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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Wednesday, October 30, 2002

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

Prayers.

SENATORS' STATEMENTS

THE HONOURABLE BILL ROMPKEY, P.C.

CONGRATULATIONS ON THIRTIETH ANNIVERSARY AS PARLIAMENTARIAN

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I rise today to offer my heartfelt congratulations to Senator Bill Rompkey, who this year celebrates his thirtieth anniversary as a parliamentarian.

In this house, we know Senator Rompkey as our very effective government whip — effective from our perspective, but perhaps not from the perspective of the other side — in getting his colleagues to do what they sometimes may not necessarily be desirous of doing.

It was 30 years ago when Senator Rompkey first began his journey to the Hill. The honourable senator was first elected to the House of Commons in 1972 as the Member of Parliament for Grand Falls—White Bay—Labrador. Following his first successful election, he went on to win six more elections, serving the people of Grand Falls—White Bay—Labrador for over twenty years. In 1980, he became a minister of the Crown, where he served as Minister of Revenue and in a number of minister of state portfolios.

In September 1995, he became Senator Rompkey, when the Prime Minister summoned him to this chamber. I have been privileged to work with him over the past several years, particularly in my capacity as Leader of the Government in the Senate. I wish him all the best as he continues to serve the people of Newfoundland and Labrador, as well as all Canadians.

Congratulations on this most important milestone.

THE HONOURABLE BILL ROMPKEY, P.C. THE RIGHT HONOURABLE JOE CLARK, P.C.

CONGRATULATIONS ON THIRTIETH ANNIVERSARIES AS PARLIAMENTARIANS

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I join with Senator Carstairs in congratulating Senator Rompkey on his anniversary, which allows me to remind colleagues that on October 30, 1972, had 700 or so votes distributed among four seats gone his way, Robert Stanfield would have been Prime Minister of Canada. Two of those seats were in Newfoundland, as Senator Rompkey reminds me.

The point, however, is that there were other distinguished members elected that year, one of whom I wish to commend, as we did this morning in our caucus. The Right Honourable Joe Clark was elected for the first time in 1972 to the House of Commons. He is an outstanding parliamentarian who,

unfortunately, has announced his retirement from the leadership of our party. I do hope that if the Prime Minister is still considering members of a party other than his as candidates for this place, the Right Honourable Joe Clark is number one on his list.

THE HONOURABLE BILL ROMPKEY, P.C.

CONGRATULATIONS ON THIRTIETH ANNIVERSARY AS PARLIAMENTARIAN

Hon. Joan Cook: Honourable senators, 30 years ago tonight I tallied results for a federal election for the riding of Grand Falls—White Bay—Labrador. The candidate was well known in the Labrador portion of the riding. He was, however, a stranger to the island portion. Indeed, he was known as “Bill Romsky.” Nonetheless, he was elected. The date was October 30, 1972.

Bill went on to win four elections as the member for Grand Falls—White Bay—Labrador and two as the member for Labrador.

The year 1995 saw him come to this honourable house, the Senate, at a benchmark time in our history, the time of Term 17 and the time of public education becoming a reality in our province of Newfoundland and Labrador.

Honourable senators, our colleague has had a distinguished career in public service to this country, but I believe that Labrador will forever have a special place in his heart.

I first met Bill in 1971 when we were delivering provincial nomination ballot boxes along the Labrador coast in a five-passenger float plane, where we finished the job under difficult weather conditions due, in no small part, to his commitment to task and his ability to risk all in the pursuit of democracy. These qualities, I believe, are as relevant today — a commitment to excellence in the challenges that present themselves on a daily basis, evidenced by the Honorary Degree of Laws bestowed upon him by his alma mater, Memorial University of Newfoundland, in May 2000, enhanced by the friends he has made along his incredible journey and the support of family: wife Carolyn, daughter Hilary, son Peter and his new first grandchild Max.

Senator Rompkey, congratulations on your special day and long may your big jib draw.

Hon. C. William Doody: Honourable senators, I want to add a few words of congratulations to my colleague Bill Rompkey. I congratulate him on enduring and managing to hang in there. I have always deplored his choice of political parties, but I have always admired his ability to skate between the various factions involved in the vagaries of the elections game in Newfoundland. He always had a pretty solid base of support in Labrador. I think he has done a remarkable job for the province and for the country. I thank him and congratulate him.

EFFECT OF TERRORIST ATTACKS

Hon. Ione Christensen: Honourable senators, today, with instant communication, we can observe events as they unfold anywhere in the world; yet, the great distances often leave us feeling detached and with a false sense of security. It is so far away and, horrific as it may be, it is happening to someone else. We feel somehow immune, and governments often receive criticism for overreacting with unneeded legislation that may, to some degree, infringe on individual "rights." This criticism comes without considering the linkages that come with rights, and that is responsibilities.

On September 11, as you will have seen on this year's replay of events that took place in Whitehorse, there was the suspected hijacking of a Korean aircraft. In one short hour, we went from being passive observers to active participants.

This month, we witnessed the tragic events in Bali, where so many young lives were destroyed in yet another mindless terrorist attack. Bali is on the other side of the world, yet in Whitehorse we were touched again. Rick Gleason, 37 years old, was born and raised in Whitehorse. He is the same age as my son. I went to school with his father and his aunt, and his grandmother is a friend. On October 18, Rick was in that nightclub in Bali. He was badly injured and was flown to Australia. On October 23, 2002, he succumbed to his injuries and died.

• (1340)

Honourable senators, the world is very small. Everyone is our neighbour. Their pain is our pain. In some way we are all touched by events wherever they happen, and what we do today must in some way, build toward a stronger tomorrow or the deaths of young people such as Rick Gleason will be for nothing.

FOREIGN AFFAIRS

SUPPORT FOR RETURN OF NORTHERN IRELAND GOVERNMENT

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, Canadians continue to encourage the people of Northern Ireland to remain steadfast in their pursuit of the objectives of the Good Friday Agreement. In particular, we call upon the Government of Canada to increase its support of initiatives that will be directed to the ongoing process of community trust-building, which is so fundamental to peace and prosperity in Northern Ireland. I wish to recommend that the Government of Canada use every means available to it, both diplomatic and programmatic, including partnerships with private sector, industry and financial institutions, to support, through creative new initiatives, the collaboration that is critical to a modern society. Canadians wish to see the Government of Canada take serious, thoughtful steps to encourage a return of government to allow the peoples of Northern Ireland to have greater control over their domestic affairs.

[*Translation*]

SKIN DISEASE MONTH

Hon. Yves Morin: Honourable senators, October is the month devoted to raising public awareness of skin diseases, psoriasis and lupus in particular. These common chronic conditions have a very

severe impact on those affected by them. In the case of lupus, these patients are often young women.

[*English*]

Skin is the largest organ in the body, by both weight and surface area. Normally, the skin separates the internal environment from the external environment; however, skin disease and infections can compromise this barrier. While lupus is a serious disease, it remains largely unknown to most Canadians, as is the case with psoriasis. We do not know what causes lupus. However, the immune systems of people with lupus attack their own bodies, causing inflammation and skin rashes.

Treating patients with skin disease requires much patience, compassion and scientific knowledge. Therefore, it is not without reason that a dermatologist from Fredericton, Dr. Dana W. Hanson, has recently been elected as President of the Canadian Medical Association, the CMA. Dr. Hanson, a fellow of the Royal College of Physicians and Surgeons of Canada, has for many years been actively involved in quality care initiatives at the provincial level. Since taking on the presidency of the CMA, Dr. Hanson has been fighting to sustain and enhance our Canadian culture of caring. Honourable senators, according to Dr. Hanson's recent comments in Ottawa, this should be accomplished by investing in the future of health care, by arresting the growing gaps in various health indicators and by fulfilling our responsibility to restore the health of our Aboriginal people.

[*Translation*]

Honourable senators, I take advantage of this opportunity to draw attention to this month devoted to skin disease awareness to congratulate Dr. Hanson on his election as President of the Canadian Medical Association. The priorities he has set for himself are noble ones.

[*English*]

BAN ON LAND MINES

SECOND ANNUAL SENATORS AGAINST LAND MINES: NIGHT OF A THOUSAND DINNERS

Hon. Elizabeth Hubley: Honourable senators, in 1997, Canada showed exceptional leadership within the international community by helping to put in place the Mine Ban Treaty, prohibiting the use, stockpiling, production and transfer of anti-personnel land mines and enabling their destruction.

The anti-personnel mine is one of the most insidious and destructive weapons ever developed, killing and maiming innocent civilians long after war has ended on the battlefield. Approximately 60 countries throughout the world require ongoing assistance to eradicate land mines. Those countries with the greatest needs are also among the world's poorest, lacking both the financial and technical resources to carry out an effective demining program.

The Mine Ban Treaty, or Ottawa Convention, now ratified by 129 nations, has led to the destruction of stockpiled weapons and the clearing of mined areas. However, it is a problem of staggering proportions. More land mines have been removed over the past few years than have been planted, and yet we face declining global interest and a risk of partner countries losing their focus. Regrettably, many nations continue to produce and use anti-personnel mines — most notably the United States and Russia.

The Canadian Landmine Foundation exemplifies Canada's commitment to a global ban on land mines by supporting mine clearance, by working to develop new technologies for land mine removal and by assisting the victims of land mines.

A major part of the international campaign against land mines has been the Night of a Thousand Dinners, a unique way for people around the world to promote the land mine cause and to raise funds in aid of the adopt-a-mine-field program.

Honourable senators, on the evening of November 4, the Senate of Canada will hold its second annual Senators Against Land Mines: Night of a Thousand Dinners in room 200 of the West Block. This event will include an international dinner buffet, an interactive land mine exhibition, live and silent auctions, as well as a special program of entertainment by the "Singing Senators," featuring Senator Jean Lapointe with Senator Tommy Banks on piano.

Honourable senators, last year's inaugural event in the East Block was a great success. I wish to thank all of you for your ongoing support and participation as we attempt to do our part in freeing the world from the grotesque and crippling menace of anti-personnel land mines.

