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(HANSARD)**

**Wednesday, March 27, 2002**

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**THE HONOURABLE DAN HAYS  
SPEAKER**

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## THE SENATE

Wednesday, March 27, 2002

The Senate met at 9 a.m., the Speaker in the Chair.

[English]

Prayers.

[Translation]

### SENATORS' STATEMENTS

#### WORLD THEATRE DAY

**Hon. Viola Léger:** Honourable senators, today, March 27, is World Theatre Day. It is an occasion for theatre artists to share with their public how they see their art and how they think it can contribute to understanding and peace between peoples.

The theatre brings people together and World Theatre Day is the celebration of this vision.

I will read what Quebec playwright Michel Tremblay wrote in his international message in the year 2000:

...the role of theatre? To accuse. To denounce. To provoke. To disturb ... Salvation, as we head into the third millennium, will come ... from those ... voices which rise up everywhere to denounce injustice and, true to the very foundations of theatre, extract the essence of humankind, press it and transform it in order to share it with the whole world ... These voices speak to everyone because, from the outset, they are aimed at a particular person, a particular public, which can be stirred at the recognition of its joys and its sorrows, which can cry and laugh at itself. And the whole world will recognize itself if, from the outset, the likeness is a good one.

In celebration of this day, I am going to share with you a few words from my favourite character: *La Sagouine* by Antonine Maillet.

Got a sayin of my own, that Spring is the good season fer us. Some say it's summer. But I'm pretty sure that to be happy, a person's gotta hope fer som'n, som'n better. So, durin the whole of Spring, we're hopin fer summer. We wait fer clams 'n quahaugs, fer blueberries 'n warm weather, 'n fer'em picnics at Sainte-Anne's 'n Sainte-Marie's. While in the month of August, we ain't waitin fer not'n anymore. It ain't havin som'n that gets a person feelin good, it's knowin you're gonna have it. That's why Spring is the best of times, I says.

### ENVIRONMENT

BELIZE—FORTIS DAM ON MACAL RIVER

**Hon. Janis G. Johnson:** Honourable senators, I rise today to address a matter that should concern all Canadians. I am referring to the controversial plan of Canadian hydro developer Fortis Incorporated to build a dam on the Macal River in Belize. This proposal has attracted vociferous opposition from key environmental groups and noted scientists, and much attention in the media.

Fortis holds a monopoly on the provision of electricity in Belize. It also owns majority shares in an ineffective hydro dam already installed on the Macal River, to which the planned dam would provide water during the dry season.

In accordance with Belizean law, Fortis had an environmental impact assessment done for the proposed project. They gave the job to AMEC, an engineering firm with a long history of hydro development. AMEC in turn succeeded in securing \$250,000 from CIDA for this assessment under CIDA's Industrial Cooperation Program, which supports the creation of "justification reports" for development projects.

Opposition to this project first stemmed from the fact that the area Fortis proposed to flood is a crucial habitat and breeding ground for several threatened and endangered species. The worst fears of these groups were confirmed by AMEC's own assessment of the dam's impact on wildlife, which AMEC subcontracted to the Museum of Natural History in London. Their report highlighted the likely devastating effects of the dam on the area's rare wildlife and ecosystem.

In the months since its publication, more problems with the report have come to light. The most shocking of these are its highly questionable geological assessments. The report wrongly identifies the site's bedrock as granite, when it is known to be made of poor load-bearing sandstone and shale. It also fails to report 45-metre-deep faults in the bed of the proposed reservoir.

Fortis is pushing ahead, however, with the construction of a service road network in the area, despite the fact that they have not yet produced an environmental impact mitigation plan, a requirement of the Belizean government before proceeding.

For us, honourable senators, the question is about our government's involvement in this exercise, as \$250,000 of taxpayers' money has gone toward supporting a report that seeks to justify the project of a Canadian company at all costs.

Fortis, AMEC and CIDA should account for these errors and act responsibly. A Canadian company supported by the Canadian government is flouting standards that are rigorously applied in our own country. They have the same moral and legal obligation to protect the interests of the citizens of Belize, who will pay dearly if the dam fails.

[Translation]

## QUESTION PERIOD

### DELAYED ANSWER TO ORAL QUESTION

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, I have the honour to table a delayed answer in response to an oral question raised in the Senate on February 5, 2002, by Senator Kinsella, regarding national defence.

### NATIONAL DEFENCE

#### WAR IN AFGHANISTAN—POSSIBILITY OF PRISONERS BEING TRIED UNDER LAWS OF COUNTRY OF ORIGIN

*(Response to question raised by Hon. Noël A. Kinsella on February 5, 2002)*

The Canadian government has not finalized a position on this issue which remains, as of now, hypothetical. To our knowledge, there are no Canadians detained by the U.S. in Afghanistan or at Guantanamo Bay.

Obviously, the particular facts of a situation would have to be considered before determining a course of action.

Nonetheless, the question raises issues under international law and perhaps the Canadian Charter. Under international law, any detainee captured by the Canadian Forces, irrespective of their nationality, is entitled to a standard of treatment corresponding to their status during the armed conflict. With respect to Canadians detained by other military forces, international law imposes no obligations on Canada per se. We would, however, expect the detaining forces to treat the detainee in accordance with their international legal obligations and to accord Canadian officials access to the prisoner.

Canadian criminal law is primarily territorial in nature. In most circumstances, Canada cannot prosecute for a crime that has been committed outside Canada. The exception to this normal rule relates primarily to criminal offences which are defined in international law, such as piracy, hijacking, hostage taking, or crimes against humanity or war crimes. So Canada's ability to try such a person "pursuant to Canadian justice" would depend very much on the details of the crime alleged against the individual.

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, under Government Business, we would like to start with Item No. 3, third reading of Bill C-52, and then proceed to Item No. 1, third reading of Bill C-39. If we have the time — but we will probably be interrupted by the recorded division — we will then proceed to Item No. 2, third reading of Bill C-30. If not, after the recorded division, we will resume debate on third reading of Bill C-49, and then proceed with the Orders of the Day as set out in the Order Paper.

[English]

### APPROPRIATION BILL NO. 1, 2002-03

#### THIRD READING

**Hon. Anne C. Cools** moved the third reading of Bill C-52, for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003.

She said: Honourable senators, I think that matters have been properly canvassed and it would be quite in order for His Honour to put the question.

**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.

### YUKON BILL

#### THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Christensen, seconded by the Honourable Senator Léger, for the third reading of Bill C-39, to replace the Yukon Act in order to modernize it and to implement certain provisions of the Yukon Northern Affairs Program Devolution Transfer Agreement, and to repeal and make amendments to other Acts.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, in rising to speak at third reading on Bill C-39, I should like to make the preliminary observation that the debate in this chamber at third reading stage has been very helpful.

