



CANADA

Debates of the Senate

2nd SESSION

•

37th PARLIAMENT

•

VOLUME 140

•

NUMBER 15

OFFICIAL REPORT
(HANSARD)

Tuesday, November 5, 2002



THE HONOURABLE DAN HAYS
SPEAKER

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

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

Published by the Senate
Available from Communication Canada – Canadian Government Publishing, Ottawa, Ontario K1A 0S9.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, November 5, 2002

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

Prayers.

We must remember. If we do not, the sacrifice of —

— those —

SENATORS' STATEMENTS

VETERANS' WEEK 2002 AND REMEMBRANCE DAY

Hon. Jane Cordy: Honourable senators, as the daughter of a World War II veteran, I am pleased and honoured to rise today to say a few words about Veterans' Week and Remembrance Day.

Over the years, we in this place, especially through our committee work, have taken a very special interest in the welfare of our veterans. I am proud to say that we have also set a bit of a tradition by virtue of the ceremonies we hold every year, commemorating a special event in our military history.

If memory serves, the first event was five years ago when we rededicated the splendid First World War murals that grace our chamber. Under the wise guidance of our former Speaker, the late Gildas Molgat, we continued the tradition. In 1999, we honoured the fifty-fifth anniversary of the Battle of the Gulf of St. Lawrence. The following year, it was a ceremony to commemorate the British Commonwealth Air Training Plan. Last year, we witnessed the presentations of Memorial Crosses to the next of kin of fallen peacekeepers.

The ceremony this year will be no less unique — the presentation of the new Minister of Veterans Affairs Commendation to a select group of veterans. What will be so special about this year's event is the participation of so many young Canadians in the company of such distinguished servicemen and women — the youth of Canada and the younger and not-so-young war veterans together in our chamber, one group representing our future, the other our past. The more we can encourage them to talk to each other, the more likely the young will treasure that past and consider carefully their country's future. Not coincidentally, that is the theme of Veterans' Week this year: Remembering Our Past, Preserving Our Future.

For those who have visited Commonwealth war cemeteries overseas, consideration of such a theme becomes clear. What is most striking about these cemeteries are the headstones lined up row upon row, almost reminiscent of a military formation. More remarkable still are the notations on the stones, particularly when one notes the age of the soldiers at the time they fell, for it is the young we sent to war and so many never got to grow old. They are our past. They are those who never got to live out their futures, never returned home to loved ones and parents, never returned home to young children, never got to grow old and never had a future at all. It is we, their inheritors, who have reaped a future guaranteed by their shed blood, a remarkable legacy bound up in a single word, "Canada."

Writer Heather Robertson admonishes us with the following comment:

— one hundred thousand Canadian lives will be meaningless. They died for us, for their homes and families and friends, for a collection of traditions they cherished and a future they believed in; they died for Canada. The meaning of their sacrifice rests with our collective national consciousness; our future is their monument.

Let us remember our past, honourable senators, so that we might preserve that future for our children.

Hon. Michael A. Meighen: Honourable senators, I, too, am a child of a World War II veteran. I compliment Senator Cordy on her remarks and should like to make a few of my own on the subject of Veterans' Week.

[Translation]

Honourable senators, today begins Veterans' Week, seven days of activities and events to be held throughout the country to honour Canada's war veterans. The theme this year is: "Remembering our past, Preserving our future."

Honourable senators, this represents both a duty and a promise. The duty: To commemorate those who sacrificed so much in past conflicts, and a promise to the youth of today, who will shape the future of Canada.

[English]

Every year on November 11, the last day of Veterans' Week, we formally carry out our duty. We remember the 66,000 Canadians who gave their lives in the First World War. We remember the thousands more who lost their lives in the Second World War. We remember those who died or who were injured in countless peacekeeping operations and in wars in Korea and in the Gulf. Sadly and tragically in Afghanistan this year, four more names were added to the list of those we must never forget.

That is our duty, but what about our pledge? What are we doing to preserve the future for our young people? As we saw on September 11 last year, the future is full of unexpected peril. We, in Canada, as part of the Western world, are not immune to the terrorist threat. However, instead of rising to the challenge of September 11, we seem to be shrinking away from it. The government continues to provide little in the way of money or equipment for our undermanned military, yet it continues to ask more of them. Indeed, this has become a dangerous trend. Yesterday, the Right Honourable Joe Clark pointed out in the other place that the time our troops spent abroad between 1993 and 1998 rose by some 400 per cent, while during the same period funding for our military declined by 22 per cent.

• (1410)

How long can this go on, honourable senators? Not much longer, according to one well-placed observer, who stated recently that, "It is wrong to continue overstretching our military people and, their families." He also noted that, "We should be spending more than is currently planned. Indeed, the Canadian Forces need more money simply to continue operating as they are, today, in a sustainable way."

That observer, honourable senators, was none other than the current Minister of National Defence, John McCallum, the man responsible for taking care of the brave men and women who will be on the front line when it comes to preserving our safety and security; when it comes to preserving our future. Those are nice words he spoke, but it is time he did more than talk. It is time this government began to act.

[Translation]

Honourable senators, today I implore the government to take its promise to our young people seriously. In order to ensure their future, we and our allies need to have properly funded and properly equipped armed forces, in order to combat not only the scourge of international terrorism, but any other threat against our security and sovereignty as well, no matter when and no matter where. To do otherwise would dishonour the memory of the Canadians who sacrificed so much in past wars.

[English]

NEWFOUNDLAND AND LABRADOR

SWEARING-IN CEREMONY OF THE HONOURABLE E. M. ROBERTS AS LIEUTENANT GOVERNOR

Hon. Joan Cook: Honourable senators, on Friday, November 1, in the legislative chambers of the Province of Newfoundland and Labrador, Edward Moxon Roberts, Q.C., was sworn in as the province's eleventh Lieutenant Governor. However, he is the first one inducted to the newly named Province of Newfoundland and Labrador.