[Translation]

ROUTINE PROCEEDINGS

OPERATION OF IMMIGRATION AND REFUGEE PROTECTION ACT

2002 ANNUAL REPORT TABLED

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, pursuant to section 94 of the Immigration and Refugee Protection Act, I have the honour to table two copies, in both official languages, of the document entitled, "Annual Report to Parliament on Immigration 2002."

FISHERIES

REPORT PURSUANT TO RULE 104 TABLED

Hon. Gerald J. Comeau: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Fisheries, on the committee's expenditures during the First session of the Thirty-seventh Parliament.

(For text of report, see today's Journals of the Senate.)

[English]

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY PUBLIC INTEREST IMPLICATIONS OF BANK MERGERS

Hon. David Tkachuk: Honourable senators, on behalf of Senator Kolber, I give notice that, at the next sitting of the Senate, he will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to study the public interest implications for large bank mergers on:

- Access for Canadians throughout the country to convenient and quality financial services;
- The availability of financing for individuals and businesses, particularly small and mid-sized businesses;
- The Canadian economy and the ability of Canadian business to compete internationally;
- Communities and bank employees; and
- Any other related issues;

That the Committee be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings; and

That the Committee submit its final report no later than March 31, 2003.

• (1350)

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY IMPACT OF CLIMATE CHANGE

Hon. Jack Wiebe: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Committee on Agriculture and Forestry be authorized to examine the impact of climate change on Canada's agriculture, forests and rural communities and the potential adaptation options focusing on primary production, practices, technologies, ecosystems and other related areas;

That the papers and evidence received and taken on the subject and the work accomplished by the Standing Senate Committee on Agriculture and Forestry during the First Session of the Thirty-seventh Parliament be referred to the Committee; and.

That the Committee submit its final report no later than December 31, 2003.

[Translation]

FISHERIES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON MATTERS RELATING TO OCEANS AND FISHERIES

Hon. Gerald J. Comeau: Honourable senators, I give notice that tomorrow, Thursday, October 31, 2002, I shall move:

That the Standing Senate Committee on Fisheries be authorised to examine and report upon the matters relating to oceans and fisheries;

That the documents and evidence received by the Committee during its consideration of these same matters in the First Session of the Thirty-seventh Parliament be referred to the Committee;

That the Committee table its final report no later than June 30, 2003; and

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Gerald J. Comeau: Honourable senators, I give notice that tomorrow, Thursday, October 31, 2002, I shall move:

That the Standing Senate Committee on Fisheries be authorized to have the public proceedings of the Committee, at its discretion, televised with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Gerald J. Comeau: Honourable senators, I give notice that tomorrow, Thursday, October 31, 2002, I shall move:

That the Standing Senate Committee on Fisheries be authorized to hire such counsel, technical, clerical and other personnel as may be necessary for the Committee's study of bills, subject-matters of bills and estimates referred to this Committee.

[English]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CHANGE NAME TO FISHERIES AND OCEANS

Hon. Gerald J. Comeau: Honourable senators, I give notice that next Tuesday, November 5, 2002, I shall move:

That rule 86(1)(o) of the Senate be amended to read:

The Senate Committee on Fisheries and Oceans, composed of twelve members, four of whom shall constitute a quorum, to which shall be referred, on order of the Senate, bills, messages, petitions, inquiries, papers and other matters relating to fisheries and Oceans generally.

[Translation]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE THE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Joseph A. Day: Honourable senators, I give notice that on Thursday next, October 31, 2002, I shall move:

That the Standing Senate Committee on National Security and Defence be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption.

[English]

QUESTION PERIOD

FOREIGN AFFAIRS

NORTHERN IRELAND—WITHDRAWAL OF LOCAL GOVERNMENT

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, my question is to the Leader of the Government in the Senate. Could the minister advise the house as to the current steps the Government of Canada is taking to facilitate the return to the status quo, prior to the withdrawal of the local government, from Stormont, in Northern Ireland, to Westminster?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the Honourable Senator Kinsella asks a question for which I do not have any updated information. I will proceed to obtain the same for the honourable senator.

Senator Kinsella: Honourable senators, I thank the honourable minister for that undertaking. In her inquiries, would she attempt to obtain responses that go beyond past contributions, which have been significant? For example, we have seen the participation of a distinguished jurist from my own province of New Brunswick, Mr. Justice Hoyt, on the Bloody Sunday inquiry and also the distinguished contribution that retired General John de Chastelain is making on the disarmament file. What is the policy of the Government of Canada in terms of moving forward from where we are today?

Senator Carstairs: As the honourable senator knows, a very difficult decision was made by the Government of the United Kingdom with respect to Northern Ireland. I have no knowledge, at this time, on whether we participated in discussions with them, but I will try to obtain that information. I think that all of us wish to see Northern Ireland operate as a democratic country with all of the requisite powers, privileges and responsibilities.

There was a breakdown, and the Government of the United Kingdom did what it felt it had to do at that time. I will try to get the honourable senator as fulsome an answer as possible.

NATIONAL DEFENCE

FSME-IMMUN VACCINE FOR TICK-BORN ENCEPHALITIS—ASSESSMENT OF INOCULATED TROOPS TO DETERMINE PRESENCE OF CREUTZFELDT-JAKOB DISEASE

Hon. J. Michael Forrestall: Honourable senators, my question is for the Leader of the Government in the Senate. Perhaps the self-styled oracle from Manitoba has already called the regimental offices in Prince Edward Island to determine the state of their travelling equipment.

I make the minister aware that I have access to information requests and responses. I do not rely on a black book in front of me for my answers.

Honourable senators, the Department of National Defence is currently tracking down 5,000 peacekeepers to determine if they have suffered ill effects from a vaccine administered for tick-born encephalitis, a fatal brain disease. Apparently, this vaccine was made from plasma that might, and I emphasize “might,” contain infectious agents associated with human mad cow disease, or the so-called VCJD.

Can the Leader of the Government in the Senate advise what deployment our peacekeepers were on when this vaccine was administered?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for his question. I must say that, in my political life, I have had many comments made about my voice, but I have never ever been referred to as an “oracle.” I think that it is a compliment. I will need to read the transcript carefully.

In response to the serious question of the honourable senator, soldiers face many risks in operations, including potentially fatal diseases from which we must protect them at every opportunity. As to his particular concern about the tick-born encephalitis vaccine, there is apparently a remote and theoretical risk of 1 in 100 million, that persons who receive this vaccine could contract mad cow disease. However, there is no documented evidence that anyone ever has.

In addition, this vaccine is recommended by such agencies as the World Health Organization, the United States Centers for Disease Control and Prevention and, of course, Health Canada.

Senator Forrestall: Honourable senators, I appreciate that response. It reinforces some of the information that I have had for a little while. It is accurate.

As most honourable senators will recall, Health Canada issued a travel advisory in July 2002 stating that the vaccine FSME-Immun was issued under the special access program.

• (1400)

Can the leader of the government advise senators how many doses of this vaccine were released under the program? Was it administered only to DND personnel, or were other Canadians vaccinated with it as well? Have any other Canadians been advised of the potential ill effects of this vaccine?

Senator Carstairs: Honourable senators, I do know that this vaccine is not only given to members of the Department of National Defence. In certain nations of the world this vaccine is highly recommended if, indeed, Canadians wish to travel to those nations. It is administered to them, if necessary, should they request it.

However, as to the amount of vaccine and the number of vaccinations issued, I am not sure that that information would necessarily be available. If it were distributed by individual health clinics in a variety of provinces and territories, the federal government would not necessarily be aware of the number of people who have been inoculated.

Senator Forrestall: Honourable senators, the response that I received indicated that two, and possibly three, e-mails have been exchanged between the appropriate departments and departmental officials who are concerned about these responses. It seems highly unlikely to me, and I am sure to others, that this threat, involving 5,000 peacekeepers, that we know of and untold others that we do not know of would only engender two or three simple messages. There is something missing. There is a big gap.

Can the Leader of the Government in the Senate advise senators when it was that Health Canada learned that the vaccine I have just referred to, FSME-Immun, might contain infectious agents associated with human mad cow disease? The date is relevant; indeed, it is important.

Senator Carstairs: Honourable senators, I can inform the honourable senator that the department is acting with due diligence and working with both Veterans Affairs and Health Canada to contact those who received this vaccine and to inform them of the remote risk associated with it.

I would remind individuals, again, that the risk is one in 100 million. However, that is no reason why we should not act with due diligence. We must continue to act with due diligence and inform those who have had the vaccine, to the best of our knowledge, of the remote risk associated with it.

Senator Forrestall: Honourable senators, the Leader of the Government will be aware, of course, that the suggestion of one chance in 100 million is one opinion. I would suggest that there are other opinions out there which give rise to alarm. Were it something of that order of magnitude, the question would never have been raised.

Senator Carstairs: Honourable senators, with the greatest respect to the honourable senator, it is not just Health Canada that has been authorizing the use of this vaccine under very specific sets of circumstances, but so too has the World Health Organization, as has the United States Centers for Disease Control and Prevention. All of them agree with the remote and theoretical risk.

FINANCE

BANK MERGERS—SPEECH BY SECRETARY OF STATE—SOURCE OF CENSORSHIP

Hon. David Tkachuk: Honourable senators, my question for the Leader of the Government in the Senate follows on the recent flurry of media regarding the embroiled merger plans for the Bank of Nova Scotia and the Bank of Montreal. According to *The Globe and Mail* this morning, Maurizio Bevilacqua, Secretary of State for International Financial Institutions, also suffered recently at the hands of the PMO censorship machine. *The Globe and Mail* reported that parts of his speech that were meant to clarify his and the minister's position on bank merger strategy were deleted at the last minute by the PMO staff.

Could the Leader of the Government in the Senate confirm who has censored the speech of the Secretary of State and when? Was this matter not discussed in cabinet so as to allow the bank mergers to continue?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as to the latter part of the question, the honourable senator knows full well that I cannot discuss here in the Senate what may or may not have happened at a cabinet meeting.