Our colleague Senator Watt has sensitized this house to a number of concerns that some First Nation persons have with regard to this bill to replace the Yukon Act. On the other hand, the Leader of the Government in the Senate has advised us that all 14 Yukon First Nations, the Kaska Nation, the Yukon government and the federal government negotiated the devolution transfer agreement which sets out terms of the transfer of land and resource management powers from the federal government to the Yukon government.

We were helped by our colleague Senator Beaudoin, who explained to us that the power exercised by the Yukon government is power delegated to the Yukon from the federal authority. This is a situation quite different from the power acquired by the Nisga'a in the legislation that was before this house some time ago and which, as honourable senators will recall, was not simply a delegation of jurisdiction but, rather, a new order of government, in the words of some.

The question of the constitutionality of the bill has been canvassed at third reading. I take guidance from my colleague Senator Beaudoin, who has advised us that, by his analysis, the bill appears, on balance, to be constitutional.

On the other hand, Senator Watt has clearly underscored that the 1870 commitment is very real and has not disappeared. I think there is common acceptance of that point. I did not hear the Leader of the Government in the Senate say that this was an obligation. Indeed, I think I heard her say the opposite.

As the debate at third reading began, it might have been helpful to have the bill referred to the Standing Senate Committee on Legal and Constitutional Affairs to examine those questions. However, upon hearing the fulsome debate at third reading, I feel that we probably have sufficient justification for adopting the bill. If we are wrong, which we might be — there is still that doubt — the courts will advise us.

In her address at third reading, Senator Cochrane provided a good analysis of the history and of the challenge that continues to confront the parties. I am now satisfied that the parties to the ongoing land discussions include, *in situ*, the Yukon government with the delegated authority, as we were reminded by Senator Beaudoin. It is happening on the ground and all parties are involved.

I am satisfied that it would be best to accept the bill as is, with the caveat that there is a possibility of problems with it. There are certainly many challenges. We can only encourage those who are party to the negotiations to find an equitable resolution.

In the process, Senator Beaudoin identified the problem of the application of the Official Languages Act. It is not the statute itself that is the problem; it is the agreement. It is not an ordinary agreement. The agreement discusses how powers will be exercised quasi-legislatively. It is in the interest of all that this question be examined so that in the future, if agreements that are part of the transfer of jurisdiction are associated with the bill, perhaps the agreements should be crafted in both official languages. That does not, however, impede the integrity of the bill as it is currently before us.

• (0920)

**Hon. Nicholas W. Taylor:** As chair of the committee, I would like to thank the honourable supporters for their support. We flew people in from the Yukon, both government and Aboriginal people. The debate that took place within our committee was almost identical to what took place in the chamber. I look on it as

a confirmation of the pertinence of committee work. I suppose we could have had it all take place here in the chamber, but the fact that, at third reading and report stage, the Senate went through the same process as we did and came to the same conclusion gives us a certain amount of satisfaction. It shows that the committee system works.

**The Hon. the Speaker:** Honourable senators, it was moved by the Honourable Senator Christensen, seconded by the Honourable Senator Léger, that this bill be read the third time.

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read third time and passed.

## COURTS ADMINISTRATION SERVICE BILL

### THIRD READING—DEBATE SUSPENDED

On the Order:

Resuming debate on the motion of the Honourable Senator Bryden, seconded by the Honourable Senator Sibbeston, for the third reading of Bill C-30, to establish a body that provides administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada, to amend the Federal Court Act, the Tax Court of Canada Act and the Judges Act, and to make related and consequential amendments to other Acts.

**Hon. Serge Joyal:** Honourable senators, I should like to join my colleagues in this debate because an important question has been raised. Bill C-30 is a bill to establish a body to provide administrative services to the Federal Court of Canada, the Tax Court of Canada and the Court Martial Appeal Court of Canada.

For the first time, this bill will unify the administration of those courts that, until now, were administered on different grounds. I raise this point because we on the committee did what I would call a fast-track study of that bill. We concluded our study on the bill, including questioning, in just one meeting.

Many elements were brought to our attention that, in my opinion, need to be reviewed. We were led to believe that the bill was essentially the conclusion from the Auditor General's report of 1997, or that it was a model similar to the one followed by the Supreme Court of Canada, or a model similar to the Federal Court of Australia that, in the opinion of the witness and some members of the committee, were very satisfactory.

I did review the report of the Auditor General of Canada and, in fact, the bill does not include the model suggested by the report of the Auditor General of Canada.

Honourable senators, the report of the Auditor General of Canada reads, in section 247:

[Translation]

The Federal Court prefers to acquire administrative autonomy in the same way as the Supreme Court of Canada.

[English]

In other words, the Auditor General would like the new services of the united court to be similar to those of the Supreme Court of Canada. What is the model at the end that the Auditor General of Canada proposed? It is a model referred to in paragraph 250 of the report, which states:

[Translation]

It could perhaps create a body for the provision of services to the courts similar to those referred to in Annex 11-C of the report.

[English]

What is the proposal of the Auditor General Canada? The annex of the report, 11(c), states clearly that a management committee should be established. That management committee should be composed of the following people: judges, lawyers and eminent citizens. That is the body that should answer to Parliament regarding the funds of the administration and the way the courts are administered. The model proposed in Bill C-30 does not include that management committee. It is the chief administrator who communicates directly with the minister, and the report is tabled in Parliament. It is not right to conclude that the bill, in fact, enshrines the proposal of the Auditor General of Canada.

The bill does not include the model followed by the Supreme Court of Canada. Let us take the Supreme Court of Canada Act. The act establishing the Supreme Court of Canada does not provide for any term of appointment for the registrar of the court, while Bill C-30 provides for a limited term of five years. We raised this point in the committee, but some senators did not want to pursue it at that point in time. They were satisfied with that section of the bill. I agree that it might be satisfactory, but it is certainly not the same model as that of the Supreme Court of Canada.

The Supreme Court of Canada does not have an obligation to report to the Parliament of Canada. There is absolutely no provision in the Supreme Court of Canada Act that provides for the court to table a report in Parliament, while Bill C-30 provides for that. The report of the Auditor General of Canada, in section 247, indicates that the Federal Court wants to have the same autonomy as the Supreme Court of Canada, but that is certainly not reflected in the Supreme Court of Canada Act.

I see my friend Senator Beaudoin saying that we have a report of the Supreme Court of Canada. No, we do not have a report of the Supreme Court of Canada. I checked with the registrar on that point. There is no annual report of the administration of the Supreme Court of Canada tabled in Parliament.