His Honour has served in public office over a span of 36 years. He was first elected to the provincial House of Assembly in 1966, a week after his twenty-sixth birthday, as the member for White Bay North. He was re-elected seven times. He sat on both sides of the House. He held his share of legislative offices, including Leader of Her Majesty's Loyal Opposition and Government House Leader.

During breaks within the ceremony, a Memorial University ensemble played such Newfoundland tunes as *Let Me Fish Off Cape St. Mary's* and *We'll Rant and We'll Roar Like True Newfoundlanders*. In recognition of his fondness for country music, they also included Patsy Cline's *Crazy* and Hank Williams' *Hey, Good Lookin'*.

The galleries were filled to capacity with people who came to wish him well, including his brothers Douglas and Peter, other family members and his granddaughter Madeline.

His Honour's dad, Dr. Harry, now elderly and frail at the age of 94, simply could not be there. However, the morning coat that he wore was his dad's, made in St. John's in 1942 by Ern Maunder, a renowned Newfoundland tailor.

Honourable senators, His Honour is first and foremost a proud Newfoundlander and Labradorian — equally so, a proud Canadian. His wife Eve and he will serve us well, and he intends, in his own words, "to use Government House as a place to celebrate the achievements of Newfoundlanders and Labradorians, from every walk of life."

Over the past five years, he has served as Chair of the Board of Regents of Memorial University, and in, his remarks he continued to urge members of the House of Assembly to invest in the education of our people, at every level.

Honourable senators, to His Honour and to his gracious wife Eve go my warm regards for what, I believe, will be a challenging and a rewarding five years for them both.

[Translation]

SUPREME COURT

DECISION GIVING PRISON INMATES RIGHT TO VOTE IN FEDERAL ELECTIONS

Hon. Gérald-A. Beaudoin: Honourable senators, in its judgment in *Sauvé*, the Supreme Court of Canada has found, with a majority of five to four, that prisoners are entitled to vote in federal elections. The restrictions imposed by the Government of Canada are not justified in a free and democratic society. That is, moreover, the attitude I have taken in my writings for some years.

I, therefore, agree with the Supreme Court of Canada decision. I will, in fact, be calling the attention of the Senate to this decision later on. Chief Justice McLachlin stated at paragraph 9 of *Sauvé*:

The right to vote is fundamental to our democracy and the rule of law and cannot be lightly set aside. Limits on it require not deference, but careful examination. This is not a matter of substituting the Court's philosophical preference for that of the legislature, but of ensuring that the legislature's proffered justification is supported by logic and common sense.

Since inmates retain citizenship when incarcerated, they are entitled to vote according to article 3 of the Charter of Rights and Freedoms, which states that all citizens have the right to vote. In this connection, Chief Justice McLachlin states as follows in paragraph 21:

Section 51(e) denying penitentiary inmates the right to vote was not directed at a specific problem or concern. Prisoners have long voted, here and abroad, in a variety of situations without apparent adverse effects to the political process, the prison population, or society as a whole.

I am therefore delighted with this judgment by our supreme tribunal and will be calling the attention of the Senate to it a little later on.

[English]

• (1420)

SECOND ANNUAL ELINORE AND LOU SIMINOVITCH PRIZE IN THEATRE

Hon. Donald H. Oliver: Honourable senators, I wish to call your attention to a cultural event of national importance I had the honour to attend in Toronto last week. It was the second annual presentation of the Elinore and Lou Siminovitch Prize in Theatre at Toronto's historic Hart House Theatre.

The late Elinore Siminovitch was a playwright. Her husband, Dr. Lou Siminovitch, O.C., whom I had the honour to meet at that event, was instrumental in the discovery of the genetic causes of muscular dystrophy and cystic fibrosis, and he had a long and illustrious career as a teacher and professor at the University of Toronto.

Elinore was a playwright in the 1960s who authored over 30 plays, 12 of which were produced. Her interests in social issues, feminism and political change were reflected in her plays, such as *A Man in the House*, which won the Theatre Ontario Playwrights' Showcase Prize. The prize, which started in 2001, is the largest of its kind in Canada. It was founded by a number of donors, including BMO Financial Group and Tony and Elizabeth Comper, to recognize an artist in mid-career who has contributed significantly to the fabric of theatrical life through a total body of work. The prize is given for three different things: theatre direction, playwriting and design — lighting, set, costume and sound. It began with directors in 2001, followed by playwrights in 2002.

This year's winner was Montreal playwright Carole Fréchette, who was presented with the prize and a cheque for \$75,000. Her plays have enjoyed success around the world, in Belgium, France, Germany and many other countries.

In saluting Ms. Fréchette, I want honourable senators to know that one of the nominees was Sydney, Nova Scotia's own Daniel MacIvor. I should also like to salute Nicola Lipman, one of Atlantic Canada's most distinguished actresses, who served on the five-person jury that selected Ms. Fréchette. Ms. Lipman has resided in Halifax for nearly 20 years, where she has served the Neptune, Eastern Front and Mermaid Theatres. I am a past chairman of the Neptune Theatre.

Honourable senators, please join me in saluting these outstanding Canadians who are contributing to the rich, artistic fabric of our country.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable Marjorie Morton, President of the Assembly of Nevis Island, and the parliamentarians participating in the Second Canadian Parliamentary Seminar.

Welcome to the Senate of Canada.

ROUTINE PROCEEDINGS

AGRICULTURE AND FORESTRY

REPORT PURSUANT TO RULE 104 TABLED

Hon. Donald H. Oliver: Honourable senators, pursuant to rule 104 of the *Rules of the Senate of Canada*, I have the honour to table the first report of the Standing Senate Committee on Agriculture and Forestry, which deals with the expenses incurred by the committee during the First Session of the Thirty-seventh Parliament.