In terms of the censorship, this is a media story. In the past, the media has got it wrong.

The reality is that the Honourable Minister of Finance has made it clear that he wishes a broader development of the study, one which he gave notice of in the chamber this afternoon, which will, if it is approved by the Senate, be undertaken by the Standing Senate Committee on Banking, Trade and Commerce. The Minister of Finance wants better clarity of what is in the public interest with respect to a potential bank merger.

POLICY ON BANK MERGERS

Hon. David Tkachuk: Honourable senators, with regard to the events that were reported in *The Globe and Mail*, our banking committee chairman Senator Kolber received a letter from Minister Manley, as did the chairman of the Finance Committee in the other place, asking us to look into these matters, and making a request which we discussed at length yesterday and which we agreed to do.

What I am concerned about is that we not be used as political pawns in a leadership campaign. The events happened in October. The letter was written after these events took place. We only found out about them when we received the letter. All we are asking is that there be some clarification by the Prime Minister's Office or the Minister of Finance's office as to exactly what is the policy of the government.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the government policy can be found in what was Bill C-8, which was duly passed by the other place and by the Senate. We made some significant recommendations in the Senate in respect of that bill. Those recommendations were that, if there were to be any changes in any policy of the government, the Standing Senate Committee on Banking, Trade and Commerce should be consulted.

As there still seems to be an area not clearly defined, the government has asked the Senate Banking Committee as well the House of Commons Finance Committee to define what issues they consider to be important to the public interest.

Senator Tkachuk: Honourable senators, the Senate committee is very interested in the matter of bank mergers. My view is that Minister Martin put the clamps on bank mergers when he was Minister of Finance. That is the position of the government. I understand that we agreed to do this because we think there may be some change in policy. At least that was the view expressed in the letter, that is, perhaps bank mergers are to continue. Then we hear stories from the Prime Minister's Office, but the Prime Minister's Office does not clarify its position.

This situation will have repercussions in the stock market in that bank stocks will fluctuate. As well, people in the Prime Minister's Office and in the office of the Minister of Finance may be taking advantage of what they know or what they do not know.

Would the leader tell me whether she, a representative of the government in this place, believes that the government will allow bank mergers? I think that is important.

If the Leader of the Government in the Senate cannot answer, then perhaps Senator Kirby, who is a board member of one of the banks involved, and who is a former chairman of the Banking Committee, can clarify the position of the government. I also understand he is involved in the unannounced leadership campaign of Minister Manley. It certainly appears that no one else in Canada knows what the position is.

Senator Carstairs: Honourable senators, let us go back in time a little bit and talk about the activities of the former Minister of Finance, the Honourable Paul Martin. He said, at the time, that what he needed was some clarity with respect to how Canadians wished the government to proceed. That is exactly what Minister Manley is now doing. He is saying that we need further clarity on the issue of what is in the public interest of Canadians with respect to potential bank mergers.

Hon. John Lynch-Staunton (Leader of the Opposition): I have a supplementary question. The Leader of the Government is confusing the issue. It is so clear. If the press are to be believed — and so far the major reports have not been denied — there were discussions between two banks on a possible merger. The Prime Minister's Office got wind of it and, through pressure, put a stop to those discussions. The Secretary of State for International Financial Institutions had a speech including the guidelines on bank mergers, and those paragraphs were taken out of his speech. If that reporting is correct, then the Prime Minister is adamantly opposed to bank mergers on his watch.

• (1410)

Why then would the Minister of Finance ask two committees to look into the possibility of bank mergers when the Prime Minister has said there will be no bank mergers during his watch? What is the policy of the government? Is it the one spoken to by the Prime Minister, or is this an indication by the Minister of Finance that, despite what the Prime Minister indicates, he is looking into the possibility of bank mergers and that they may take place. It must

be one or the other, and cannot be in-between. This government is either in favour of bank mergers, in which case we have no objection to the exploration, or the government is against them, consistent with the policy established by the previous Minister of Finance. Which is it, one or the other?

Senator Carstairs: Honourable senators, to be frank, this is media speculation. Neither you nor I have any indication that the presidents of either bank have come forward to say they were having merger discussions. We are dealing in the realm of speculation. What we do know, however, is that the Honourable John Manley, the Minister of Finance, has said there is one part of previous discussions with respect to bank mergers that he believes needs further clarification, that is, what is and what is not in the public interest. As the Senate of Canada has, in the past, asked to participate in any debate surrounding the potential of bank mergers, the Honourable Minister of Finance has said, "I want the Senate Banking Committee and the House Finance Committee to examine that particular issue of what is in the public interest." What does it mean, what did the committee report mean by it, how has that evolved, what is in the best interest of Canadians on this issue? It is very clear.

Senator Lynch-Staunton: Honourable senators, could the Leader of the Government in the Senate then bring us clarification on the Prime Minister's position on this question of bank mergers tomorrow? Did the Prime Minister or did he not directly or indirectly instruct that any ongoing discussions between the two banks come to a halt because he and his office are against bank mergers? If that is not the case, then it should be known. If that is the case, then a basic contradiction between his Minister of Finance and himself exists on this question of bank mergers. Why entrust a study to two committees when they have no idea which direction the government wants to go?

Senator Carstairs: This is exactly the point. Two committees, one in the Senate and the other in the House of Commons, are being asked to identify what they feel would be in the best public interest.

[*Translation*]

Hon. Roch Bolduc: Honourable senators, my question is for the Leader of the Government in the Senate. I was under the impression that, last year, the government had refused to allow bank mergers because this would adversely affect competition in the banking industry in Canada. We would also have fewer banks, and consumers would suffer. Public interest would be equated to the interests of consumers.

The Competition Bureau is responsible for reviewing this issue, so why not let it do its job? The Commissioner of the Competition Bureau has quasi-judicial powers. He must examine the situation and report to us. If the government decides that it wants to go further than what the act provides, this is a different matter. The government claims that it is different for banks, but they are private businesses. Will the government decide, for instance, that International Harvester cannot merge with John Deere or that Manufacturers Life cannot acquire Standard Life? What is this all about?

If it is the criterion of competition that we want to measure, we should let the Competition Bureau do its job and then the government can make its decision and live with it, but not before. The government seems to be making its decision before the bureau has made its own decision.

[*English*]

Senator Carstairs: Honourable senators, with the greatest respect, I thought I was here as a senator to contribute to the development of policy of the Government of Canada in its broadest perspective. That is what we have been asked to do here, to examine this particular narrow issue and report to this chamber and the other chamber, to give the government the best advice we can possibly provide. I thought that was our job as parliamentarians.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

STUDY ON DOCUMENT ENTITLED "SANTÉ EN FRANÇAIS—POUR UN MEILLEUR ACCÈS À DES SERVICES DE SANTÉ EN FRANÇAIS"

Hon. Jean-Robert Gauthier: Honourable senators, my question is to the Chair of the Standing Senate Committee on Social Affairs, Science and Technology. It deals with the proposal made by official language communities to add a sixth principle to the five existing principles of the Canada Health Act, a principle that would recognize the duality of this country and give access to health services to both English- and French-speaking Canadians. The report that was tabled last week did not talk about this issue, although I am quite aware that the committee members heard about it last summer. Given that Senator Morin, a member of that committee, proposed to this house yesterday that the report entitled, "For A Better Access to Health Services in French" be examined and reported on by the committee, will the chair tell us that he will make it a priority that that issue come forth as soon as possible?

Hon. Michael Kirby: Honourable senators, what will happen, as a result of the order that was passed on October 29 by this chamber, is that the issue, which had originally been referred to the committee in the last session, will come back before the committee. We have agreed to table a report before the Christmas break, before the end of November, it is hoped.

I am not about to speculate on whether the issue of adding a sixth principle to the Canada Health Act will be part of the report. I should say that the issue, although raised by witnesses, was not covered in the report. It is an issue that witnesses have raised. The frame of reference, and indeed the whole intent of the hearings, was to respond to the report, not necessarily to every issue that witnesses have raised. In the absence of the committee having met to work out a report, I am not in a position to predict what will happen, other than to say that one should not assume that every issue raised by witnesses will automatically be included in the committee report.

• (1420)

ORDERS OF THE DAY

TAX CONVENTIONS IMPLEMENTATION BILL, 2002

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Rompkey, P.C., for the third reading of Bill S-2, to implement an agreement, conventions and protocols concluded between Canada and Kuwait, Mongolia, the United Arab Emirates, Moldova, Norway, Belgium and Italy for the avoidance of double taxation and the prevention of fiscal evasion and to amend the enacted text of three tax treaties.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I am most appreciative, as are others, of the Standing Senate Committee on Banking, Trade and Commerce for having allowed the discussion on this particular bill to go beyond its purpose in order to also discuss Canada's entering into agreements with countries with which it has very little in common — in effect, countries that have a disdain for human rights, a disdain for women and an appalling record with children. They cannot be even compared to any country with a minimum amount of democratic features. The discussion was inconclusive, but at least it allowed both those who believe in engagement and those who believe in a harder line to express themselves. This is the first time, since I have been following debates on tax conventions such as those included in the bill before us, that the debate has gone so far beyond its subject matter.

It is reassuring, for future debates, that the Department of Foreign Affairs and International Trade has agreed that when future tax conventions of this nature are brought before Parliament, the department will include an assessment of the country, particularly as far as its human rights record is concerned. In that way, we will be able to have further discussions on the advisability of entering into formal negotiations of this nature. In my opinion, when we do so, we sanction these regimes, in effect. Others will disagree and say that is a naive approach. They will say that we must protect our citizens and ensure that, no matter where they are, legal protection is available to them.

Honourable senators, the debate continues. I am delighted that the Banking Committee has allowed discussions to move forward, and I look forward to future debates on the same topic, both here and in committee.