[ Senator Joyal ]

Honourable senators, my next point is with regard to the Australian Federal Court, as it has been suggested that this is the model we are following. I took the Australian Federal Court Act and reviewed it. It states clearly that the registrar of the Federal Court of Australia is appointed at the suggestion of the chief justice of the court. This is not our proposal. Our proposal is a consultation of various chief justices. You know what happens when there is a conflict between justices: The minister is the last arbitrator and he or she will appoint the person whom they consider to be the best person. However, it is not the same as the Australian model. Moreover, the report is prepared by the chief justices. It is not prepared by the registrar or the chief administrator, in the federal Australian model. That is very clear. I have the Federal Court of Australia Act here. The registrar is appointed by the Governor General on nomination by the chief justice. In other words, the chief administrator — the registrar — is appointed by the chief justice. As I mentioned, there is no provision for the registrar to table a report in Parliament and to be answerable in Parliament the way that we were led to believe would happen in Bill C-30. This is a major difference with the Australian Federal Court.

My next point, honourable senators, concerns the chief administrator. We were led to believe that the chief administrator is someone who would be responsible, more or less, for maintenance of the court facility. That person would check the ventilation system and whatever else is important for the court to function, but the chief administrator has a status greater than that. He is similar to a deputy head of public administration. He is the CEO of the administration. He must satisfy the needs of three different courts.

Honourable senators, it is time for the deferred vote, so I will stop.

Debate suspended.

**The Hon. the Speaker:** Honourable senators, it being 9:30 a.m., pursuant to the order adopted by the Senate on March 26, 2002, I interrupt the proceedings for the purpose of disposing of the amendment to Bill C-49. The bells to call in the senators will be sounded for thirty minutes. The vote will take place at 10:00 a.m.

Call in the senators.

• (1000)

## BUDGET IMPLEMENTATION BILL, 2001

### THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Cools, seconded by the Honourable Senator Léger, for the third reading of Bill C-49, to implement certain provisions of the budget tabled in Parliament on December 10, 2001,

And on motion in amendment of the Honourable Senator Kinsella, seconded by the Honourable Senator Lynch-Staunton, that the bill be not now read a third time but that it be amended in clause 5, on page 14, by replacing lines 39 to 43 with the following:

“(ii) an individual under twelve years of age or sixty-five years of age or older.”.

Motion in amendment negated on the following division:

YEAS  
THE HONOURABLE SENATORS

Andreychuk	Kelleher
Atkins	Keon
Beaudoin	Kinsella
Buchanan	Lynch-Staunton
Comeau	Murray
Di Nino	Rivest
Doody	Taylor
Eyton	Tkachuk—17
Johnson	

NAYS  
THE HONOURABLE SENATORS

Austin	Joyal
Banks	LaPierre
Bryden	Lapointe
Carstairs	Léger
Chalifoux	Losier-Cool
Christensen	Mahovlich
Cook	Milne
Cools	Morin
Corbin	Pearson
Cordy	Pépin
Day	Poulin
De Bané	Poy
Fairbairn	Robichaud
Fitzpatrick	Rompkey
Fraser	Stollery
Furey	Tunney
Gill	Watt
Graham	Wiebe—37
Hubley	

ABSTENTIONS  
THE HONOURABLE SENATORS

Nil

## COURTS ADMINISTRATION SERVICE BILL

### THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Bryden, seconded by the Honourable Senator Sibbeston, for the third reading of Bill C-30, to establish a body that provides administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada, to amend the Federal Court Act, the Tax Court of Canada Act and the Judges Act, and to make related and consequential amendments to other Acts.

**Hon. Serge Joyal:** Honourable senators, I would remind you that my first argument in relation to Bill C-30, to establish a body that provides administrative services to the four federal courts, is that the model included in the bill is not the model proposed by the Auditor General of Canada, nor the model provided in the Supreme Court of Canada Act, nor the model of the federal Australian court. I have illustrated by quotations from the Auditor General's report or the respective acts that we do not find in Bill C-30 comparable sections that would sustain the conclusion that the bill is just enshrining one or the other of those models.

My second point is about the role of the chief administrator. The chief administrator is the head of the new joint services and has the mandate to provide all the services needed by these courts to function normally. The chief administrator is not there merely to ensure that there is a courtroom in general, and that it is air-conditioned in the summer and heated in the winter. As mentioned, the chief administrator has the status of a deputy head, which is one of the highest levels in federal public administration. That means he or she is, according to the act, section 7, the chief executive officer of the new service. In other words, he or she is the CEO of that service, not a janitor or a maintenance person. The chief administrator is furnished with all the powers necessary for the overall management and administration of all court services, including “court facilities, libraries, corporate services and staffing.” That is much more than ensuring the heating system is on.

The incumbent in this position is key because he or she will have to reconcile the needs of four different courts. He or she will have to arbitrate and be in constant contact with the chief justices, the 50 justices involved in the Federal Court, the Tax Court, and the Court Martial Appeal Court, in order to be able to function properly. He or she is a key person in the management of the efficiency of the court service and the court in general. I want to stress that we were led to believe that the status of that person would be that of a second-ranked civil servant when, in fact, he or she will be at the top of the list.

My third point is about the consultation of the judges in the drafting of the bill. Questions were put to the witnesses about the consultation with the representative of the judges to define that section of the bill. It was a question put to Ms Bellis by Senator Andreychuk, and I quote from the transcript of the proceedings of the committee:

The model that we have proposed for the tenure of the chief administrator was one that they agreed struck the balance between their necessary area of judicial control and the need for an administrator who would continue to be effective.

rooms and direction of the administrative staff performing these duties...

[English]

Honourable senators, this bill is a serious one and needs thorough discussion.

**Hon. A. Raynell Andreychuk:** Honourable senators, Senator Robichaud has prevailed upon me to speak today in the spirit of cooperation so that we can be expeditious in our work. I will put some comments on the record today. I would have preferred to have had more time to reflect on this bill.

I wish to associate myself with the comments made by Senator Joyal. In this bill we were not dealing with an administrative matter or an issue that efficiency should rule; the fundamental issue here was judicial independence.

Having presided as a judge at a time when the administration of the government and the administration of the courts were one and the same and having had to fight for independence, I speak with some authority on this issue.

The act of administration for the courts has a profound effect on the independence of a judge within his courtroom. A judge handling a case is dependent on the administration to provide the necessary tools, the necessary time, the necessary building, the necessary hours and the necessary ambiance — if I can call it that to shorten my debate — in the courtroom. All of that goes to supporting and facilitating people's understanding of their need for justice.

If we are crammed, if we are tight in time, if we delay hours, days or weeks, justice is not served in many cases. Most of the judges I have dealt with are very concerned that they be given full discretion to conduct the court according to the rules and good judicial practices.