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

FOREIGN AFFAIRS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Peter A. Stollery: Honourable senators, pursuant to rule 104 of the *Rules of the Senate of Canada*, I have the honour to table the first report of the Standing Senate Committee on Foreign Affairs, which deals with the expenses incurred by the committee during the First Session of the Thirty-seventh Parliament.

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

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

ELEVENTH ANNUAL SESSION OF ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PARLIAMENTARY ASSEMBLY, JULY 6-10, 2002—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in two official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association (OSCE) to the Organization for Security and Co-operation in Europe Parliamentary Assembly's (OSCE PA) Eleventh annual session held in Berlin, Germany, from July 6 to 10, 2002.

[Translation]

ASIA-PACIFIC PARLIAMENTARIANS' CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

NINTH GENERAL ASSEMBLY, JULY 10-13, 2002—REPORT TABLED

Hon. Marie-P. Poulin: Honourable senators, I have the honour to table, in both official languages, the report of the ninth general assembly of the Asia-Pacific Parliamentarians' Conference on Environment and Development, which was held in Seoul, Korea, from July 10 to 13, 2002.

ASEAN INTER-PARLIAMENTARY ORGANIZATION

TWENTY-THIRD GENERAL ASSEMBLY,
SEPTEMBER 8-13, 2002—REPORT TABLED

Hon. Marie-P. Poulin: Honourable senators, I have the honour to table, in both official languages, the report of the twenty-third general assembly of the ASEAN Inter-Parliamentary Organization, which was held in Hanoi, Vietnam, from September 8 to 13, 2002.

[*English*]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO MEET DURING ADJOURNMENT OF SENATE

Hon. Jane Cordy: Honourable senators, I give notice that, on Wednesday next, November 6, 2002, I will move:

That the Standing Senate Committee on National Security and Defence be empowered, in accordance with rule 95(3), to sit on Monday, November 18, 2002, even though the Senate may then be adjourned for a period exceeding one week.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
MEET DURING ADJOURNMENT OF SENATE

Hon. Shirley Maheu: Honourable senators, I give notice that, on Wednesday, November 6, 2002, I will move:

That the Standing Senate Committee on Human Rights be empowered, in accordance with rule 95(3), to sit on Monday, November 18, 2002, even though the Senate may then be adjourned for a period exceeding one week.

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Donald H. Oliver: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Donald H. Oliver: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Agriculture and Forestry have power to engage 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 referred to it.

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. George J. Furey: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. George J. Furey: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Legal and Constitutional Affairs 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.

[*Translation*]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Rose-Marie Losier-Cool: Honourable senators, I give notice that, on Wednesday, November 6, 2002, I will move:

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

[*English*]

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Rose-Marie Losier-Cool: Honourable senators, I give notice that, tomorrow, Wednesday, November 6, 2002, I will move:

That the Senate Standing Committee on Official Languages be authorised 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.

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON HEALTH CARE SERVICES AVAILABLE TO VETERANS

Hon. Michael A. Meighen: Honourable senators, I give notice that, on Wednesday, November 20, 2002, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the health care provided to veterans of war and of peacekeeping missions; the implementation of the recommendations made in its previous reports on such matters; and the terms of service, post-discharge benefits and health care of members of the regular and reserve forces as well as members of the RCMP and of civilians who have served in close support of uniformed peacekeepers; and all other related matters.

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

That the Committee report no later than June 30, 2003.

FOREIGN AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Peter A. Stollery: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs be authorised to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Peter A. Stollery: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs 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.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Lorna Milne: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Lorna Milne: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament 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.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Lorna Milne: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be empowered, in accordance with rule 95(3), to sit on Monday, November 18, even though the Senate may then be adjourned for a period exceeding one week.

[Translation]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO TRAVEL

Hon. Joseph A. Day: Honourable senators, I give notice that Wednesday next, November 6, 2002, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to adjourn from place to place within and outside Canada for the purpose of pursuing its study.

• (1440)

QUESTION PERIOD

OFFICIAL LANGUAGES

AIR CANADA—DIRECTIVE ON PROVISION OF BILINGUAL SERVICES

Hon. Jean-Robert Gauthier: Honourable senators, my question is for the Leader of the Government in the Senate. Air Canada's recent directive respecting unilingual francophones is unacceptable. Let me explain.

Air Canada has issued instructions directing its flight attendants to avoid sitting passengers who speak French only near emergency exits if the cabin crew is not bilingual.

Transport Canada's directives are clear. I have read them. They state that all Canadian carriers are to ensure that all passengers sitting by a window — emergency exit — be appropriately informed of the procedure to open the door in case of emergency. They state further that flight attendants are to give the on-board safety briefing in French and in English. Air Canada misinterpreted the directives.

Could the honourable minister tell this house what the government intends to do to correct the situation and make it clear to Air Canada that all Canadians, regardless of their official language, are entitled to equal, unbiased treatment by Air Canada?

[English]

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, Honourable Senator Gauthier raises an extremely important question that goes to the root of official languages in this country. I wish to inform him that Minister Dion's office has been in direct contact with Air Canada, which has informed the minister's office that they will change the directive and that a copy of the new directive will be provided shortly.

TRANSPORT

AIR CARRIERS—CAPTIONING OF SAFETY AND SECURITY INSTRUCTIONS ON MONITORS

Hon. Jean-Robert Gauthier: Honourable senators, could the minister, in her discussions with her colleagues in cabinet and with Air Canada, if she so desires, ask them to please caption safety and security instructions on their TV monitors, both in airport lounges and on airplanes? Hearing impaired Canadians, who account for 10 per cent of our population, will then be able to read on those monitors what they cannot hear. The instructions would be in both official languages, thereby solving their communications problem. The technology exists, by the way. It is in use in Europe widely. Why not innovate and do it here in Canada at Air Canada or ask all our air carriers to put safety and security instructions on their monitors? That would seem to be a reasonable request.