Hon. Marcel Prud'homme: Honourable senators, I attended the meeting to which the honourable senator has referred. It was my first meeting as a member of the Banking Committee. I believe

that honourable senators would appreciate knowing some of the background to add to what Senator Lynch-Staunton has just said.

Committee members had a highly interesting exchange of views with the bureaucrats. In particular, I remember the views of Senator Fraser, our esteemed colleague, who sits on the executive of the Inter-Parliamentary Union. She disagrees with those who put forward that this bill takes into account the human rights situation and the state of women in some of these countries. This has always been a major concern of Senator Fraser. I have also been concerned about the place and responsibility of women in society. As Senator Lynch-Staunton said, there is an eternal debate between the partisan aspects of trade or human rights versus trade and human rights.

I suggested to the witnesses the organization of a debate on this issue. The two ministers responsible, the Minister of Foreign Affairs and International Trade and the Secretary of State for International Financial Institutions, the second of whom, Mr. Bevilacqua, was present at our committee meeting, could organize such a debate among interested colleagues. The subject of the debate could be free trade or human rights on one side, and trade and human rights on the other side. I would volunteer to participate in such a debate. I believe that trade and human rights is the way to go, not trade or human rights.

Departments, NGOs and many of the people who are interested in these matters strongly believe that the policy of engagement is probably the best way to go when we deal with big differences between political regimes.

It is interesting that after we had this vigorous debate and exchange in committee, I received a fax announcing that women were being given the right to vote in Bahrain. Women are on their way to being given the right to vote in Kuwait and will be given the right in Qatar. This progress can only come about from a policy of engagement with these countries. Senator Milne and I were in these countries with our late Speaker, the Honourable Senator Molgat. Senator Milne has put her views forward and does not need any supporting actors.

At the moment, Senator Fraser is adamantly promoting the rights of women at the Inter-Parliamentary Union. She is in a position to influence others by accompanying representatives of developing nations and showing them what we do in Canada.

The exchange that took place during the debate in committee was highly interesting because it was non-partisan. Various members participated with strong views. I am delighted to have heard the views of Senator Fraser at that time.

I may undertake to have a debate next week on trade or human rights versus trade and human rights. I am sure that I will find more arguments in favour of trade and human rights as the way to go.

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

Motion agreed to and bill read third time and passed.

[*Translation*]

COPYRIGHT ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Day, seconded by the Honourable Senator Robichaud, P.C., for the second reading of Bill C-11, to amend the Copyright Act.

Hon. Jean-Claude Rivest: Honourable senators, Bill C-11 is a bill that is limited in scope and technical in nature, but it is nonetheless very important for communications networks as a whole and for all types of creators, particularly in the arts.

Honourable senators, second reading of Bill C-11 provides us with the opportunity to recall one of the major accomplishments in the evolution of our society and the expression of a uniquely Canadian culture, a culture that is diverse and especially creative. I am referring to past work in the areas of research, science and technology, but also in the area of culture and specifically of artistic creation, to promote copyright protection.

• (1430)

Honourable senators, we are aware of the central importance for any developed society to acknowledge creators — those who innovate and initiate advancement in their field, whether it be culture, science or technology — and to recognize their accomplishments as artisans of our society's progress and affirmation. The notion of protecting creation is critical for the evolution of our societies. Add to this the notion of fair and just compensation for these creators while respecting the rights of consumers.

On the issue of copyright, first, identifying and recognizing authors is relatively simple. Second, methods of dissemination of an author's works are also relatively easy to determine: a network of book distributors exists. Third, the legal administration is easy. However, Bill C-11 deals with the Internet, which goes much further.

The publishing of a book is easy to monitor. The process by which other types of works are distributed is not only complex, but by its very nature, it may lead to management difficulties. Take a play for example. It is easy to identify the author of a play. Why not recognize the important part played by the performers, the actors and the dancers in the creative process in the performing arts?

The President of the Union des artistes in Quebec is receiving requests for copyright to be granted not only to the author of a play, but also to the directors. In the context of copyright, the definition of what a creator is is particularly complex.

Bill C-11 does not deal specifically with creation, but rather with its distribution. With books, copies, are made. Plays, movies, compact discs and the like can easily be copied. There are

various techniques available for that purpose. This is why the issue of copyright is relevant. In that sense, it is difficult to assess losses while, at the same time, respecting the rights of consumers.

Bill C-11 goes further. With respect to distribution, let us consider cable distribution, for example. Legislation is well established for radio and television broadcasting, but not for cable broadcasting. A number of questions arise. Who are the providers? Who should pay the copyright? Who foots the bill?

Honourable senators, in Canada, we have had a legal framework in place for cable broadcasting since the mid-1980s. Technology, however, has been developing steadily. We already had well-regulated television networks and cable networks, also regulated, and then the Internet was born. A piece of music or a play can be downloaded from the Internet. We may legislate nationally, but Internet signals can be received from abroad and they can broadcast works of creators who happen to be Canadians.

This problem was debated extensively in parliamentary committees and in the House of Commons when the bill was introduced. We have found, and this is the very essence of Bill C-11, that it is necessary to provide a legal basis for a regulatory authority. With a general purpose bill, it is difficult to regulate properly an area like this one, given the many and varied stakeholders in the field of creation and distribution systems and methods, as well as the complexity inherent to the new Internet technology.

This bill will provide a legal framework for the government's exercise of its regulatory power over the CRTC and the industry, with a view to recognizing and protecting the fundamental rights of the creators, and distribution to the greatest possible number of readers and viewers.

Honourable senators, this bill raises a number of difficulties and concerns. In the preliminary examination in parliamentary committee, one of the first problems raised was infallibility. There is no fail-proof technology whatsoever available to guarantee that retransmissions via the Internet would be unlimited in Canada but would not extend to other markets. How can some degree of extraterritoriality be legislated?

The second problem is the integration of Internet transmissions with mandatory licensing, which has been acknowledged as an effective solution to the problems relating to cable distribution. Does this apply to Internet transmission? As well, the wholly financial aspect must not be neglected. It must be kept in mind that the advertising revenues of local broadcasters would be seriously threatened, because broadcasts for which they had not obtained exclusive broadcast rights would be in competition with Internet retransmissions.

Not only does each method of distributing a creation have its own dynamic, its own constraints and its own rules, but also the legislator and the government must, in the public interest, ensure that the regulations strike a balance between the various types of broadcast, all of which have the right to exist, of course.

Honourable senators, this bill is an important step in a process that will go well beyond its passage. It is significant for creators, for broadcasters and for the Internet, in terms of protecting and enhancing copyright.

• (1440)

Honourable senators, I will conclude by pointing out that this bill is necessary. Again, it provides a legal foundation for the exercise of regulatory power. How can we respond to the demands and concerns that creators and the industry may address to members of the Senate, of the House of Commons and of the government? This bill tells them very little about the Internet situation or problem. It is the regulations that will determine the intrinsic value of the government's initiatives.

This is unfortunate. Quite often, a regulations committee will take a keen interest in this issue. In such an area, it is unfortunate that the majority of parliamentarians are content to discuss general principles and are unable to debate the substance and the merits of the regulations, which give a true measure of the treatment reserved for creators and broadcasters.

This is a technical area. However, it is of real significance, particularly for performers. It is very important that every parliamentarian in the Senate, the House of Commons and the Government of Canada who represents the public not only support artistic creation, but also technological innovations, because the creators do have to make a living. I hope that those who are interested in these specific issues as they pertain to the arts can take a look at the regulations during the course of our proceedings and determine how effective they are likely to be in promoting and protecting the fair and just use of copyright for creators in Canada.

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

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 Day, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

[English]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Morin, seconded by the Honourable Senator Hubley, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the Second Session of the Thirty-seventh Parliament.—(4th day of resuming debate).

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): I would remind honourable senators that eight days are allotted for debate on the motion currently before us and that tomorrow will

be the fifth day of debate. Many of my colleagues on this side wish to engage in the debate, and some have indicated to me that they will be ready to participate next week. Hopefully, they will all be ready by next week.

My concern is that, if we debate this matter today and tomorrow, and if we sit on Tuesday, Wednesday and Thursday of next week, Thursday of next week will be the eighth day. Perhaps the Deputy Leader of the Government can confirm my understanding of the rule, that eight days are allotted for debate and that if we use today, tomorrow and three days of next week, this debate will be concluded a week from Thursday.

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, my colleague has pointed out that there are eight days for this debate. If we continue in this manner, as he said so eloquently, this debate will end next week.

I would invite all honourable senators who intend to speak during this debate to do so. If there is any honourable senator who wishes to speak today, we are prepared to listen. The same applies for tomorrow and next week. If there are other honourable senators who would have liked to speak, but were unable to do so because of special circumstances, we can always take this into consideration. I would like honourable senators to prepare themselves, so that we can get to the eighth day as soon as possible, without denying anyone the opportunity to speak.

[English]

Hon. Lorna Milne: Honourable senators, I believe that the debate on the Speech from the Throne is the best opportunity that we as parliamentarians have to discuss, even briefly, our dreams for our country and how government can get involved in the lives of ordinary Canadians and make a difference.

I am a dedicated member of this chamber because I passionately believe that it is the government's responsibility to provide opportunity, hope and leadership to all its citizens. We have not had such a great opportunity since the end of World War II. In 2002, Canada has a real opportunity to make a longterm investment in the foundations of our society. We have avoided recession, tax rates are low and competitive, Canada's economy will grow at the fastest rate in the G8, and government revenues are starting to climb again. There is no doubt that our economy has been rebuilt over the last 10 years and rests on the firmest foundation that it has had in over half a century.

We have the economic fundamentals right, but in order to build a solid economic foundation we have had to take resources away from the social foundation of this country, and it is that human superstructure that we must rebuild.

The portion of the Throne Speech that resonated with me more than any other was the government's plan for our cities. Statistics Canada will tell you that cities are becoming increasingly more important in Canadian life as new immigrants and young people flock to urban areas for greater job opportunities and all the amenities of city life. That is about the only thing upon which Statistics Canada and I agree.

