and Natural Resources to discuss details of the proposed legislation. On behalf of the minister, I wish to thank the members of the committee for their interest in the bill and the opportunity given for the minister to answer questions and address their concerns.

Members of the committee discussed two main issues with the minister. First, they discussed the process the government has used to handle the \$100-million allocation from Budget 2000 for the sustainable development technology fund. Second, some committee members expressed concern about the role of the Auditor General with respect to how the Canada Foundation for Sustainable Development Technology will be audited.

The government contracted with a private sector foundation only to ensure that the \$100 million that the government targeted in fiscal year 2000-2001 for funding sustainable development technologies would indeed be available for this purpose. In so doing, the government followed an approach that is completely consistent with the legal principles of both the government and the Canada Business Corporations Act.

Honourable senators, Bill C-4 provides for the continuation of the private sector foundation as the legislated Canada Foundation for Sustainable Development Technology. This two-track approach reflects the importance of delivering the sustainable development technology fund initiative for Canadians and respecting the role of Parliament in determining how this happens. The government is strongly committed to establishing an organization legislated by Parliament to accomplish these specific objectives.

• (1420)

Although the Senate committee has approved Bill C-4 without amendment, it tabled its report to the Senate with an observation in respect of this issue. Some committee members expressed concern that the foundation is not directly accountable to the

[Senator Sibbeston]

Auditor General of Canada. However, the Auditor General will review the procedure for channelling the \$100-million allocation through Environment Canada and Natural Resources Canada. She will also review the terms of the funding agreement between the government and the foundation.

With respect to assessing the value-for-money performance of the foundation, the funding agreement also calls for both interim and final evaluations. The foundation will be audited by an independent professional auditor and will operate in accordance with generally accepted accounting principles. The audit report will be part of the foundation's annual report, which the Minister of Natural Resources will table in Parliament.

The foundation will hold an annual public meeting to provide a venue for communicating the results achieved and the disclosure of information on funded proposals. Taken together, these requirements will ensure the prudent operation of the foundation, if Parliament approves Bill C-4.

The government also believes there is an important role for the committees of the Senate and the House of Commons. Both committees can ensure that the foundation fulfils the responsibilities entrusted to it by Parliament, by following the foundation's progress and, if necessary, by asking questions about its future performance.

Sustainable development technology innovation that is specifically focused on climate change and air quality will address some of the challenges that lie ahead. The foundation proposed in Bill C-4 will make a strong contribution to finding solutions to the problems that Canada faces now and will face in the future.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I was struck yesterday when Senator Taylor read the observations of the committee, which are an appendix to the report on Bill C-4, but I did not realize how harsh the words were until I read them this morning. For those honourable senators who may have missed them, I will read that appendix. In effect, the committee is more than disturbed with the fact. I quote:

...and the depositing of \$100 million of taxpayers' money with that corporation, without the prior approval of Parliament is an affront to members of both Houses of Parliament.

Honourable senators, if it is an affront, and I believe it is, after the committee's assessment of the bill and the way in which the \$100 million has been transferred without parliamentary approval, I find it difficult to support such a bill. By doing so, I would be supporting the affront.

Is Senator Sibbeston able to reconcile what he has proposed with the statement of the committee?

Senator Sibbeston: Honourable senators, I respond to that by simply stating what I heard from the minister. Minister Goodale believed that he had the mandate and, in a sense, the obligation to deal with the \$100 million that was provided for in last year's budget. The minister stated that he had the ability and capacity to use those budget-approved funds for the sustainable development foundation, which has been set up through the Canada Business Corporations Act.

It is my understanding that this body was set up by the government in March 2001. The government has the capacity and the ability to provide funds that have been approved in the budget. Simply stated, the minister indicated that if he did not do that, the money would lapse.

Thus, honourable senators, there was an onus to deposit the approved monies with the corporation that had been set up. In that way, work for which the money was approved could begin. That is my understanding of what transpired.