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for his very positive suggestion. I can assure him that I will raise it with my colleagues because it is a service that could be readily made available and would serve those passengers who do not have the ability to hear very well.

[Translation]

OFFICIAL LANGUAGES

AIR CANADA—DIRECTIVE ON PROVISION OF BILINGUAL SERVICES

Hon. Rose-Marie Losier-Cool: Honourable senators, I have tried to obtain Air Canada's procedures manual to better understand this situation. I was told by Air Canada that this was a housekeeping document that was not for release.

However, I have learned that Minister Dion received a copy of the document in question. Could the Leader of the Government in the Senate ask the minister to confirm whether he has received a copy of the document? If he has, could this document be made

available to the Official Languages Committee so that we can examine it?

[English]

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I can make that request of the honourable minister, but I think it would be better if the Official Languages Committee made it. I think he would make the manual readily available. If the committee decides not to make the request, I would certainly follow up and try to make it. It is important to see if there are other anomalies like this one, which have been clearly identified.

SECURITY INTELLIGENCE REVIEW COMMITTEE

VACANCIES

Hon. Michael A. Meighen: Honourable senators, my question is to the Leader of the Government in the Senate. Today, the *Ottawa Citizen* pointed out that the Security Intelligence Review Committee, or SIRC, has been operating since early this year with only three members instead of the usual five. As honourable senators are well aware, this body oversees the Canadian Security Intelligence Service, whose workload has increased enormously since the events of 9/11. Needless to say, while its workload may have increased, its workforce has not.

This lackadaisical approach by the government to filling vacant positions seems symptomatic of a government that pays little heed to questions of security in general, as demonstrated most strikingly by its continuing refusal to adequately fund our military.

When will these vacancies be filled? When will we have a full complement of SIRC members overseeing one of the most vital agencies in the fight against terror?

Hon. Sharon Carstairs (Leader of the Government): As the honourable senator knows, there have been a couple of vacancies because the former Premier of the Province of New Brunswick, Frank McKenna, and the former Premier of the Province of Ontario, Bob Rae, both resigned. However, there are three excellent members on the board, one of whom is Gary Filmon, former Premier of Manitoba, and another one is Mr. Ray Speaker.

The activities of the committee are continuing. There has been no disruption in the ability of those members to make the decisions that are required to be made. Meanwhile, the government seeks to have other excellent Canadians fill those positions.

Senator Meighen: Honourable senators, would the Leader of the Government in the Senate tell us whether the government is waiting until the ethics package is passed through Parliament so that no longer will we be limited by section 14 of the Parliament of Canada Act, in which case honourable senators in this chamber might be eligible?

Senator Carstairs: No. One has absolutely nothing to do with the other. It is important that the individuals who serve on SIRC — who must be sworn in as Privy Councillors, if they are not already Privy Councillors, in order to do this work, because it is top secret — not come from either this chamber or the other chamber but from other walks of life.

REQUIREMENT TO APPOINT MEMBERS OF COMMITTEE TO PRIVY COUNCIL

Hon. Marcel Prud'homme: Honourable senators, on a supplementary question, I remember that I was the one who seconded the motion by Senator Kelly to study the security services of this country. His committee did fabulous work.

One thing that struck me when I attended some of the meetings, because I was not a member, was that we are obliged by law to appoint SIRC members as members of the Privy Council. I asked the members of the committee why they were also members of the Privy Council. They gave the same answer that the honourable senator has just given to Parliament: SIRC members deal with top secret issues. I then asked who prepared all the documents for the members of the committee, who are also members of the Privy Council who sit at the very top of the echelon. A number of SIRC staff members raised their hands to say that they were responsible. It turned out that none of them were members of the Privy Council. They said that they were obliged to maintain secrecy at the swearing-in ceremony when they accepted their jobs, but not as members of the Privy Council.

Why it is necessary to appoint these fine men and women as members of the Privy Council, given the sensitivity of their job, when the staffers who prepare all the files that are given to the committee members are not members of the Privy Council?

• (1440)

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the simple answer is that they do not make the ultimate decision. They prepare information, but it is the members who sit on the committee who make the final decision. The kinds of decisions that they have to make are of the utmost importance to the Government of Canada.

THE SENATE

RATIFICATION OF KYOTO PROTOCOL—SCHEDULE

Hon. Douglas Roche: Honourable senators, my question is directed to the Leader of the Government in the Senate and concerns the Kyoto Protocol. It is well known that the Prime Minister has been quoted as saying that he wants the Kyoto Protocol ratified by the Canadian Parliament before Christmas. One assumes that includes passage through the Senate. Thus, my question is: When will the Kyoto Protocol have to come before the Senate and receive the proper treatment, including committee hearings and investigation by senators, in order to be put to a final vote before the Christmas break?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the Senate will certainly be part of the ratification process. This is an international treaty and the Senate and the House of Commons will have time to debate this matter before we rise at Christmas. However, we may not send it to a specific committee. We may choose, instead, to use the Committee of the Whole to conduct that examination in this chamber, thus allowing the greatest number of senators to actively participate.

Senator Roche: Honourable senators, recognizing that the Leader of the Government in the Senate cannot control the time at which the Kyoto Protocol leaves the House of Commons, there is, however, a suggestion in the honourable senator's answer

to my first question that the time period might be so truncated that we would have to convene a special committee or a Committee of the Whole and, thus, there may not be sufficient time for the proper number of witnesses to be heard.