[Senator Rivest]

Canada is an increasingly urban society. We want to live in cities where we can watch a Maple Leafs or a Senators game, attend a performance of the Royal Winnipeg Ballet, enjoy the Just for Laughs Festival or simply sip a margarita in the Byward Market. Until last week I would have added, "enjoying the Calgary Philharmonic Orchestra," but it has been forced to close its doors.

Canadians want to live in neighbourhoods where there is room for their kids to play, the library is just across the park, the schools and the streets are safe, and the commute to the office downtown will not kill them. The fact is that, despite the growing demand for services in urban centres, the revenues of municipal governments have not been increasing. Our Fathers of Confederation could not possibly have imagined, over 100 years ago, that a municipal government would become a multibillion dollar business serving the needs of millions of people.

As a result, the tools that municipalities presently have to address the demands upon them are woefully inadequate. I am pleased to see that the federal government has recognized those needs and has committed itself to meeting them. In particular, I believe that the excellent work done by the member from York West in the other place will provide a good framework for investing in our cities.

• (1450)

However, there are several other parts of the government's plan on which I wish to comment. The first is the government's plan to extend programs to create affordable housing and to help those who are homeless.

Honourable senators, in my hometown of Toronto, earlier this fall, Home Depot chose to evict dozens of squatters who had taken up residence on their land, a desolate, polluted, former industrial site on the shores of Lake Ontario. They built what was called Tent City. Although I understand, perhaps with some difficulty, the decision of this commercial corporation, the whole incident speaks volumes about the need for government involvement in housing issues. Too many people die on the streets of Toronto each winter. Shelters can be dangerous places where crime or violence may occur. Often, when people desperately need shelter, there is no place for authorities to place them for a safe night's sleep other than in the local jail.

Furthermore, honourable senators, there is a crisis of affordable housing in our cities. In cities such as Ottawa, Toronto and Vancouver, fewer than 1 per cent of all rental apartments are vacant at any one time. There is little incentive for developers to build affordable housing because the profits involved are not large enough for them. Meanwhile, condominiums and townhouse complexes seem to spring up almost overnight, just like mushrooms, to feed the needs of our young middle class. Rental rates in many provinces are not effectively controlled. This fact prevents many poor people from moving to an area where there are jobs or even from finding decent housing, in the first place.

In order to house the thousands of people flocking to our cities, it is imperative for the government to provide incentives to builders to generate affordable housing. If we fail to do so, the number of homeless in our cities will continue to explode. The homeless and the helpless will continue to freeze on our streets in the winter and many who are sick will not have the rest, the stability and the nourishment required to fight their illnesses. It is clearly imperative that the federal government get involved.

The statistics about the number of working poor who live in shelters is extremely disturbing. In my own region, the Region of Peel, 60 per cent of the people who live in shelters go to work every day. They are employed. In Calgary, 50 per cent are employed; in Toronto, 30 per cent are employed. They are the working poor. What more can one ask of a person than that they get a stable job and try to contribute to society? Do they not all deserve access to affordable housing as well? Investment by the federal government in this field is long overdue.

The other two components of the federal government strategy for cities that I want to talk about are closely related: long-term sustainable funding for infrastructure projects and the approval of the Kyoto accord. This may seem an odd pairing of subjects to discuss together, but they do fit hand in glove.

Massive traffic congestion is a way of life in Canada's cities. Anyone who has ever tried to drive on the Don Valley Parkway in Toronto at five o'clock in the afternoon will tell you there is a reason why it is called a parkway and not a driveway. Even before September 11 last year, the downtown core of Windsor was clogged with big rigs on their way to and from the United States, and tighter security since then at the border has exacerbated the problem. In both cases, the air we breathe contains the exhaust from thousands of idling vehicles. A thick layer of smog envelops the downtown cores of most Canadian cities throughout the country.

From where I live in Brampton, we used to be able to look east toward Toronto, and we would shudder at the yellowish-brown haze in the air over the city. However, we could always look west or north and see clean air. This past summer, we saw yellowish-brown air no matter in which direction we looked. It covered the entire area of Southern Ontario, from Niagara and Hamilton to Oshawa and Peterborough. It was a layer that just would not go away.

In addition to the health and environmental issues, traffic congestion is a quality of life issue as well. Canadians are spending more and more hours behind the wheels of their cars instead of spending time with their families and friends.

The government must attack this multi-headed problem from a number of directions. The government needs to invest in our railway system in order to get the trucks off the roads, particularly off the commuter routes. Our government needs to expand the highway system leading to the United States border and the customs system at the border to keep the traffic moving.

As a Liberal senator for southwestern Ontario, I specifically call on the government to act quickly to build the infrastructure necessary to get the trucks off Huron Church Road in Windsor. I understand that plans are already in the works and some announcements have been made in Windsor about new infrastructure there. It is my sincere hope that this spending and the construction will come quickly.

In addition to the infrastructure improvements that are necessary, we need to take steps to make it cleaner to drive in Canada. One step that the government should consider is to speed up its plans to prohibit the use of sulphur in gasoline sold in Canada. It is my understanding that only one oil company in Canada has reduced the sulphur levels in its gasoline below current regulation levels. That is unacceptable. Meanwhile, burning sulphur in gasoline is a primary source of pollution caused by vehicles. Banning the sulphur content in gasoline is somewhat akin to banning the lead content in gasoline that was done quite a few years ago. I hope the federal government will quickly undertake to not only enforce the present regulation but to go further.

More important, the government should be encouraging the use of ethanol in our gasoline. Ethanol is a renewable source that burns much cleaner than gasoline. The end product of burning ethanol is water. Every passenger vehicle bought in Canada today is able to run on gasoline that contains up to 10 per cent ethanol. It does not cost you a penny to convert your car. You can use gasoline now that contains 10 per cent ethanol. Specialized vehicles can run almost exclusively on alternative fuels. The government should insist that ethanol become standard in all gasoline. It is safe, cheap and, most important, will reduce the output of the greenhouse gases that create the layers of smog that are stifling our urban centres.

I can make a suggestion to the government about the kind of place where they should start with this sort of initiative. An example is the Seaway Valley ethanol plant that they are hoping to organize in eastern Ontario. It is farmer-run and it is a "farmer-begun" initiative. The farmers have put in their own money. The federal government has helped; the Ontario government has not. This is precisely the kind of initiative that governments need to encourage. These investments will improve the quality of life not only for people in our cities but also for people in our rural areas because they will be able to sell the raw materials for ethanol. They will help Canada to meet its international obligations under the Kyoto accord. I believe that Canada has a duty to make a contribution to the world's attempts to stop global warming. There is no doubt that Canadians are starting to feel the effects of climate change from the drought stricken areas of the prairies to our smog-infested cities, where I live, to the diminishing sea ice and permafrost in our Arctic. There are many scaremongers out there who predict the collapse of the Canadian economy if we fully implement the Kyoto Protocol. I strongly believe that their fear is misplaced.

• (1500)

We need only look to a small item published in *The Globe and Mail* a few weeks ago to see about how easily such fear can be misplaced. The article simply noted that the hole in the ozone layer above Antarctica is closing. For the first time in over a

decade it is actually closing. Honourable senators may remember the heated debate some 15 years ago about the use of chlorofluorocarbons, CFCs, in our air conditioners and aerosol products. Canada, like most Western countries, banned the use of CFCs. At the time, opponents raged on about how we would be forced to lose our air conditioning and hair spray would become a thing of the past. It was a genuine and passionate debate that took up the front pages of our newspapers for quite some time.

Honourable senators, we still have air conditioning and we still have hairspray, in spite of the fact that some of us do not use it. I do not know of any widespread layoffs in the heating and cooling industry and in the companies that bottle hairspray, but we have made a difference.

The ozone layer is thickening again and, as a result, UV rays penetrating our atmosphere should begin to diminish, along with skin cancer rates. No major companies went out of business because innovative minds found substitutes for CFCs that did not damage the environment. I truly believe that we will meet our Kyoto commitments in ways that have not yet been invented and without the economic catastrophes that have been predicted by some.

Honourable senators, the time to invest is now. Canadians are telling us that they want their government to invest in their lives. Now is not the time for government to withdraw from Canadian society. We can see from the Speech from the Throne that the government has heard this message. They are preparing to make significant, long-term investments in our cities, in the environment and in other areas of great importance to Canadians, including health care. I applaud the government for its plans and I anxiously await its action.

The Hon. the Speaker: Honourable senators, the time has expired for Senator Milne.

Senator Milne: Honourable senators, may I request time to answer questions?

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

Hon. Senators: Agreed.

Hon. Leonard J. Gustafson: Honourable senators, Senator Milne has recommended that we spend a great deal of money in the urban areas. I come from a rural area. She seems to indicate that in a country such as Canada, with its great rural expanses, we should pack all the people into three or four big cities. The honourable senator talked about the problems of street people without homes, but would it not be better to spend some money in rural Canada to develop resources in an area where this would not happen? It seems that we are creating a major problem for ourselves in Canada.

Senator Milne: Honourable senators, I thank Senator Gustafson for his question. I narrowed in on some particular sections of the Speech from the Throne because in 15 minutes I would not have been able to cover all that I would have liked to cover.

I agree with the honourable senator. We must somehow encourage new immigrants to move into rural areas.

The production of ethanol for use in gasoline would be a major source of income for our rural areas. I strongly suggest that this be done. As the honourable senator knows, I have campaigned for quite some time for an increase in the growth of hemp crops in Canada.

Hon. Nicholas W. Taylor: Honourable senators, I have a supplementary to Senator Gustafson's question suggesting that being required to live in Toronto or Montreal would be akin to being confined to a jail.

The Honourable Senator Milne is familiar with the addition of ethanol to gasoline, that ethanol being produced typically in rural areas. Is she also familiar with Brazil's practice of adding oil to diesel to make biodegradable diesel, which is another great way to reduce greenhouse gas emissions? That would also be done to the advantage of rural areas.