However, I have seen the pressures put on governments. They have many competing interests and, particularly when there is a shortage of resources, cost-cutting becomes the key. The judiciary must have its fair share of the burden of cost-cutting. Administrators are less concerned about the consequences for justice than they are about the efficiency and the effectiveness of the administration. While hopefully both are one and the same, they are not necessarily the same in every case.

This bill establishes an administrative process that I believe separates the government from the judicial arm better than we have done in the past. However, I do not believe, as Senator Joyal says, that we have reflected on whether it is the most desirable and the best possible practice. There is a variance from the Supreme Court and from other jurisdictions struggling with this issue.

I asked to be provided with confirmation of the agreement to the bill by the various representatives of the judges of the four courts. The witness, Ms Bellis, took it upon herself to consult and to report to us on time to the effect that the judges agree with the bill. I asked that question specifically the morning we voted clause by clause on that bill. So far, we have not been provided with that formal confirmation. I do not wish to doubt the words or statement of the witness, but so far we have not seen it.

Finally, honourable senators, it is a fundamental bill. It restructures the Federal Court in two different ways: the trial division for civil and penal cases, and the appeal court for civil and penal cases. The Federal Court has been in operation since 1875, since the first Exchequer Court of Canada was established according to our Constitution. It is the first time we have come to the conclusion that the appeal division should be separated from the trial division. This decision is very important. The committee did not canvass that proposal in the bill. The bill contained two sections that established the Tax Court as a superior court, that is “une cour d’archives et d’amirauté,” which is essentially a level of a superior court in a province and the level of the Federal Court. This decision for the Tax Court is very important after so many years in operation. We in the committee, being a collective “we,” did not go into the details. We were called upon to do a clause-by-clause vote on the bill.

Honourable senators, I am not opposed to the bill. I will support it. I want to draw your attention to the fact that adopting a bill in one session leaves questions pending. In all fairness, I do not wish to impute any motive to any member of the committee because the committee does its work very well, but there are elements in statements by the witnesses that are important.

• (1010)

Our committee reviewed the judgment of the famous P.E.I. case where the principle of independence of the judiciary was very well stated by the Supreme Court. The judgment read:

[Translation]

...the essential aspects of institutional independence as may reasonably be seen to be sufficient...

The essential minimum was defined as the power by the courts to make decisions concerning the following matters:

...the assignment of judges to cases, court sittings, the role of the court and the related matters of allocation of hearing

[ Senator Joyal ]



In my opinion, there are elements of this administration that point out that the final say will be with the government and not with the judiciary, despite the fact that the chief judges of the various jurisdictions will have input. If there is a conflict with the government, the dispute-resolution mechanism appears to put the weight on the side of the judges as opposed to the government. However, the chief administrator who serves at the pleasure of the government must take that job from day one and understand who is his or her boss, in essence. This administrator cannot avoid the fact that he or she holds that office at pleasure.

As we have said to our auditors, our ethics counsellors and all of the tribunals that have been set up, for justice to be seen to be done there must be independence. At first blush, this bill appeared to include independence. However, when one looks at the way the bill is drafted and the pressures that will be put on this administrator, I think there would be a chilling effect on the person who takes the job if the government was to go in one direction and the judges were to go in another on a particular issue of administration. In the end, if the judges prevail, one wonders what the attitude of the government will be toward that administrator's capability of putting his or her opinion forward fully and forcefully.

Another concern is that it would appear that negotiations to this point and the consequent results occurred over a long period of time, which implies that there were differences of opinion that had to be compromised. We did not delve into what extent these compromises were worked out appropriately. To what extent were the ordinary judges, represented by the chief justices, consulted? We did not delve into in great detail the variance of opinion that they may have concerning their roles.

I would like to have done a comparison of the courts in Canada, particularly those that have struggled for more judicial independence, to see whether this model is helpful. I am left with the feeling that this is not the model that we will ultimately have to reach for if we care for independence. Surely the best model was the one advocated by a court process in which I was involved, that the courts should negotiate a sum of money. While the courts should be open and transparent as to how they use that money, the courts should ultimately determine how that money is allocated. The administration of the courts should be undertaken solely by the judges rather than in this joint and convoluted manner.

Honourable senators, we have a long way to go before we have a system where judges are totally independent. I am hopeful that the good people in the system will keep this in mind and that the government will undertake to assure the public, Parliament, and more particularly the administrator that he or she can act using his or her best professionalism and not be interfered with in his or her role as administrator. I hope that the government rethinks this appointment at pleasure for a time limit of five years and extends the time to perhaps a 10-year period for an administrator to work without interruption and without this constant knowledge that he or she can be pulled out of the job at any time.

That is my rambling statement on the issues. At a later time, either in the committee or in consultations with the Minister of Justice, perhaps we can continue to push for more judicial independence. I cannot think of anything more important for the Canadian government. Canada sends judges all over the world, and we preach to other countries that the hallmark of good governance and democracy is a totally independent judiciary. We must, ourselves, be able to withstand that test.

• (1020)

Honourable senators, I am left with some doubts about this bill. However, I will support it on the basis of what the department said about having wrestled with this matter for some time and their wanting to move on with it. I hope that after the bill is passed the department will take this as step one in a continuous reassessment of ultimately attaining an independent judiciary.

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

**Hon. Senators:** Yes.

**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.

## BUDGET IMPLEMENTATION BILL, 2001

### THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cools, seconded by the Honourable Senator Léger, for the third reading of Bill C-49, to implement certain provisions of the budget tabled in Parliament on December 10, 2001.

**Hon. Gerald J. Comeau:** Honourable senators, when I was asked to be a member of the committee examining this bill, I did not hesitate. As a matter of fact, I was surprised the bill had reached committee stage. I say that because, when I looked at its measures, I had to agree with Senator Murray who said that the bill looks like it was improvised and done on the fly. At least that is how it appeared to me.

I thought that the Liberals would have put the brakes on it well before it reached committee stage. This bill is out of touch. It has nothing to do with what should be before us. Senator Ferretti Barth summed it up best when she referred to the impact this bill will have on seniors and youngsters who will have to bear the brunt of this new \$24 tax.

Small communities and labour will be impacted by this bill. If there is one area in which we should have good labour relations it is in the area of the security and the protection of travellers. Yet reasonable requests made by labour concerning successor rights and other measures for good labour relations, such as representation on the board of the authority, were not even considered.

My attendance at the committee was a real eye-opener. One of the first questions I asked Minister Collenette was: Did you do an impact study of this bill on small communities in Canada? His blunt answer was, "No, we did not do it. We are just imposing a tax of \$24."

**Senator Kinsella:** He is from Toronto.

**Senator Comeau:** That is a good point that I will get to later.

**Senator Cools:** It is a good place to be from. I am from Toronto. Long live Toronto!

**Senator Comeau:** Senator Cools says it is a good place to be from. I will come back to that in a moment.

Minister Collenette said that there was no impact assessment at all of this decision. I also asked about the impact on small airports throughout Canada, airports from which many of us in this place have to travel. I see honourable senators on both sides nodding their heads. Yes, we have to travel to distant places every week. Most of us try to reach our communities every week so as to sense the impact legislation will have on the lives of people in our communities.