In that case, would the Leader of the Government in the Senate ensure that senators are given some prior knowledge of the government's plan for the implementation of the Kyoto Protocol? In that way, honourable senators would not feel jammed into a two-day or a three-day effort in the Senate, immediately before Christmas, in order to consider an issue of obvious transcending importance to our country.

Senator Carstairs: Honourable senators, allow me to make it clear that the motion will be introduced in both Houses at exactly the same time. It will not go from the House of Commons to the Senate. It will be introduced in both chambers on the same day. The potential truncation that the honourable senator talked about will not necessarily happen.

The government's plan, as the honourable senator knows, was released to the ministries of the various provincial departments and to senators and members of the House of Commons. That plan is still a work in progress at the ministerial level of the provinces, the territories and the federal government. Meetings will be held on Thursday, November 7, and Thursday, November 21. It is hoped that, at that point, the program will be finalized, and I expect that we will have our resolution soon after that.

THE ENVIRONMENT

RATIFICATION OF KYOTO PROTOCOL— STATUS AS INTERNATIONAL TREATY

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, as a supplementary question, could the minister advise us of the nature of the Kyoto Protocol? Is it an agreement pursuant to international treaty law? If so, what is the view of the Government of Canada in respect of provincial participation prior to Canada ratifying an international treaty that affects provincial jurisdiction?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for his question. It is the view of the Government of Canada that this is an international treaty that requires action by the federal government. However, the government is cognizant of the fact that it is important that the provinces participate. That is why, over the last five years, so many meetings have taken place with respect to this particular issue of climate change.

Senator Kinsella: Honourable senators, could the Leader of the Government in the Senate advise the house as to whether this is a change in policy relating to the ratification by the federal authority of international treaties that affect provincial responsibilities — a constitutional convention that has existed in Canada since the decision of the Privy Council in the famous *Labour* case in the 1930s.

Senator Carstairs: Honourable senators, there has been no change, to my knowledge. As the honourable senator is well aware, the Government of Canada has signed a number of treaties on behalf of the people of Canada. That is how they will proceed with respect to the Kyoto Protocol.

Senator Kinsella: Honourable senators, is it not true that the Government of Canada cannot ratify an international treaty if part of the treaty involves a provincial jurisdiction? The constitutional decision of the early 1980s reaffirmed the existence of this constitutional principle and, that being the case, a significant number of provinces would have to consent to the ratification. Is this a change in the view of the Government of Canada? Does it believe that it does not need provincial consent or substantial provincial consent before entering into an international treaty that has obligations on Canada in areas under provincial jurisdiction?

Senator Carstairs: Honourable senators, it is not the view that there are obligations in that sense, but it is the view that it is within the federal authority to make such a signatory possible.

PROCESS FOR RATIFICATION OF KYOTO PROTOCOL

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I want to clear up what Parliament will be asked to do. Will we be asked to actually ratify the treaty itself or to approve enabling legislation that will allow the treaty to come into effect? I do not recall treaties coming before Parliament. The NAFTA never came before Parliament, but the enabling legislation to implement the NAFTA did come before Parliament. The Leader of the Government in the Senate may want to clarify the process of what will come before Parliament so that we are on the same wavelength.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the enabling legislation will come to us in the future. It will not be the enabling legislation that we will discuss in both chambers prior to the government's ratification of the Kyoto Protocol. The Prime Minister has made it clear, however, that he wants input from the Senate and from the House of Commons. The enabling legislation will come later — probably in the late spring.

Hon. Gerald J. Comeau: Honourable senators, I am trying to wrap my mind around the mechanics of this treaty. The Leader of the Government in the Senate may have just mentioned a word that I had not picked up before in these discussions. She said that the Prime Minister wants "input," but I believe that some of us assumed that we would be voting on this treaty. If I am wrong, the honourable senator may correct me, but, if we are to vote on the treaty, would the treaty be amendable? If it is amendable, what might happen if the Senate does not propose amendments to the treaty at the same time as the House of Commons might propose amendments? What would happen if two amendments were required to cross over to each House? Would we again run into timing problems? Could the honourable leader provide a few more ideas on the mechanics of this process?

Senator Carstairs: I thank the Honourable Senator Comeau for his question, and I will certainly try to do that. It is the desire of the government to introduce a motion in the Senate and in the House of Commons. That motion will support the principles of the Kyoto Protocol, which is an international treaty. However, as I indicated to Senator Lynch-Staunton, the specific legislation that would bring into force and effect some of the provisions would have to be done by way of a bill, which we will probably see later in the year 2003.

Senator Comeau: Honourable senators, the second part of my question was: Will the motion be amendable? Are there means by which the Senate or the other place may propose amendments to the motion? If so, what would happen if two amended motions, one originating in each house, were to cross from one house to the other house?

• (1450)

Senator Carstairs: Honourable senators, every motion is amendable. You cannot prevent that process. However, we should bear in mind that we are voting on the principles and not on the enabling legislation. It would be my hope that the motion would pass in both chambers in identical form.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table a delayed answer to a question raised in the Senate, on October 8, 2002, by Senator Spivak, regarding the cost of consultations on climate change.

THE ENVIRONMENT

COST TO GOVERNMENT OF CONSULTATIONS ON CLIMATE CHANGE

(Response to question raised by Hon. Mira Spivak on October 8, 2002).

There has indeed been a great deal of effort expended on climate change consultations since 1992.

For the 1992-97 period, efforts on climate change were spread across a number of departments. Issues such as air quality were often dealt with in parallel with climate change. As a result, it is not possible to break out specific resource numbers for this period. However, examples of the initiatives at that time include:

National Climate Change Task Group - a federal/provincial/territorial, industry, ENGO group which looked at sectoral and cross-cutting issues. It consulted with stakeholders and developed a general report with recommendations. In 1994-95 they took the report out for public consultation across Canada. A summary report was then prepared and all of this work plus input from ongoing federal-provincial meetings fed into the 1995 Canada National Action Program on Climate Change.