Senator Milne: I thank Senator Taylor for his question. Interestingly enough, Rudolph Diesel invented the diesel engine to run on vegetable oil. Diesel engines can easily be converted to run on a mixture of diesel fuel and vegetable oil, and I sincerely hope that this kind of initiative will be encouraged.

Hon. John G. Bryden: Honourable senators, I am familiar with the honourable senator's interest in the agricultural industry in the rural area. Am I correct in saying that part of that interest stems from the fact that she is a graduate of the agricultural college in Guelph and that her husband is an agricultural engineer?

Senator Milne: Honourable senators, I did not set that question up. Yes, I am an "aggie" and have always taken a great interest in farming issues.

On motion of Senator Kinsella, debate adjourned.

HERITAGE LIGHTHOUSE PROTECTION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Forrestall, seconded by the Honourable Senator LeBreton, for the second reading of Bill S-7, to protect heritage lighthouses.—(*Honourable Senator LaPierre*).

Hon. Pat Carney: Honourable senators, I am pleased to rise today to speak in support of Bill S-7. As some honourable senators may know, on Saturna Island, where I live, there is the famous East Point Lighthouse where the Gulf of Georgia and the Juan de Fuca Strait meet. It was built in 1888 after the barque *John Rosenfeld*, carrying the largest shipment of coal to that date, ran aground on Boiling Reef. Saturna Island residents heated their homes for many years with the coal that was salvaged from that wreck. Subsequently, the lighthouse was built and is still in operation, serving the marine traffic on these heavily utilized channels that serve as the international boundary between Canada and the U.S.

Bill S-7 is urgently needed. Neglect is destroying many of our historic light stations, and members of public who would like to help save them find themselves hamstrung by a process that will

not allow them to do this. This bill promises to put a regulatory structure in place that will help us to preserve these historic sites. Without the protection offered by Bill S-7, we will lose a precious part of our natural history and marine culture.

Senator Forrestall asked me to provide a West Coast perspective to the bill so that we could design proposed legislation suitable for our light stations on the Pacific, as well as for those stations in other parts of Canada. In British Columbia, we need an act to protect the lighthouses not only to preserve our maritime history but also to preserve our maritime present and our maritime future, since many of those light stations are still in operation and are still needed.

• (1510)

Bill S-7 was first introduced in April 2000 as Bill S-21, and again last year as Bill S-43. It is modelled after the Heritage Railway Stations Protection Act. Its purpose now, as then, is to preserve and protect our heritage light stations. Bill S-7 does this in three ways: first, by providing for the selection and designation of heritage light stations, whether they are still being used as navigational aids; second, by preventing their unauthorized alteration or disposition through a prescribed process for public consultation; and third, by requiring that heritage light stations be reasonably maintained.

Current legislation gives to two federal government bodies the power to select and designate heritage lighthouses: the Federal Heritage Building Review Office, FHBRO, and the Historic Sites and Monuments Board. As it stands, the process has its problems. Under the current legislation, more lighthouses are being rejected than protected. FHBRO has rejected 157 lighthouses for heritage status. In fact, only 3 per cent of our lighthouses across the nation have genuine heritage protection, and only 12 per cent have even partial protection. In B.C., the figure is lower: 9 of 52 light stations are currently designated as fully or partially protected heritage buildings, and that figure is too low.

Another shortcoming of the current system is that the public has no right to participate in the process of selecting or designating heritage lighthouses. There are many community groups that would love to be involved with the renewal of nearby lighthouse sites, but they have been curtailed in their efforts by regulations in place, while local light stations deteriorate.

A third and crucial drawback of the current system is that there has been no provision made to adequately protect the sites that are given heritage designation. The Canadian Coast Guard does not have a mandate to protect the cultural significance of the lighthouses, and it is not in a position to provide the care needed to maintain these heritage buildings. Bill S-7 will address all of these issues.

Bill S-7 also ensures public participation in this process. As well, the proposed legislation prohibits anyone from altering or disposing of a heritage lighthouse without obtaining authorization from the Minister of Canadian Heritage and without giving public notice of the intention to do so.

Senator Forrestall and others have provided a good review of this bill and what it intends to do.

I should like to take a moment to talk about the lightkeepers who serve us on these light stations and who are also a part of our heritage. I was very happy to learn that 16 senior, long-service lightkeepers are among British Columbians who are being awarded the Golden Jubilee Medal of Queen Elizabeth II for long service. This week, Glenna Evans, who is the Coast Guard supervisor of light station operations, is in a helicopter for six days delivering Golden Jubilee Medals to 16 lightkeepers up and down the coast. She says she is honoured to deliver these medals.

I want to tell honourable senators something about those lightkeepers who are recipients of the Golden Jubilee Medal.

One of the lightkeepers is Jim Abram, who was the former lightkeeper at Cape Mudge on Quadra Island, one of the most dangerous transit points on the coast because it is near the place where the tides change. It is a most unpleasant experience to be off Cape Mudge when a flood tide is running south into a southeast wind. I can speak from experience. That site is also very important to Aboriginal history. Jim Abram and his wife, Wendy, will be receiving their medal.

I should like to point out to honourable senators that we were unable to have families designated as recipients of the medal. As everyone who knows of this subject is aware, it is the families who keep the light, not just the lightkeeper. The medals were designated in one name, and so we chose the lightkeeper.

All of this reminds me that in 1898 a former marine and fisheries minister said in a speech that he thought that only married lightkeepers should be awarded these positions because that way the government receives the labour of their wives for free. The wives and the families are important in maintaining the lights.

Ted Ashe at Pulteney Point on Malcolm Island off Port McNeill is another recipient. He and Karen have raised five children on the lights. Their daughter Michelle held her wedding on the light station last year.

Harvey Bergen at Bonilla light station is another recipient. Telephone communication with lightkeepers is not always easy, but he told me when I called him that he was flabbergasted to receive the medal. He has been on the lights since he was six. His dad was a lightkeeper, and they both served at the same time at Dryad Point on the coast. His wife's name is Leonora. When I told him that that was a pretty name, he told me that she is a pretty woman. It seems that it is good for your marital status to be on the lights.

Norbet Brand at Cape Beale, which is in the Tofino-Ucluelet area of the coast, said that he was deeply honoured to receive the Golden Jubilee Medal. He and his wife, Kathy, have lived on the lights for years. He said he loves serving on the lights and loves the area.

Most of these lightkeepers have lived for years on their particular lights. Every single one of them maintains that their light is the most special, no matter where it is.

Larry Douglas is at Entrance Island. You pass his light as you go by sea into Nanaimo and Departure Bay.

Gerry Etkorn and his wife, Janet, serve at Carmanah Point. I found them with his mother in California.

Senator Taylor: A nephew!

Senator Carney: He is a nephew? He comes from a distinguished family.

He was in California visiting his mother-in-law. He said that receiving the Queen's Golden Jubilee Medal is one of the high points of his career. Their light is on the West Coast Trail. They serve many hikers. They have also reported oil spills. Now they consider aviation weather their most important service. All of these things are under attack by the cutbacks to the Canadian Coast Guard. Tomorrow, we will hold a press conference on that issue.

Larry Golden is on Triple Island, which is 30 miles from Prince Rupert. He says that on a clear day he can see Alaska and the Queen Charlotte Islands. Nothing grows on Triple Island. He is very happy because he is interested in marine biology and he cites that there is lots of algae on the island.

Dennis Johnson, the Cape Mudge lightkeeper, has been on holiday. I have not spoken to him, but I have spoken about Cape Mudge.

Of course, Edward Kidder and his wife, Pat, are at historic Nootka on the West Coast. There is only air and water service to Nootka. It is one of the most famous places in the Pacific. Nootka is the site of the first European contact on the North Coast. It is where the Spanish met the British and fostered the Nootka Convention, which broke the Spanish hold on the entire Pacific. Edward and Pat Kidder have spent 42 years on the lights, 32 years at Nootka. Nootka is extremely isolated. Pat, who is known as the Lady of the Lights, has been on the lights since age 15 because her father was the lightkeeper at Entrance Island. I get to visit them fairly often, because I go to Friendly Cove, known as Yuquot, which holds a festival to celebrate the European contact with the Aboriginals. Speaking to the Spanish, when the Aboriginals said "Nootka," it meant "Come over here, around the point and into the bay. Over here! Nootka, Nootka." As I have said in this chamber previously, I love that.

Pat and Edward, who are retiring in April, will get the medal.

The tenth lightkeeper is Ian McNeil and his wife, Joan. They are on Trial Island, off Oak Bay. They are ex-Saturna Island lightkeepers; they were at East Point for many years. They have been 37 years on the lights to be precise. They enjoy Trial Island. They report that 29 plants are on the endangered species list on that island. It is unique. They like it. They say that it is blissful to be so close to Oak Bay because you can see the light station from Oak Bay, a suburb of Victoria.

• (1520)

Peter Redhead serves at Pachena Point on the West Coast. He is doing research on Coast Guard services in other countries. Don Richards of Merry Island, off Sechelt, and his wife Kathy have raised a family on the lights. He thinks that his light at Merry Island is "an absolute jewel of a place."

[Senator Carney]

I want to remind honourable senators that when we had an ad hoc parliamentary committee several years ago on keeping staffed light stations, Allan Richards, their son, who is eleven years old, wrote a letter to us narrating his experiences of seeing the home in which his family lived and loved on Lucy Island, off Prince Rupert, being burned to the ground by the Coast Guard as a cost-cutting measure to save taxpayers' dollars. That would not be allowed under Bill S-7. A lighthouse could not be burned down without going through due process.

Gordon Schweers and his wife Judy, at Langara Point, have served 30 years on the lights. He said he considers the Jubilee Medal the highlight of his career.

Alan Tansky and his wife Darlene are at Scarlett Point near Port Hardy. His dad was a lightkeeper too. He has been on the lights since he was 12 years old. They home schooled a son and daughter on the lights.