I will not name all the smaller places that will be affected. However, places like Îles-de-la-Madeleine, Fredericton and Sydney are among them. There are dozens of others on the list of airports that will now have to levy a brand new flat tax on each member of the travelling public.

Honourable senators, I should like to talk about Yarmouth, which is a community in my home area. Its airport has been struggling for the last number of years since the devolution of airports to local airport authorities. It is a marginal airport. It tries its best to entice travellers to travel out of Yarmouth. By having an airport with airplanes flying out of Yarmouth, we are able to get products such as fresh fish and lobster to market. Minister Collenette says, "We have not done an evaluation of the impact this bill will have on Yarmouth." Basically, he said, "Do not worry. If, down the road, there is an impact, we will look at it and see what we can do." If the airport is no longer there at that time, it will be too late.

We pointed out the fact that airports are everyone's business. They are no longer the business of just the travelling public. I will tell honourable senators why. The lobster and the fresh fish

that are shipped out of Yarmouth on those airplanes are products of fishermen who may never travel. What about the fish plant workers who may not travel? Their products are shipped by air. Thus, the impact is felt by the whole community, whether they be hairdressers or teachers, who may never travel. Yet the impact of losing an airport has an impact on all these people.

To me, this measure is an abandonment of small communities. It is the type of thing we could expect from the Reform-Alliance in the other place, not from the Liberal Party, not from the party of Pierre Trudeau and Lester Pearson, people who believed in our communities. I must point out that I have not always agreed with former Liberal prime ministers. However, former Prime Ministers Pearson, Trudeau and many others in the past believed in our communities. They would never abandon them.

Honourable senators, we cannot even have an impact assessment. That is not the tradition of Liberals whom I have respected. Even though I am of a different political persuasion, I never expected this party to come to this place with policies the likes of which were put forward by Margaret Thatcher, Preston Manning and the like.

I read in the newspaper the other day that Margaret Thatcher will no longer do speaking tours. If Prime Minister Jean Chrétien ever decides to retire, perhaps we could get him to replace Margaret Thatcher on these speaking tours.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Are you supporting Mr. Rock or Mr. Martin?

**Senator Comeau:** Neither one at the moment. However, I will be listening to Mr. Martin and Mr. Rock to see which one wishes to come back to the proud Liberal traditions of the past, those Liberal traditions of the past that we could respect. I will be listening to the discussions as the leadership race progresses to determine which of the two I will support.

• (1030)

Let us come back to the eye-opener committee hearing. We had two ministers in front of us telling us why we should be supporting this bill. Those two ministers happen to be from Toronto, as is the sponsor of the bill in the Senate.

**Some Hon. Senators:** Oh, oh!

**Senator Comeau:** This is the picture of Canada that the Liberal Party now wants us to accept. It reminds me of the old joke: How do you change a light bulb in Toronto? Somebody lifts a hand in the air with a bulb and the world turns around.

There is a flight from Ottawa to Toronto every hour on the hour. Let's have more flights from Ottawa to Toronto, and let's forget all the little communities, as the Liberals want us to do.

Many senators in this chamber travel to small communities week after week. I am glad that many of the senators are doing this because they know, unlike those who travel to Toronto, what a \$24 tax will do to those communities. All around this place, on both sides, I recognize that those senators know how this will impact on their constituents.

Senator Kinsella raised the point yesterday, and I would like to repeat it, that airport security is everybody's business. It is not only the concern of travellers. User pay, market forces and laissez-faire did not build this great country. Those are not what built this great country of ours. We built this country with respect for all communities throughout Canada.

Honourable senators, the steelworkers appeared before our committee, and they made some very reasonable requests. They wanted successor rights and representation on the board of the new authority. Yesterday Senator Cools read a letter from the minister, wherein he stated that he would consult with organized labour and appoint a member who is sensitive to the goals of organized labour. What a bunch of something!

**Senator Cools:** Shame, shame!

**Senator Comeau:** Senator Beaudoin tells me not to use the word because it would not be polite.

It is a crock. This is no way to respond to the very reasonable request of labour. Reasonable people would go out of their way to accommodate them. A government that had thought this through would have gone out of its way to respond to labour's concerns, especially in regard to airports. These are front line people upon whom we must rely for our security. Surely they deserve a voice that they can trust on the authority's board.

Now we will have workers who are unhappy with decisions made by the authority. Honourable senators, the last thing I want is dissatisfied security people at the airport. That is the last thing anybody in Canada would want. Their request could be accommodated so easily. Just give them representation on the board. It is, as I said, a very reasonable request.

Honourable senators, I will in no way shape or form be reassured by the passage of this bill. We have an opportunity in this chamber to send a message to government that we understand what people appearing before our committee are telling us. I would ask, honourable senators, for you to join with me in passing a motion in amendment that would at least send the message that we are listening to our witnesses.

[Translation]

#### MOTION IN AMENDMENT

**Hon. Gerald J. Comeau:** I move:

That the bill be not now read a third time, but that it be amended in clause 2, on page 6, by replacing lines 5 to 9 with the following:

“ment as directors, two must be nominees submitted by the representatives of aerodrome operators designated under that section whom the Minister considers suitable for appointments as directors, and two must be nominees submitted by the bargaining agent that represents the greatest number of screening offices employed at aerodromes in Canada whom the Minister considers suitable for appointment as directors”

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

**Some Hon. Senators:** No.

**Some Hon. Senators:** Agreed.

[English]

**The Hon. the Speaker *pro tempore*:** On the motion in amendment, those in favour will please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker *pro tempore*:** Those opposed will please say “nay.”

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**Hon. Bill Rompkey:** Is there agreement for a 15-minute bell?

**The Hon. the Speaker *pro tempore*:** There is agreement for a 15-minute bell.

Call in the senators.

• (1050)

Motion in amendment negated on the following division:

YEAS  
THE HONOURABLE SENATORS

Andreychuk	Kelleher
Atkins	Keon
Beaudoin	Kinsella
Buchanan	Lynch-Staunton
Comeau	Murray
Di Nino	Rivest
Doody	Tkachuk—15
Johnson	

NAYS  
THE HONOURABLE SENATORS

Banks	Joyal
Carstairs	LaPierre
Chalifoux	Lapointe
Christensen	Léger
Cook	Mahovlich
Cools	Milne
Corbin	Morin
Cordy	Pearson
Day	Pépin
De Bané	Poulin
Fairbairn	Poy
Ferretti Barth	Robichaud
Fitzpatrick	Rompkey
Fraser	Sparrow
Furey	Stollery
Gill	Taylor
Graham	Tunney
Hubley	Wiebe—36

ABSTENTIONS  
THE HONOURABLE SENATORS

Watt—1

[Translation]

**Hon. Laurier L. LaPierre:** Honourable senators, I would like to make a correction to today's Notice Paper. On page 3, in connection with the motion by Senator Cools for third reading of Bill C-49, the English version reads:

[English]

...seconded by the Honourable Senator Léger...