Federal-provincial consultations - There was ongoing federal-provincial consultation through the National Air Issues Coordinating Committee. Meetings were held every three months or so with conference calls in between. Starting in 1993, there were joint meetings of energy and environment ministers held annually, totaling five from 1993 to the end of 1997.

In 1998, at the direction of First Ministers, environment and energy ministers established the **National Climate Change Process (NCCP)** to build an inclusive and collaborative response to climate change and to examine the impacts, costs and benefits of implementing the Kyoto Protocol. Managed jointly by federal, provincial and territorial governments, this ongoing national process involves all levels of government, industry, environmental groups, communities, individuals and other stakeholders.

Consultation has been integral to the NCCP. The following provide examples of some of the major initiatives undertaken since 1998 as part of climate change consultations, with estimated expenditures provided in the table below.

The **National Climate Change Secretariat** was established to support the NCCP and the associated federal/provincial/territorial steering and decision-making bodies. Formal consultation mechanisms managed by the Secretariat include: the National Air Issues Coordinating Committee — Climate Change (NAICC-CC); the deputy minister level National Air Issues Steering Committee (NAISC); and the Joint Ministers Meetings (JMM) — a committee of federal/provincial/territorial environment and energy ministers. Ongoing industry and environmental stakeholder involvement is facilitated through the Integrative Group (IG). From early 1998 to October 18, 2002, ongoing consultation has taken place through numerous formal meetings and conference calls: NAICC-CC has convened 34 times, NAISC has convened 10 times, JMM has convened 9 times, and the IG has convened 20 times.

The NCCP has aimed to be as transparent and inclusive as possible, and stakeholder involvement has been extensive. In early 1998, a comprehensive consultation process was initiated with over 450 experts from industry, academia, non-governmental organizations, municipalities, and federal, provincial and territorial governments. Sixteen **Issue Tables/Working Groups**, established to look at key economic sectors and cross-cutting strategies, worked for over two years to provide options for how to respond to climate change.

In Spring of 2000, a series of **cross-country consultations** was held under the auspices of the NCCP in every province and territory. The purpose of these sessions was to build upon the options put forward by the Issues Tables/Working Groups and to seek input on the proposed objectives and actions for the First National Climate Change Business Plan. Close to 400 stakeholders participated in these sessions.

More recently, in June 2002, federal, provincial and territorial governments hosted **national stakeholder workshops** in 14 cities across Canada to discuss options raised in the federal *Discussion Paper on Canada's Contribution to Addressing Climate Change* and to receive input for the development of a workable plan for Canada to meet its international climate change commitments. Over 600 people participated in these workshops, representing business and industry interests, environmental groups, municipalities, academia, health and other organizations, as well as federal, provincial and territorial governments.

Written submissions on the *Discussion Paper* from stakeholders and the public were also encouraged. National consultations have also taken place on **domestic emissions trading**, conducted by the National Round Table on Environment and Economy.

In addition to consultations done under the NCCP, the federal government has made ongoing efforts to consult with provinces, territories and stakeholders through bilateral meetings, interest group sessions, and focus groups.

Estimated expenditures on major initiatives undertaken since 1998 as part of climate change consultations

Activity	Timing	\$M
National Climate Change Secretariat - f/p/t coordination and consultations	1998 - ongoing	6.07
Issue Tables - 16 working groups established as part of the NCCP	1998 - 2000	13.93
Cross-country consultations conducted under the NCCP	2000	0.40
National stakeholder workshops	2002	0.65
National consultations on Domestic Emissions Trading (conducted by National Round Table on Environment and Economy)	2002	1.25
Total	1998-2002	22.3

[English]

ORDERS OF THE DAY

CRIMINAL CODE FIREARMS ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Maheu, for the second reading of Bill C-10, to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act.

Hon. Gerald J. Comeau: Honourable senators, while listening to the speeches on Bill C-10, which deals with cruelty to animals and firearms, I was reminded of the debate on Bill C-68 which dealt with gun registration. I had a feeling of déjà vu. I will not pretend to be an expert on this bill, but Senator Jaffer's comments raised a red flag in my mind, particularly when she repeated arguments that were raised during the debate on Bill C-68. For that and other reasons, I will be following the debate very closely.

Senator Jaffer, the sponsor of this bill, referred to public opinion polls which show that 76 per cent of Canadians support the National Firearms Registry. This would probably reflect the urban-rural divide on the question of gun registration in Canada, which was so evident during the debate on Bill C-68. I am not a strong fan of formulating public policy based on polls. However, I suppose it is an easy approach.

There is no doubt that Canadian urban majorities have the political numbers to impose whatever measures they want on rural and northern communities. There is little doubt that urban parliamentarians are prepared, once again, to impose urban values and solutions without consideration of the consequences on rural and northern communities. I suppose this is a fact of life in a democracy: the majority can do whatever it wants, and minority opinions and concerns can be disregarded or dismissed.

The Mayor of Toronto, never at a loss for words, eloquently summed up the urban crime solution yesterday when he called for a total ban on guns. This should probably be sufficient to make him the poster boy of the gun confiscation lobby. Yet, the good Mayor of Toronto and his followers do not seem to comprehend the reality that the recent crime spree in Toronto is not a rampage by law-abiding citizens. He does not realize that vast sums of money and police resources are diverted and have been diverted to registering rifles rather than controlling illegal guns being smuggled by criminal elements into our country, even in the mail. He can be sure that these smuggled guns will not be registered.