Number 15 of the 16 is Stanley Westhaver, a former leading seaman. He is on rehabilitation from a leg injury. He and his wife, Judy, served at Egg Island for 25 years. Egg Island is where Smith Inlet comes down out of the Coast Mountains and has some of the best fishing on the mid-coast. He says that being lightkeeper at Egg Island "is the greatest job on earth."

Don Graham, the sixteenth lightkeeper, and his wife Elaine have been at Point Atkinson for many years. He is the historian of the lights. He served at Lucy Island when it was staffed before it was burned down. He is the author of *Keepers of the Light* and *Lights of the Inside Passage*, which recount many wonderful stories about the West Coast lights, which are our marine heritage.

These are the long-service lightkeepers who are part of our heritage, as are the light stations in which they serve. They are all, of course, delighted that the Senate is considering Bill S-7, to protect heritage lights.

[Translation]

Hon. Jean Lapointe: Honourable senators, I would like to say that I fully support Senator Forrestall's motion. I mentioned last week that I am a philatelist, and for those who are not aware, there was a series of books of stamps issued a few years ago on the lighthouses of Canada. It was such a great success that they issued a second series with other lighthouses. It is a very important subject.

I have a somewhat amusing question to ask the Honourable Senator Carney. It is a humorous one. I do not think that my question will upset her. Here is my question: The couple that conceived and raised its five children in the lighthouse, were the lights on when they did this, or did they do it in the dark?

[English]

Senator Carney: Honourable senators, does that require an answer?

The Hon. the Speaker: I thought that the honourable senator was speaking to the motion. Time is up, so leave would be required if we are to give Senator Carney the floor again.

Senator Carney, are you asking for leave?

Senator Carney: I would love to ask for leave. I am not sure of the nature of the question.

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

Hon. Senators: Agreed.

Senator Carney: Honourable senators, these are very isolated light stations. There is no television and very poor communications. It is amazing how many lightkeepers have successfully raised children on the lights in apparent domestic bliss, if that answers the question.

Hon. Nicholas W. Taylor: Honourable senators, I have both a technical question and a comment. The comment is that I assure the Honourable Senator Lapointe that having nine children in our family, we did not spend any time in a lighthouse.

Will preservation of the lighthouses mean that an attendant will have to be there, or can the lighthouses be preserved without being operated by a tenant? In other words, can they be mechanized in such a way to preserve the structure and provide the light? Is the honourable senator arguing that preservation includes employing a lightkeeper?

Senator Carney: Honourable senators, there are two situations before us now on the West Coast. We still have staffed lighthouses. Twenty-seven of the 52 lighthouses are still staffed, which means that there are lightkeepers on the stations who maintain the lights. They are being maintained now.

One of the concerns on the East Coast to which Senator Forrestall has spoken is that there are no people on some of these lights. There are light stations in British Columbia that are operated and maintained by the Coast Guard as automated lights.

However, there is no protection for lights stations taken out of service. This bill will provide that protection. If a light station is not to be used for some reason, community groups can have an opportunity to seek its preservation and maintain it themselves as a museum.

The bill allows members of the public to object to the minister about any plans to make changes to a heritage light station so that it cannot be turned into a McDonald's or Starbucks. The bill preserves the nature of the lights.

There is no particular provision in the bill to require someone to be in residence at a lighthouse that is not staffed, but there would be provisions for lighthouses to be maintained by some agency or community group so that their historic nature cannot be destroyed.

A lighthouse in Georgian Bay or the Great Lakes was literally blown up when it was designated as no longer useful. That is why this bill is so important. It will preserve the heritage lights through a process.

Honourable senators, the provisions in this bill are very flexible and allow for lighthouses to be rejected or accepted in a very public process. It would avoid situations where machinery is taken out. The machinery and the lights are unique in some of these old historic buildings. The bill would provide that light station machinery and the site itself could be preserved through due process. They could not be demolished or destroyed without due process. That is the importance of the bill.

On motion of Senator Rompkey, debate adjourned.

NATIONAL DEFENCE

AFGHANISTAN—MOTION TO RECEIVE FORMER COMMANDING OFFICER IN COMMITTEE OF THE WHOLE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Kenny, seconded by the Honourable Senator Wiebe:

That the Senate do resolve itself into a Committee of the Whole on Tuesday, October 29, 2002, in order to receive Lieutenant-Colonel Pat Stogran, former Commanding Officer, 3 Princess Patricia Canadian Light Infantry Battle Group, Canadian Forces Battle Group in Afghanistan, February to July 2002, for the purpose of discussing the preparation and training prior to deployment as well as the experiences of the Canadian Forces in Afghanistan in the war on terrorism.

That television cameras be authorized in the Chamber to broadcast the proceedings of the Committee of the Whole, with the least possible disruption of the proceedings,

And on the motion in amendment of the Honourable Senator Banks, seconded by the Honourable Senator Atkins, that the motion be amended in the first paragraph thereof:

by replacing the words “Tuesday, October 29, 2002” by the words “Tuesday, November 5, 2002 at 4:00 p.m.”; and

by adding after the words “Lieutenant-Colonel Pat Stogran, former Commanding Officer, 3 Princess Patricia Canadian Light Infantry Battle Group, Canadian Forces Battle Group in Afghanistan, February to July 2002” the words “and Brigadier-General Michel Gauthier, former Commander Canadian Joint Task Force Southwest Asia, February to October 2002”.—(*Honourable Senator Robichaud, P.C.*)

MOTION IN AMENDMENT

Hon. J. Michael Forrestall: Honourable senators, to accommodate Senator Kenny’s original motion, I wish to move an amendment to the motion in amendment of Senator Banks. I would further amend it by replacing the words “Tuesday, November 5, 2002 at 4:00 p.m.” with the words “Tuesday, November 19, 2002 from 2:05 p.m. to 3:30 p.m.”

[Senator Carney]

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

Motion in amendment agreed to.

• (1530)

The Hon. the Speaker: It was moved by the Honourable Senator Kenny, seconded by the Honourable Senator Wiebe, that the Senate do resolve itself into a Committee of the Whole —

Senator Kinsella: Dispense.

[*Translation*]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, we have just voted on a motion in amendment, to amend an amendment. Should we not now vote on the amendment, before voting on the original motion?

[*English*]

The Hon. the Speaker: The honourable senator is correct. We have not voted on the motion in amendment of Senator Banks. Accordingly, the question should be put on his amendment as amended.

It was moved by the Honourable Senator Banks, seconded by the Honourable Senator Atkins, that the motion be amended in the first paragraph thereof by replacing the words “Tuesday, October 29, 2002” —

Senator Robichaud: Dispense.

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

Motion in amendment agreed to.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: It was moved by the Honourable Senator Kenny, seconded by the Honourable Senator Wiebe —

An Hon. Senator: Dispense.

[*Translation*]

Senator Robichaud: Honourable senators, negotiations have taken place on both sides to sit in Committee of the Whole from 2:05 p.m. to 3:30 p.m. For the information of all honourable senators, after the Chairman of the Committee of the Whole has left the Chair or reported, I will move the adjournment of the sitting for the day.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): The Opposition agrees 100 per cent with the procedure suggested by my distinguished colleague. It was suggested that we start at 2:05 p.m. to allow for prayers and for the Senate to adopt the motion for referral to the Committee of the Whole. Following the report of the Chairman of the Committee of the Whole, we will agree to adopt the adjournment motion.

[English]

The Hon. the Speaker: Thank you for the procedural clarification.

It was moved by the Honourable Senator Kenny, seconded by the Honourable Senator Wiebe —

Senator Kinsella: Dispense.

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

Motion agreed to, as amended.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Joan Cook, for Senator Kirby, pursuant to notice of October 23, 2002, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Joan Cook, for Senator Kirby, pursuant to notice of October 23, 2002, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Joan Fraser, pursuant to notice of October 29, 2002, moved:

That the Standing Senate Committee on Transport and Communications have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Joan Fraser, pursuant to notice of October 29, 2002, moved:

That the Standing Senate Committee on Transport and Communications be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON ISSUES FACING INTERCITY BUSING INDUSTRY

Hon. Joan Fraser, pursuant to notice of October 29, 2002, moved:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on issues facing the intercity busing industry;

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

That the papers and evidence received and taken on the subject and the work accomplished during the First Session of the Thirty-seventh Parliament be referred to the Committee.

Motion agreed to.

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Shirley Maheu, pursuant to notice of October 29, 2002, moved:

That the Standing Senate Committee on Human Rights have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Shirley Maheu, pursuant to notice of October 29, 2002, moved:

That the Standing Senate Committee on Human Rights be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO STUDY NEED FOR NATIONAL SECURITY POLICY

Hon. Colin Kenny, pursuant to notice of October 29, 2002, moved:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the need for a national security policy for Canada. In particular, the Committee shall be authorized to examine:

- (a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to or prevent a national emergency or attack;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;
- (c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and
- (d) the security of our borders.

That the papers and evidence received and taken during the First Session of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate no later than February 28, 2004, and that the Committee retain all powers necessary to publicize the findings of the Committee until March 31, 2004.

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

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I understand that this motion asks for a continuation of a study commenced by the National Security and Defence Committee in the previous session. Does that imply that the funds already devoted to this study will be ample for its continuation?

• (1540)

Senator Kenny: Honourable senators, it is a continuation of a study which was started previously. At this moment, the committee has no money. To deliver the study, we will need some money.

[Translation]

Hon. Roch Bolduc: Honourable senators, I have a question for Senator Kenny. I will put his knowledge of the French language to the test. The French version of his motion reads: "les relations de travail entre les divers organismes participant à la collecte de renseignements," while the English states: "the working relationships between the various agencies."

In my opinion, the English is correct: it says that the relationships between any two agencies are at various levels of coordination. In French, however, the expression "relations de travail" has a different meaning. It means "working conditions." Does the honourable senator wish to change the wording in French? Did I speak too quickly? You realize that Senator Kenny is from Trois-Rivières.

Senator Kenny: Honourable senators, I speak French with difficulty. I take four weeks of French language training every year, but that is not enough. Consequently, I am reverting to my mother tongue.