Senator Lynch-Staunton: Honourable senators, that may be the minister's interpretation, but somehow I give more credibility to the assessment of the members of the committee. In its short report, the committee stated:

The Committee requests that the Speaker of the Senate notify the Speaker of the House of Commons of the dismay and concern of the Senate with this circumvention of the parliamentary process.

That was in one of our committee reports. While I may respect the interpretation given to the minister's discretion, I give more weight today to the conclusion of the committee.

Certainly, we are not ready to give approval today to Bill C-4, until we receive better satisfaction than, unfortunately, Senator Sibbeston has given us.

Hon. David Tkachuk: Honourable senators, did the minister address the issue of the distribution of grants from the \$100 million? Was there any discussion in committee about the grants that will be handed out by the foundation and the distributing of them directly through the department?

Senator Sibbeston: Honourable senators, the minister indicated that a foundation has been set up and it is in a holding pattern until the legislation comes into effect. The legislation will provide for a foundation, its powers and its mandate. My understanding is that the foundation has been set up temporarily under the Canada Business Corporations Act. The foundation is on hold until the legislation is properly passed, at which time the foundation would become active in respect of the management and the handling of its funding.

Senator Tkachuk: I am a little confused, honourable senators. I understood that the legislation would establish the foundation. The honourable senator has told us that the foundation exists and the money has been allocated. Was the money in the Estimates? I thought Bill C-4 was for the purpose of establishing the foundation, so it cannot be set up yet.

Senator Sibbeston: When the minister appeared before the committee, he indicated that the government had a number of ways that it could have dealt with this matter, one way being through the department. Another way was to set up a foundation pursuant to Bill C-4. In the interim, in the interests of not allowing the money to lapse, the government proceeded to set up a corporation that will hold the money until the bill is passed, when there will be a properly constituted foundation. That is my understanding of what transpired.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): May I ask Senator Sibbeston if it is, in his view, good public administrative practice for a department or a minister who believes that monies voted through the estimate process will lapse to rush out to find a way to have that money expended? Is that the principle upon which the honourable senator is supporting this bill?

Senator Sibbeston: May I ask the honourable senator to repeat his question?

Senator Kinsella: The honourable senator advised the house in his speech at third reading that it is money that might be left over and the minister would not want that money to lapse. Therefore, the minister had that money deposited to this new agency. I am concerned with the public administration principle of whether the honourable senator believes that to be good practice — to find a way to spend money that has appeared in the Estimates simply because it might lapse.

• (1430)

Surely it is a much more secure system of estimates to identify, through the estimate process, what you will spend your money on, and to then present that information and allow Parliament to vote on the expenditure with a particularized vote.

Senator Tkachuk: I understand what the honourable senator said in his address on third reading. I also understand that the honourable senator is not only the sponsor of the bill but also a member of the committee that will study it.

Senator John Lynch-Staunton read into the record the observations of the committee. Does the honourable senator agree with the observations of the committee on this bill? Those observations seem to contradict what he said in his speech.

Senator Sibbeston: Honourable senators, I am simply sponsoring the bill. My responsibility is to provide information about it. I am not in a position to justify how the minister has handled the matter. I am convinced and satisfied that the government has acted in a proper manner in dealing with the matter, but that is the extent to which I can answer the question. As to whether this is good practice, I really am not in a position to comment. I am satisfied that the government has acted in a proper and appropriate manner in dealing with the monies and in setting up the Foundation for Sustainable Development Technology in Canada under the Canada Business Corporations Act, Part II. I understand the money is in a holding pattern until this bill is passed. Then the force and all the provisions in the bill will apply to the foundation.

Senator Tkachuk: I have one more question for the Honourable Senator Sibbeston. I am not sure whether the honourable senator agrees with the committee report. I will follow up with another important question. As legislators and senators and members of Parliament, we have all dealt with questions on how we treat the public purse.

I heard the honourable senator say in his speech that the foundation would be accountable to the Auditor General. The more important question is: Does the honourable senator feel that the foundation is directly accountable to Parliament?