[Translation]

The French version reads:

[The Hon. the Speaker pro tempore]

...appuyée par l'honorable sénateur LaPierre...

Referring to the *Journals of the Senate* for Tuesday, March 26, 2002, page 1387, we see that I seconded the motion by Senator Cools for third reading of Bill C-51. On page 1388, Senator Léger seconded the motion by Senator Cools for third reading of Bill C-49.

I would request a correction to the Order Paper to this effect. I would like to thank my advisors in this: Senators Day and Cools, and the Clerk of the Senate.

[English]

**The Hon. the Speaker pro tempore:** Honourable senators, it was moved by the Honourable Senator Cools, seconded by the Honourable Senator Léger, that Bill C-49 be read the third time. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

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

[Translation]

ROYAL ASSENT

NOTICE

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

RIDEAU HALL

March 27, 2002

Mr. Speaker,

I have the honour to inform you that the Honourable Ian Binnie, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of the Governor General, will proceed to the Senate Chamber today, the 27th day of March, 2002, at 11:30 a.m., for the purpose of giving Royal Assent to certain bills.

Yours sincerely,

Barbara Uteck  
*Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

• (1100)

## NATIONAL ACADIAN DAY BILL

### SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Comeau, seconded by the Honourable Senator Bolduc, for the second reading of Bill S-37, respecting a National Acadian Day.—(*Honourable Senator Losier-Cool*).

**Hon. Rose-Marie Losier-Cool:** Honourable senators, I must extend my congratulations to Senator Comeau. His Bill S-37 institutes August 15 as National Acadian Day. I support this bill with pleasure.

In 1881, at the first Acadian national convention, held in Memramcook, New Brunswick, Acadians selected August 15 as their national day.

In 1604, the first settlers set foot on what is today Nova Scotia, with hopes of establishing a colony there. They could never have imagined that their exploits would be celebrated with so much enthusiasm 400 years later. In Acadia, preparations have been underway for some time now for the celebration of the four hundredth anniversary of the arrival of those first French settlers on Canadian and Acadian soil.

The World Acadian Congress will be held in Nova Scotia from July 31 to August 15, 2004. This third international assembly of Acadians will draw attention to the cultural, economic and social vitality of the Acadians of Nova Scotia within Canadian society. All recognition of the contributions the Acadian people have made to Canadian society is richly deserved.

Honourable senators, I would very much like to see the bill retain the French name of the national day in its English version, that is August 15, Fête nationale des Acadiens et des Acadiennes.

[*English*]

I know this bill will go to committee and I strongly urge members of the committee to study it attentively to ensure that the correct wording is used to respect the full sense and meaning of the bill in both official languages.

[*Translation*]

**Hon. Eymard G. Corbin:** Honourable senators, I wish to indicate my support of this bill. I have spoken with Senators Robichaud and Losier-Cool, but have unfortunately not been able to discuss this with Senator Comeau. This has been a recent development.

I share Senator Losier-Cool's opinion that the French name of the day should be used in the English version. At first glance, the English meaning is not at all the same as the French. It would be

important, as suggested by Senator Losier-Cool, for the committee to examine this matter carefully. I would ask Senator Comeau to subscribe to this view as well, if he can see his way clear to do so.

It is important to preserve the special cachet of this day, which concerns the Francophonie. There ought not to be any transposition into another language of what makes this event unique.

This practice is followed elsewhere. For instance, McCain Foods does not get changed to Nourriture McCain, and so on. This designation has its own particular flavour, and I would therefore like to see the French title of the day retained in the English version.

[*English*]

**The Hon. the Speaker:** Honourable senators, if the Honourable Senator Comeau speaks now, his speech will have the effect of closing the debate.

[*Translation*]

**Hon. Gerald J. Comeau:** Honourable senators, we can examine and correct these matters in committee.

I am totally in agreement with retaining the value of the original expression, la Fête nationale des Acadiens et Acadiennes, keeping it in the mother tongue of that event. The bill ought to emphasize this in a very meaningful way. I am fully in agreement on that.

I would again like to thank Senator Losier-Cool for this initiative to have la Fête nationale des Acadiens et des Acadiennes recognized, and for having motivated us to promote it. I also thank her for referring to the festivities planned for 2004. All senators, indeed, all Canadians, are invited to join with the Acadians of Nova Scotia and the rest of the Maritimes in celebrating this very special event.

That said, I would move that the bill be referred to the Social Affairs, Science and Technology Committee, for an in-depth analysis and the required corrections.

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

On motion of Senator Comeau, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

[English]

## FOREIGN AFFAIRS

BUDGET—STUDY ON EMERGING DEVELOPMENTS IN  
RUSSIA AND UKRAINE—REPORT OF COMMITTEE—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Stollery, seconded by the Honourable Senator Morin, for the adoption of the twelfth report of the Standing Senate Committee on Foreign Affairs (budget—study concerning Russia and Ukraine), presented in the Senate on March 25, 2002—(*Honourable Senator Andreychuk*).

**Hon. A. Raynell Andreychuk:** Honourable senators, in light of the fact that Senator Stollery referred to me yesterday in his comments on this report, something which is not usually done in our practice, I wish to put some things on the record.

The Standing Senate Committee on Foreign Affairs has been pursuing our order of reference dealing with Russia and Ukraine, a significant part of the world with regard to stability and peace in Europe, and therefore North America. Also, Canada has a substantial immigrant population from that area of the world.

As Senator Stollery pointed out, our study has been ongoing for quite some time and we have heard from many witnesses. We would have proceeded more expeditiously on that study had we not interrupted it to conduct a study on NATO, which was extremely valuable. Thereafter, we returned to the Russia and Ukraine study. We received much evidence in Canada, but, before completing our report, it will be valuable to the committee to hear from the policy-makers and the people in Russia and Ukraine who will lead their countries in the appropriate direction in the future.

• (1110)

It is the practice of the Senate to utilize steering committees so that the senators who sit on both the opposition and the government sides can have a say in the conduct of the committee. Steering committees take into account the opposition. In this place we have a tradition that both parties must be taken into account in an attempt to reach a consensus.

Senator Stollery has put his comments on the record. By and large, I agree with them. He made certain decisions; they were not made by the steering committee. These were then confirmed in some cases with the full committee where, of course, there are eight Liberal senators and four Progressive Conservative senators.