[English]

I am not competent to answer the honourable senator's question in French. However, I do understand his point, and I would suggest that what is written here in English outlines the intention of the committee. If the French version is not in accord with the English version, then I would request that we be allowed to bring it into accord.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Is the committee studying labour relations? In French, this phrase means "labour relations."

The Hon. the Speaker: Honourable senators, we might agree to correct it here, with leave. However, I would not feel confident in suggesting the change that may be required.

Senator Bolduc: I might propose instead of "les relations de travail," that it state "la coordination entre divers organismes."

Senator Kinsella: Honourable senators, I wish to move that, in the French version, we delete the words "de travail."

The Hon. the Speaker: Is it agreed, honourable senators, that the motion in French be changed from "les relations de travail entre les divers organismes" to "les relations entre les divers organismes"?

Hon. Senators: Agreed.

Senator Lynch-Staunton: Honourable senators, can the chairman give us an estimate of how much money the committee needs to complete this study?

Senator Kenny: Honourable senators, we have no funding as a result of the prorogation. We need an order of reference before we can apply for funding to complete the study. I regret I have not brought any of the figures with me. Some figures have been prepared, but I do not have them in hand. The normal procedure is that the committee is first given an order of reference from this chamber and then the matter goes before the Standing Senate Committee on Internal Economy, Budgets and Administration or a subcommittee of that committee, as the case may be, to have the budget approved. The chairman of the committee then returns to the chamber to ask that the budget be adopted. I anticipate that I will present the budget to chamber. However, I am not prepared to do that at this time but, had I anticipated the question, I would have organized myself to do that.

Senator Lynch-Staunton: I agree with the procedure Senator Kenny has just outlined. However, it is not normal procedure to come before the Senate, ask for a term of reference that sanctions the project, and then put us in the position of having to assess the funds necessary at a later date. It would be most difficult to turn the request down if we have already approved the terms of reference. The system has to be changed so that, when a committee is requested to do a study, whatever its nature and validity, the cost of it is included with the request.

I would think that the chairman of the committee should appear in front of the Internal Economy Committee to determine what budget may be available, discuss the matter, and both chairs would report, at the same time, on the nature of the study and on the cost of the study.

I am not faulting the intent of the Defence Committee. They are doing excellent work. I am concerned that we will be in the embarrassing situation of many committees applying for funds and then finding that they will not be able to do what the Senate has authorized.

If anybody is listening: Can we not reverse the procedure? Can we not have the committees do their homework, outline their study and the costs involved, go to Internal Economy, find out if the funds are available, and come to the chamber with a full package so that we can resolve the matter once and for all? As it is, we do it in three stages and spend more time than we should.

Senator Kenny: Honourable senators, I am content to do it any way this chamber directs. If the chamber instructs me to do it in the way suggested, I will be happy to that.

Having said that, I am proceeding in accordance with our rules. To proceed in any other way, would require a reference to the Rules Committee or leave of the Senate, and that, too, would be fine with me. I believe I am following the established practice and, in accordance with that, I have provided all of the information that would be expected of me.

After seeking the approval of the Internal Economy Committee, I will be required, as chair of the committee, to return to the chamber with the budget, and seek the approval of this chamber. If, at that time, the chamber sees fit to approve what has already been defended in the Internal Economy Committee, then we will proceed. If the chamber decides to bury it, it will be buried.

Senator Lynch-Staunton: That is wrong.

Senator Kenny: With respect, it may be, but those are the rules.

Senator Lynch-Staunton: The honourable senator is following the procedure. I would like to see the procedure changed to make it more streamlined and allow us to assess both the nature of the study and have the knowledge that we can afford the study at the same time.

Hon. Lowell Murray: I am intrigued by the information that the honourable senator has given us about prorogation wiping out the budget. What happens if the committee has accounts payable on the day of prorogation? Does he know what happens to the

money? Does it go back into a pool under the control of Internal Economy? With regard to his own committee, can he provide a ballpark figure of how much money he had left on hand for this study when prorogation overtook us?

Senator Kenny: The response to the first question is that all of the outstanding accounts that were incurred prior to the prorogation are paid. I believe that, within a couple of weeks, those accounts are cleared. However, there is absolutely no question that the services have to be rendered and completed before the date of prorogation. Any remaining funds, or all remaining funding to be more precise, then revert back to the Senate as a whole.

• (1550)

In our case, I do not have the precise figures as to how much we spent. We were set to travel on the day prorogation took place. We had sufficient funds to do that. Had that trip to Saskatchewan and Alberta taken place, we would have incurred significant costs in the range of \$40,000 to \$50,000. Though I feel uncomfortable with the figures, as I know that I am unable to be accurate at this time, I believe we returned between \$60,000 and \$100,000.

[Translation]

Senator Bolduc: Honourable senators, I support the point of view of the Leader of the Opposition in the Senate. It is clear that the terms of reference are rather broad in this proposal. Committees like to have broad terms of reference; it does not cost anything. It is after the fact that costs became involved.

If we followed the procedure proposed by Senator Lynch-Staunton, terms of reference would be more specific. We would know that it will cost us \$50,000. While I may agree with \$50,000, I might not agree with \$500,000. Do you understand? This is relative. We can conduct one study for \$100,000 and another one for \$200,000 or \$300,000. This changes the terms of reference.

Senator Lynch-Staunton wants our budget process to be established from the outset. Both aspects are important. Otherwise, the whole thing is academic and we have no idea of what the costs may be for the Senate.

[English]

Senator Kenny: My earphone was not working, so I did not hear the question.

Senator Bolduc: It was just a commentary that the honourable senator can read in tomorrow's *Debates of the Senate*.

Senator Kenny: Again, I cannot hear what is being said.

The Hon. the Speaker: To clarify, Senator Bolduc did not pose a question, but rather, he made a statement. I wanted to give the honourable senator an opportunity to respond to the statement, though there is no necessity to do so.

Senator Kenny: What I did hear seemed to be along the same lines as the intervention of Senator Lynch-Staunton. My answer would be similar. I am happy to proceed any way this chamber decides.

Hon. Pat Carney: My question falls between a comment and a question to Senator Kenny. The honourable senator will recall that the same kind of difficulty arose when we were conducting our study on conservation areas in the Energy Committee, where we were considering policies to conserve Canada's special sites. We were in a position where Parliament prorogued when the report was completed and printed, but it was not distributed. We were stuck with thousands of copies of a very topical report that we did not have the budget to distribute, although it was printed. We had spent two years under my chairmanship and two years under the Speaker's chairmanship doing this work, and we could not legally distribute the report.

My comment is that sometimes you cannot cost a study until you do have permission from the Senate. A committee can spend a significant amount of time drawing up terms of reference and in correspondence and then not obtain the mandate from the Senate.

My question is: Does the honourable senator agree that the Senate should address some of these issues on an ongoing basis and supplement the rules or draw up guidelines so that we might avoid these circumstances in the future?

The Hon. the Speaker: I am sorry to interrupt, but I must advise the honourable senator that his time has expired.

Senator Kenny: Honourable senators, I would request leave to continue.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Senator Kenny: I would thank honourable senators for their indulgence. I will try to be brief.

I have been in this institution for 18 years, and this matter has been debated for 18 years. I believe that this new two-step process provides for a significant amount of accountability.

Honourable senators will recall that, in the past, after an order of reference was made by the Senate, the procedure was to go to Internal Economy, but the chair was not required to return to the Senate. Instead, a report was delivered from the Chair of the Internal Economy Committee, approving, sometimes, a laundry list of committee budgets. Various budgets were dealt with as a group.

We have changed the system and individual committee chairs have to return to the Senate a second time to defend the budget of the committee. I have done so, as have all the other committee chairs. That provides good accountability to the Senate. The first time honourable senators review the subject matter of the reference. Our committee does not proceed with the order of reference. We must return and defend that order in front of this chamber. Two switches must be turned on. We have considerable accountability.

Having said that, if honourable senators wish to reverse the present system, we can return to the old method. However, I believe that our present practice works.

Hon. Terry Stratton: Honourable senators, I should like to refresh the memory of the honourable senator, if I might, by

returning to his first report tabled on Tuesday, October 29, 2002, wherein he describes the amount spent, in the first instance, of \$443,743 and, in addition, a further \$27,002. Does the honourable senator know if those figures are correct?

Senator Kenny: If those figures are in the report, I am sure they are correct. I do not have the report in front of me.

Senator Stratton: Honourable senators, my concern is that other committees have work that they want to carry out. When one sees numbers approaching \$500,000 for one committee, one must know that that puts other committees at a substantial disadvantage when they wish to conduct a study.

Internal Economy must approach what we do in the future with balance as to budgets. That is critical. Other committees have work to do that they believe is important; would the honourable senator not agree?

Senator Kenny: Internal Economy will proceed in whatever fashion it deems appropriate. I am happy to defend the work that our committee has done. We have produced two reports. We have a very good sitting record. The committee has sat for the second longest number of hours. We have heard from the second highest number of witnesses. The committee worked during the summer. There has been a significant amount of positive response in the media. I would argue that this institution has received value for the money spent. We are dealing with an important issue.

Our first report covered both national security matters and defence matters. The national security matters demonstrated that there were serious flaws in both our ports and airports that have yet to be corrected. On the defence side, we have pointed to a significant shortfall.

The second report covered in some detail the necessity of protecting our coasts and the value of working together with the Americans in defending North America. The Canadian taxpayer obtained value from those reports. The reports also reflected well on the institution.

I am not to judge whether we received a disproportionate amount of funds. The Internal Economy Committee, of which I believe the Honourable Senator Stratton is a member, will make that judgment when we come forward with our budget proposal. If the members of that committee feel that we should not be funded or should not be working at the pace at which we have been working, we will be guided accordingly.

Senator Stratton: Honourable senators, I am not attacking the reports of the committee. They were well done and received the appropriate media attention. My concern was related to fairness and balance.

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

Motion agreed to.

The Senate adjourned until Thursday, October 31, 2002, at 1:30 p.m.

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