Senator Sibbeston: Honourable senators, my answer is yes, of course. I heard the discussions in the committee with respect to the role of the Auditor General. It is my impression that it is not unusual that corporations that are at arm's length from government be accounted by ordinary auditors in the country. Once that is done, it is my understanding that it is the practice that the Auditor General review them. It is not a departure from the regular way that arm's-length entities and federal corporations are audited in our government.

Senator Lynch-Staunton: Honourable senators, the main apprehension here is not about the foundation itself. It is the fact that a foundation, which has yet to be given parliamentary approval and Royal Assent, has already been allocated \$100 million. The question is: How can the government find \$100 million for an entity which has yet to be created and designated as such?

The committee, I am sure, did not use these words lightly when it called that procedure an affront to members of both Houses. It made a strong recommendation, using the term "demand" in French which is stronger than "request." Since we approved the report yesterday, I assume we are also supporting these observations. They request that the Speaker of our house notify the Speaker of the other place of the concern of the Senate with regard to its circumvention of the parliamentary process. Until an answer is given which is satisfactory, we will not support this bill.

On motion of Senator Kinsella, for Senator Cochrane, debate adjourned.

BROADCASTING ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Finestone, P.C., seconded by the Honourable Senator Hervieux-Payette, P.C., for the third reading of Bill S-7, to amend the Broadcasting Act.—(*Honourable Senator Kinsella*).

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, this bill was sponsored by Senator Finestone and she spoke to it yesterday. I endorse what she has

said. I had the opportunity to speak in some detail on this bill at second reading. What I like most about the bill is the level playing field it gives to all Canadians who are interested in participating in the approval processes and so forth. I think that is a great step forward. It is a principle which this house should be embracing. I salute my colleague Senator Finestone and I am happy to support the bill at third reading.

The Hon. the Speaker *pro tempore*: Is the house ready for the question?

Hon. Senators: Question!

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 third time and passed.

[*Translation*]

FRENCH-LANGUAGE BROADCASTING SERVICE

INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Gauthier calling the attention of the Senate to the measures that should be taken to encourage and facilitate provision of and access to the widest possible range of French-language broadcasting services in francophone minority communities across Canada.—(*Honourable Senator Losier-Cool*).

Hon. Rose-Marie Losier-Cool: Honourable senators, I am pleased to take part in the debate on the inquiry of the Honourable Senator Gauthier, and to support my colleague on the measures that should be taken to encourage and facilitate provision of and access to the widest possible range of French-language broadcasting in francophone minority communities across Canada.

It is my opinion that, in order to reflect the true picture of Canada's francophone minority communities, there must be more quality broadcasting available, via the traditional public and private broadcasters, as well as the educational, specialized and community networks. These services are essential to lend a voice and a face to our communities that truly reflect their reality.

On February 12, the CRTC released a report on the delivery of public, private and community radio and television services in the French language to Canadian communities where francophones are in the minority. The CRTC also looked closely at the Broadcasting Act, which stipulates that the Canadian broadcasting system should reflect the linguistic duality and cultural diversity of Canada and that a range of broadcasting services in English and in French shall be extended to all Canadians as resources become available.

Honourable senators, a healthy linguistic duality is essential to the core of the Canadian broadcasting system. This linguistic duality is a great treasure, one that confers numerous advantages on all Canadians. As well, it is the foundation of a tolerant society that is open to the rest of the world.

In addition, in its report, the CRTC advocates increased production of quality programs, reflecting the reality of francophone minorities, more French-language regional productions and more frequent use of independent producers from francophone and Acadian communities in Canada.

Our encouragement of industries from minority francophone communities and of industries working to meet their needs is vital. We enable them to create and develop products that directly meet the needs of the community.

These programs produced by and for francophones enable them to identify with their language and regional culture and create strong ties with the other francophone regions of Canada. The ties formed between francophone Canadians are essential. They enable us to develop a cultural identity from one end of the country to the other.

The CRTC must not only encourage increased production of quality French programming, but it must always be attentive to the francophone communities and their needs in this regard.

The CRTC must also be very sensitive to the needs of our minority francophone communities to be sure to respond to their broadcasting needs.