When the trip was delayed, I contacted the clerk, as I could not reach Senator Stollery at the beginning of January. The indication was that Senator Stollery wished to take this trip in May. I

disseminated that information to the members on this side and reconfirmed it when the session started. As a result, many of us began clearing our schedules for May.

Senator Stollery indicated that he needed to move the date back to April, and April 8 was chosen. We continued to indicate that May was our preferred time, and I believe that continues to be our position. However, Senator Stollery said he did his own canvassing of members, not through the steering committee, and came to the conclusion that April 8 was not a good date. He moved it to April 15.

I fully understand the difficulty of trying to manage senators and their schedules, but I am also very conscious of how difficult it is on this side to manage committees, as there are few of us and our numbers are decreasing. As a result, I suggested that all our work go through the steering committee.

The last steering committee meeting was on March 19, 2002. After indicating the difficulty for senators on this side with regard to the dates set, I am recorded as saying:

Senator Andreychuk also mentioned the contribution of the Conservative members, Senators Di Nino, Bolduc and herself, to the study on Russia and Ukraine. She pleaded with the Chair to reconsider the dates and to reconvene a meeting of the committee to change the decision. She offered alternate dates in April.

She offered May and, in fact, any time thereafter. The decision, however, was to stay by the dates.

Senator Corbin appropriately summed up the steering committee meeting by saying:

Politics is the art of compromise.

From our side, we believe the study is extremely important. We believe that the study has been in progress, and that we must find a suitable time for those senators on both sides who have contributed over two years.

Dates are not the only difficulty for our side. Of those senators who were initially chosen to travel, as the entire committee would not, two of the Liberal senators cannot go and one senator can go only for part of the time. I fully appreciate the manageability of numbers and the ability to manoeuvre from the Liberal side, and I do not wish to comment on that. I simply say that the position from this side is that we believe the trip is necessary, and that Senator Stollery was right to convince the Standing Committee on Internal Economy, Budgets and Administration that this trip should be a priority. We thank him for that. We continue to seek ways and means to deliver a compromise that will be in the best interests of the Senate.

On motion of Senator Andreychuk, debate adjourned.

The Senate adjourned during pleasure.

• (1130)

[Translation]

### ROYAL ASSENT

The Honourable Ian Binnie, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Acting Speaker.

The Honourable the Deputy Governor General was pleased to give the Royal Assent to the following bills:

An Act to replace the Yukon Act in order to modernize it and to implement certain provisions of the Yukon Northern Affairs Program Devolution Transfer Agreement, and to repeal and make amendments to other Acts (*Bill C-39, Chapter 07, 2002*).

An Act to establish a body that provides administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada, to amend the Federal Court Act, the Tax Court of Canada Act and the Judges Act, and to make related and consequential amendments to other Acts (*Bill C-30, Chapter 08, 2002*).

An Act to implement certain provisions of the budget tabled in Parliament on December 10, 2001 (*Bill C-49, Chapter 09, 2002*).

The Honourable Bob Kilger, Deputy Speaker of the House of Commons, then addressed the Honourable the Deputy Governor General as follows:

May it please Your Honour.

The Commons of Canada have voted certain supplies required to enable the Government to defray the expenses of the public service.

In the name of the Commons, I present to Your Honour the following bills:

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 (*Bill C-51, Chapter 05, 2002*).

An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003 (*Bill C-52, Chapter 06, 2002*).

To which bills I humbly request Your Honour's assent.

The Honourable the Deputy Governor General was pleased to give the Royal Assent to the said bills.

The House of Commons withdrew.

The Honourable the Deputy Governor General was pleased to retire.

The sitting of the Senate was resumed.

### 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 16, 2002, at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, April 16, 2002, at 2 p.m.





**THE SENATE OF CANADA**  
**PROGRESS OF LEGISLATION**  
**(1st Session, 37th Parliament)**  
**Tuesday, March 26, 2002**

**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	01/06/14	13/01
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 in consequence	01/02/06	01/02/21	Banking, Trade and Commerce	01/04/05	17 + 1 at 3rd	01/05/02  Senate agreed to Commons amendments 01/06/12	01/06/14	14/01
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	01/06/14	12/01
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	01/06/14	10/01
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	01/10/25	25/01
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	01/06/14	8/01
S-31	An Act to implement agreements, conventions and protocols concluded between Canada and Slovenia, Ecuador, Venezuela, Peru, Senegal, the Czech Republic, the Slovak Republic and Germany for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	01/09/19	01/10/17	Banking, Trade and Commerce	01/10/25	0	01/11/01	01/12/18	30/01

S-33	An Act to amend the Carriage by Air Act	01/09/25	01/10/16	Transport and Communications	01/11/06	0	01/11/06	01/12/18	31/01
S-34	An Act respecting royal assent to bills passed by the Houses of Parliament	01/10/02	01/10/04	Rules, Procedures and the Rights of Parliament	02/03/05	4 + 1 at 3rd	02/03/19		
S-40	An Act to amend the Payment Clearing and Settlement Act	02/03/05	02/03/12	Banking, Trade and Commerce	02/03/14	0	02/03/19		
S-41	An Act to re-enact legislative instruments enacted in only one official language	02/03/05	02/03/20	Legal and Constitutional Affairs					

**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	01/06/12	01/06/14	18/01
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	01/06/14	01/06/14	23/01
C-6	An Act to amend the International Boundary Waters Treaty Act	01/10/03	01/11/20	Foreign Affairs	01/12/12	0	01/12/18	01/12/18	40/01
C-7	An Act in respect of criminal justice for young persons and to amend and repeal other Acts	01/05/30	01/09/25	Legal and Constitutional Affairs	01/11/08 negatived 01/12/10	11 1 at 3rd 01/12/13	01/12/18	02/02/19	1/02
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	01/06/14	9/01
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	01/06/13	01/06/14	21/01
C-10	An Act respecting the national marine conservation areas of Canada	01/11/28	02/02/05	Energy, Environment and Natural Resources					
C-11	An Act respecting immigration to Canada and the granting of refugee protection to persons who are displaced, persecuted or in danger	01/06/14	01/09/27	Social Affairs, Science and Technology	01/10/23	0	01/10/31	01/11/01	27/01
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	01/06/14	7/01
C-13	An Act to amend the Excise Tax Act	01/04/24	01/05/01	Banking, Trade and Commerce	01/06/07	0	01/06/12	01/06/14	15/01
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	01/10/18	0	01/10/31	01/11/01	26/01