I am somewhat puzzled by the two entirely different subject matters of the bill: firearms and cruelty to animals. Why did the government choose to join two completely unrelated subjects? If the bill's intention was to stop cruelty to animals with guns, it would make sense, but that is not, apparently, the case.

The difficulty with mixing unrelated subjects is that one might be in favour of part of the legislation but against an unrelated part. For example, one could well be in favour of protection against cruelty to animals, but against the firearms provisions. What would one then do? Would one hold one's nose and vote in favour of the package, or simply vote against the whole package?

This reminds me of the American custom of tagging unrelated spending measures to bills. Is this a custom that we will now adopt in Canada?

I am not sure that the government has made out a valid case for the creation of a new Governor in Council appointed position which would add further to the already out-of-control costs of the firearms registration endeavours. We will soon need a scorecard

to keep tabs on all the senior gun registration positions: Canadian firearms commissioner, registrar of firearms and chief firearms officer. Why not add a few more Governor in Council appointments, and we will really see the cost grow?

I am also puzzled by the definition of "animal" in the bill, which is as follows:

..."animal" means a vertebrate, other than a human being, and any other animal that has the capacity to feel pain.

I hope the committee will take a very close look at this definition and that Senator Nolin will enlighten us. I hear he has some ideas related to this issue. Why not simply say, "any being that has the capacity to feel pain"? It is very simple.

I understand there was a strong and articulate lobby to bring the cruelty provisions forward. Like public opinion polls, we have to accept that lobbies are a part of our political life. However, we have a duty to go beyond the polls and lobbies. We have an obligation to listen to concerns such as those expressed by Senator Watt last week.

It appears to me that the drafters of this bill did not adequately consult and are unfamiliar with the reality faced by the residents of our northern communities. It is quite evident that the government has learned absolutely nothing since the passage of Bill C-68. Once again, like Bill C-68, the urban majority flexes its parliamentary might to impose urban values and solutions on people in regions which they know absolutely nothing about, resulting in further divisions within our country.

When will the government learn that our rural, coastal and northern communities are different from downtown Toronto, Montreal and Vancouver? Government can impose its might on rural and northern communities but, over the long term, there is a price to be paid when the majorities beat up on minorities, and that price is resentment, anger and division.

My suggestion would be for the government to deep-six this legislation and call on the parliamentary committee to start from scratch. The committee should be comprised of members from rural as well as urban communities. This would be a marvellous opportunity for the new democracy being proposed in the other place to be brought forward. This is a good time to start having committees go to our rural and northern communities to meet with the people who will be impacted by this type of legislation.

The Hon. the Speaker: Will you permit a question, Senator Comeau?

Senator Comeau: Yes.

Hon. Gerry St. Germain: Honourable senators, in the Speech from the Throne, it was mentioned many times that the government's intention was to do certain things to improve the plight of our Aboriginal peoples. I believe that was mentioned three times in that speech.

Those of us who travelled to the Mackenzie Delta, to Iqaluit and to various other places during the debates on Bill C-68 know that the government was told emphatically, time after time, that this would be regressive legislation and detrimental to the well-being of our Aboriginal peoples. What did the government do in response to that? It totally ignored that advice. I am not certain whether anyone hunting on the tundra or elsewhere would be in violation of these proposed sections of the Criminal Code and the Firearms Act.

Does the honourable senator believe there is any hope of making any changes to the legislation through this ridiculous process?

Senator Comeau: Honourable senators, I thank Senator St. Germain for the question. I always have hope. I never give up.

Over the last number of years, one of the great advantages of having served on the Fisheries and Oceans Committee is that I have had the opportunity to travel to the North. I have had the opportunity to travel with Senator Watt and Senator Adams. They have shown me what life is like in the North. I will not pretend to be as knowledgeable as I should be, but I have travelled on many occasions up to those areas. I have learned to respect the opinion of people who live next to the land and who depend on the resources of the land for their way of living. It is a way of life.

• (1500)

I cannot understand why, when the government brings forward a bill such as this, it does not actually go out to those communities and consult with people on the land to learn what people think about the bill. At the end of the day, we would have much better legislation. We would not have to rely on taking polls that reflect this divide between the urban communities that impose their majority will and rural communities. As I said earlier, it aggravates the existing divisions and makes them worse.

We cannot always depend on the Mel Lastmans of the world to guide our legislation. We have to depend on people who are impacted by what we bring forward. If there are questions and concerns about this bill, let us go see these people. Let us not rush this legislation. We did not do it right with Bill C-68, and we should have learned a lesson then. Let us get this one right.

Hon. Willie Adams: Honourable senators, I wish to ask the Honourable Senator Comeau a question.

We made a trip this summer from Resolute to Copper Mine. We went with the department members who were with us on the icebreaker. The honourable senator spoke on the boat for about half an hour, responding to questions, and was there not some discussion about what we do as senators here in Ottawa?

Senator Comeau: We did have quite a number of conversations when we were in the North. The conversations were great. I found out how people make their living in the North and how much they appreciate being in the North.

I will be making a full report on our summer trip, so I will not provide all the information now. I want to keep some for a later date.

[Senator St. Germain]

Hon. Tommy Banks: Honourable senators, I received what, I am sure, is good advice when I first came here, which is never ask a question to which you do not know the answer, and I am about to break that advice, with apologies.

I am one of those city boys, Senator Comeau. If I understood him correctly, I believe I heard the honourable senator agree with Senator St. Germain when he suggested that there are aspects of the present bill that would mean that anyone hunting in the North would be breaking, perforce, the law. Would the honourable senator, for my information, tell me what part of the bill would cause that to happen?

Senator Comeau: Honourable senators, as I understood Senator St. Germain, I believe he was referring to Bill C-68. If I understand correctly, under Bill C-10, the current bill, guns are to be put away at all times.