In this regard, the Société des Acadiens et Acadiennes du Nouveau-Brunswick and the Société nationale de l'Acadie both supported a recommendation proposing the establishment of a national public television network devoted entirely to minority Acadian and francophone communities in Canada during consultations the CRTC held in Dieppe, New Brunswick.

There are as well the francophones in British Columbia who are adding continually to their numbers solid and dynamic individuals to ensure their growth and development. Francophone communities like those in British Columbia have a greater need for French-language broadcasting services.

I will conclude by saying that all Canadians benefit from our support of Canada's linguistic duality, whether it is through our support of broadcasting in French or through other initiatives designed to establish ties between francophones in Canada and, in so doing, with all the francophiles in the country.

Hon. Shirley Maheu (The Hon. the Acting Speaker): Honourable senators, if no one else wishes to speak, this inquiry is considered debated.

[English]

ETHICS COUNSELLOR

MOTION TO CHANGE PROCESS OF SELECTION—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Oliver, seconded by the Honourable Senator DeWare:

That the Senate endorse and support the following policy from Liberal Red Book 1, which recommends the appointment of "an independent Ethics Counsellor to advise both public officials and lobbyists in the day-to-day application of the Code of Conduct for Public Officials. The Ethics Counsellor will be appointed after consultation with the leaders of all parties in the House of Commons and report directly to Parliament.";

And that this Resolution be sent to the Speaker of the House of Commons so that he may acquaint the House of Commons with this decision of the Senate.—(*Honourable Senator Finnerty*).

Hon. Lorna Milne: Honourable senators, I understand that Senator Finnerty wishes to speak to this motion at some time in the future, as do I. May I make this short sentence or two as a response to the debate right now and then adjourn it in my name?

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, Senator Finnerty will address this issue on Monday. Senator Milne could then make her speech at that point. I move that this item on the Order Paper stand.

Order stands.

ILLEGAL DRUGS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Pierre Claude Nolin, pursuant to notice of June 6, 2001, moved:

That the Special Committee on Illegal Drugs have power to sit on Monday next, June 11, 2001, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

[English]

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I want to put on the record that we support the motion of Senator Nolin to sit on Monday. We do not normally do this when it is not for a minister and the Senate is sitting. However, I thank Senator Nolin and his committee for consistently sitting on Monday afternoons throughout this study, outside of the Tuesday, Wednesday and Thursday sittings. As we have made the decision to sit on Monday, I do not want this particular committee to not be able to hear its witnesses, as I know this has been a long-term plan of the committee. I thank the Honourable Senator Nolin for his actions in this regard.

[Translation]

Senator Nolin: Honourable senators, when we learned that the Senate wished to sit at 4:00 p.m. next Monday, we decided to cut back on the hour usually set aside for lunch in order to hear from witnesses so that we could be here at 4:00 p.m.

In committee, witnesses often raise more questions from our colleagues, and that is why we have decided to be cautious and make this request to meet during the sitting of the Senate. We will do everything in our power to be here at 4:00 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

[English]

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING
OF THE SENATE

Hon. A. Raynell Andreychuk, pursuant to notice of June 6, 2001, moved:

That the Standing Senate Committee on Foreign Affairs have power to sit at 3:30 p.m., Monday, June 11, 2001, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I should like to ask a question of the chair of the committee. Would she inform the Senate if the reason the committee desires to sit is because it is hearing from the Minister of Foreign Affairs?

Senator Andreychuk: Honourable senators, that is precisely the reason. Minister Manley has consented to appear before the committee from 3:30 to 5:00 p.m. on Monday. In fact, the date originally proposed was Thursday. We suggested that this date did not suit our rules and he kindly moved it to Monday to accommodate us. That is why I have moved this motion.

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

Hon. Senators: Agreed.

Motion agreed to.