C-15 A	An Act to amend the Criminal Code and to amend other Acts	01/10/23	01/11/06	Legal and Constitutional Affairs	02/02/19	2 + 1 at 3rd 02/03/12	02/03/19		
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	01/06/11	01/06/14	11/01
C-18	An Act to amend the Federal-Provincial Fiscal Arrangements Act	01/05/09	01/05/31	National Finance	01/06/12	0	01/06/12	01/06/14	19/01
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	01/06/12	01/06/14	17/01
C-23	An Act to amend the Competition Act and the Competition Tribunal Act	01/12/11	02/02/05	Banking, Trade and Commerce					
C-24	An Act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other Acts	01/06/14	01/09/26	Legal and Constitutional Affairs	01/12/04	0 + 1 at 3rd	01/12/05	01/12/18	32/01
C-25	An Act to amend the Farm Credit Corporation Act and to make consequential amendments to other Acts	01/06/12	01/06/12	Agriculture and Forestry	01/06/13	0	01/06/14	01/06/14	22/01
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	01/06/12	01/06/14	16/01
C-27	An Act respecting the long-term management of nuclear fuel waste	02/03/05	02/03/20	Energy, Environment and Natural Resources					
C-28	An Act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act	01/06/11	01/06/12	—	—	—	01/06/13	01/06/14	20/01
C-29	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2002	01/06/13	01/06/14	—	—	—	01/06/14	01/06/14	24/01
C-30	An Act to establish a body that provides administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada, to amend the Federal Court Act, the Tax Court of Canada Act and the Judges Act, and to make related and consequential amendments to other Acts	02/03/05	02/03/12	Legal and Constitutional Affairs	02/03/21	0			
C-31	An Act to amend the Export Development Act and to make consequential amendments to other Acts	01/10/30	01/11/20	Banking, Trade and Commerce	01/11/27	0	01/12/06	01/12/18	33/01

C-32	An Act to implement the Free Trade Agreement between the Government of Canada and the Government of the Republic of Costa Rica	01/10/30	01/11/07	Foreign Affairs	01/11/21	0	01/11/22	01/12/18	28/01
C-33	An Act respecting the water resources of Nunavut and the Nunavut Surface Rights Tribunal and to make consequential amendments to other Acts	01/11/06 (withdrawn 01/11/21)  01/11/22 (reintroduc ed)	01/11/27	Energy, the Environment and Natural Resources	02/03/21	1	02/03/26		
C-34	An Act to establish the Transportation Appeal Tribunal of Canada and to make consequential amendments to other Acts	01/10/30	01/11/06	Transport and Communications	01/11/27	0	01/11/28	01/12/18	29/01
C-35	An Act to amend the Foreign Missions and International Organizations Act	01/12/05	01/12/14	Foreign Affairs	02/03/13	0			
C-36	An Act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other Acts, and to enact measures respecting the registration of charities in order to combat terrorism	01/11/29	01/11/29	Special Committee on Bill C-36	01/12/10	0	01/12/18	01/12/18	41/01
C-37	An Act to facilitate the implementation of those provisions of first nations' claim settlements in the Provinces of Alberta and Saskatchewan that relate to the creation of reserves or the addition of land to existing reserves, and to make related amendments to the Manitoba Claim Settlements Implementation Act and the Saskatchewan Treaty Land Entitlement Act	01/12/04	01/12/17	Aboriginal Peoples	02/02/19	0	02/02/20	02/03/21	3/02
C-38	An Act to amend the Air Canada Public Participation Act	01/11/20	01/11/28	Transport and Communications	01/12/06	0	01/12/11	01/12/18	35/01
C-39	An Act to replace the Yukon Act in order to modernize it and to implement certain provisions of the Yukon Northern Affairs Program Devolution Transfer Agreement, and to repeal and make amendments to other Acts	01/12/04	01/12/12	Energy, the Environment and Natural Resources	02/03/07	0			
C-40	An Act to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain provisions that have expired, lapsed, or otherwise ceased to have effect	01/11/06	01/11/20	Legal and Constitutional Affairs	01/12/06	0	01/12/10	01/12/18	34/01
C-41	An Act to amend the Canadian Commercial Corporation Act	01/12/06	01/12/14	Banking, Trade and Commerce	02/02/07	0	02/02/21	02/03/21	4/02
C-44	An Act to amend the Aeronautics Act	01/12/06	01/12/10	Transport and Communications	01/12/13	0	01/12/14	01/12/18	38/01
C-45	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	01/12/05	01/12/17	—	—	—	01/12/18	01/12/18	39/01
C-46	An Act to amend the Criminal Code (alcohol ignition interlock device programs)	01/12/10	01/12/12	Committee of the Whole	01/12/12	0	01/12/13	01/12/18	37/01

C-49	An Act to implement certain provisions of the budget tabled in Parliament on December 10, 2001	02/03/19	02/03/20	National Finance	02/03/25	0	
C-51	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	02/03/20	02/03/25	--	--	--	02/03/26
C-52	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003	02/03/20	02/03/26	--	--	--	

**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	referred back to Committee 01/10/23		
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	Rules, Procedures and the Rights of Parliament					
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	01/12/18	36/01
							Senate agreed to Commons amendment 01/12/12		
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	01/12/14	0	referred back to Committee 02/03/25		
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	Rules, Procedures and the Rights of Parliament (Committee discharged from consideration—Bill withdrawn 01/10/02)					

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	02/03/21	2/02
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	<i>Bill withdrawn pursuant to Commons Speaker's Ruling 01/06/12</i>	
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	01/11/27	0			
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)	(01/12/14)				
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	01/06/11	Agriculture and Forestry	01/10/31	4	01/11/08		
S-26	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	01/05/02	01/06/05	Transport and Communications					
S-29	An Act to amend the Broadcasting Act (review of decisions) (Sen. Gauthier)	01/06/11	01/10/31	Transport and Communications					
S-30	An Act to amend the Canada Corporations Act (corporations sole) (Sen. Atkins)	01/06/12	01/11/08	Banking, Trade and Commerce					
S-32	An Act to amend the Official Languages Act (fostering of English and French) (Sen. Gauthier)	01/09/19	01/11/20	Legal and Constitutional Affairs					
S-35	An Act to honour Louis Riel and the Metis People (Sen. Chalifoux)	01/12/04							
S-36	An Act respecting Canadian citizenship (Sen. Kinsella)	01/12/04							
S-37	An Act respecting a National Acadian Day (Sen. Comeau)	01/12/13							
S-38	An Act declaring the Crown's recognition of self-government for the First Nations of Canada (Sen. St. Germain, P.C.)	02/02/06							
S-39	An Act to amend the National Anthem Act to include all Canadians (Sen. Poy)	02/02/19							
S-42	An Act to amend the Canada Post Corporation Act (house-holder mailings) (Sen. Taylor)	02/03/26							

**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	01/04/26	1	01/05/02	01/06/14	42/01
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	01/06/14	43/01
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	01/06/14	44/01

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