[Translation]

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 Monday next, June 11, 2001, at 4:00 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Monday, June 11, 2001, at 4:00 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(1st Session, 37th Parliament)
Thursday, June 7, 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	01/05/10	6/01
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	01/05/03 amended 01/05/09	3	01/05/10		
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 + 1 at 3rd	01/04/26	01/05/10	4/01
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	01/05/10	3/01
S-11	An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts	01/02/06	01/02/21	Banking, Trade and Commerce	01/04/05	17 + 1 at 3rd	01/05/02		
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	01/05/01		
S-23	An Act to amend the Customs Act and to make related amendments to other Acts	01/03/22	01/05/03	National Finance	01/05/17	11 + 2 at 3rd (01/06/06)	01/06/07		
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	01/05/10	0	01/05/15		

**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	01/04/24	Social Affairs, Science and Technology	01/05/03	0	01/05/09	01/05/10	5/01
C-3	An Act to amend the Eldorado Nuclear Limited Reorganization and Divestiture Act and the Petro-Canada Public Participation Act	01/05/02	01/05/10	Energy, the Environment and Natural Resources	01/06/06	0			
C-4	An Act to establish a foundation to fund sustainable development technology	01/04/24	01/05/02	Energy, the Environment and Natural Resources	01/06/06	0			
C-7	An Act in respect of criminal justice for young persons and to amend and repeal other Acts	01/05/30							
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	01/04/25	Banking, Trade and Commerce	01/05/31	0	01/06/06		
C-9	An Act to amend the Canada Elections Act and the Electoral Boundaries Readjustment Act	01/05/02	01/05/09	Legal and Constitutional Affairs	01/06/07	0			
C-12	An Act to amend the Judges Act and to amend another Act in consequence	01/04/24	01/05/09	Legal and Constitutional Affairs	01/05/17	0	01/05/29		
C-13	An Act to amend the Excise Tax Act	01/04/24	01/05/01	Banking, Trade and Commerce	01/06/07	0			
C-14	An Act respecting shipping and navigation and to amend the Shipping Conferences Exemption Act, 1987 and other Acts	01/05/15	01/05/30	Transport and Communications					
C-17	An Act to amend the Budget Implementation Act, 1997 and the Financial Administration Act	01/05/15	01/05/30	National Finance	01/06/07	0			
C-18	An Act to amend the Federal-Provincial Fiscal Arrangements Act	01/05/09	01/05/31	National Finance					
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
C-22	An Act to amend the Income Tax Act, the Income Tax Application Rules, certain Acts related to the Income Tax Act, the Canada Pension Plan, the Customs Act, the Excise Tax Act, the Modernization of Benefits and Obligations Act and another Act related to the Excise Tax Act	01/05/15	01/05/30	Banking, Trade and Commerce	01/06/07	0			
C-26	An Act to amend the Customs Act, the Customs Tariff, the Excise Act, the Excise Tax Act and the Income Tax Act in respect of tobacco	01/05/15	01/05/17	Banking, Trade and Commerce	01/06/07	0			

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
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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	01/06/05	0	01/06/07		
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	01/05/09	Privileges, Standing Rules and Orders					
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	01/05/02	Privileges, Standing Rules and Orders					
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	01/04/26	0	01/05/01		
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	01/05/10	0	01/05/15		
S-18	An Act to Amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	01/02/20	01/04/24	Social Affairs, Science and Technology (withdrawn 01/05/10) Energy, the Environment and Natural Resources					
S-19	An Act to amend the Canada Transportation Act (Sen. Kirby)	01/02/21	01/05/17	Transport and Communications					

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		Subject-matter 01/04/26 Social Affairs, Science and Technology	
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			
S-26	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	01/05/02	01/06/05	Transport and Communications	

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
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S-27	An Act to authorize The Imperial Life Assurance Company of Canada to apply to be continued as a company under the laws of the Province of Quebec (Sen. Joyal, P.C.)	01/05/17	01/05/29	Legal and Constitutional Affairs	01/05/31	0	01/05/31		
S-28	An Act to authorize Certas Direct Insurance Company to apply to be continued as a company under the laws of the Province of Quebec (Sen. Joyal, P.C.)	01/05/17	01/05/29	Legal and Constitutional Affairs	01/05/31	0	01/05/31		

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