Senator St. Germain might have been referring as well to Bill C-68 when he was talking. I believe, at that point in our rhetoric, we were referring to a combination of Bill C-68 and Bill C-10.

On motion of Senator Sparrow, debate adjourned.

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.—(5th day of resuming debate).

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I am pleased to rise to participate in the debate on the motion for an address in reply to the Speech from the Throne, which was delivered in the Senate chamber by her Excellency the Governor General of Canada with dignity and grace. I, too, wish to congratulate the mover and seconder who spoke so eloquently, notwithstanding the dearth or paucity of this government's policy contained in the speech.

Honourable senators, Canadians took note of the special circumstances surrounding the timing of the Speech from the Throne, circumstances that include the historic presence in Canada of Her Majesty Queen Elizabeth II. Canadians were enthusiastic and warm in the welcome they extended to the Queen and Prince Philip.

Canadians celebrated the Golden Jubilee of the Coronation, notwithstanding the embarrassing statements by the Deputy Prime Minister. I trust, honourable senators, that his views on the Crown did not influence the planning of the royal visit by this government, which failed to have Her Majesty, as Queen of Canada, read the Speech from the Throne as she did on her twenty-fifth anniversary of coronation.

I remind honourable senators that the Crown is the constitutional third part of Parliament, in addition to the House of Commons and the Senate.

Honourable senators, my colleague, the Leader of the Opposition in the Senate, raised the question of the place of the Crown in Canada and reminded us that a debate on the monarchy in no way needs to be interpreted as a slight of the current monarch who has served Canada and the Commonwealth with such fortitude, wisdom and sense of duty for the past 50 years.

I believe that Canadians would like to see the Crown in Canada evolve in a natural yet prudent fashion. Such an evolution would maintain the historical foundation of our Canadian system of governance, a Westminster model of parliamentary democracy that has served our country well since 1867.

Indeed, where in the world is there a system of governance that has yielded for 135 years the level of freedom that Canada has enjoyed? I submit that there is something right with the Canadian model of parliamentary democracy.

I wish to propose that we allow the Crown in Canada to evolve in a natural and prudent manner. I ask: Is it not possible for us to find the model for historical progression that would preserve the values of the Crown? I believe that we can. I believe that we should. I believe that we will.

I wonder if part of the solution might be sought by a shift in the paradigm from that which our friends in Australia used. I wonder that if by thinking "outside the box," to use a phrase of my students, we might find a creative classical solution in the Canadian tradition.

Why should we allow ourselves to be constrained in our evolution by the limits of vocabulary, terminology or thought categories of others, from other places and from other times? Rather, would it not be better for us to determine our own approach based on what works for Canada? Let us allow the "labelling" of our system to come later. To put it another way, in looking at the question of the monarchy in Canada, do we have to throw out the baby with the bath water?

My response to these questions is that we do not need to reject our past, nor to abandon the reality of the history and pioneering work of those who have gone before us in our privileged land, from the First Nations through the era commencing with Samuel de Champlain, through the line of British governorships starting with James Murray, through representative government, the governorship of Viscount Monck and onward through Confederation until today.

Honourable senators, we can continue to grow and evolve the Canadian Crown in a uniquely Canadian fashion. We can provide for the natural convergence of 21st century expectations and heretofore traditional values that have shaped and sustained us in the practice of freedom. As we grow our Crown, we can maintain the many solid institutions, such as the Royal Canadian Mounted Police and the Royal Canadian Mint, which have helped to identify this country. We are capable of changing the definition of institutions to match the reality of their role in contemporary Canadian society.

Honourable senators, I should like to reflect on some considerations that might help to shape a proposal.

First, let us give thought to defining the Crown in Canada as the symbol of the people. The Crown and the right of the various jurisdictions would continue the multiplicity of crowns within the Canadian Confederation.

Second, let us consider a declaration that the Governor General and the lieutenant governors continue to be the representatives of the Crown in the given jurisdictions and that they continue to serve as head of state or province, as the case may be.

Third, let us look at conferring on the Governor General and the lieutenant-governors all of the prerogatives, functions and authority belonging presently to the sovereign in respect to Canada and its jurisdictions.

• (1510)

Fourth, let us provide for election of the Governor General and lieutenant-governors through the indirect method as is done, for example, under the Italian Constitution for its head of state, who, by the way, is also defined as a symbol of the people of Italy. This type of election has the advantage of preserving the principle of the primacy of Parliament pursuant to the Canadian model of the Westminster system of Parliament subject to the Canadian Constitution.

Fifth, let us maintain the recognition of the Queen, her heirs and successors, as the Head of the Commonwealth.

Honourable senators, the Crown, defined as the symbol of the people of Canada, and the office of the Governor General being a representative of the Crown in the right of Canada and a lieutenant-governor being the representative of the Crown in the right of the given province, continues our system of constitutional monarchy without the need for a monarch. Canada is headed by the Governor General federally and by lieutenant-governors provincially, all of whom act according to the Constitution. The Governor General and lieutenant-governors perform only a small number of public acts without the sanction of his or her ministers.

The Crown is a symbol of the people. In Canada, honourable senators, the Crown would continue to play an important part in the life of the nation. Is it not beneficial to maintain the embodiment of the Canadian Confederation through this Crown, which is represented in Parliament for some purposes by the Governor General and in provincial legislatures by the lieutenant-governors for other purposes?

The Crown is uniquely multiple within the Canadian Confederation. Is not Canada, as a confederation, a system of compound Crowns, that is, the Crown in the right of Canada and the Crown in the right of the provinces? I would argue that the Crown must be permitted to continue to be the symbol and reality of the unity of the people of Canada and also of the diversity of the Canadian Confederation.

The Canadian Crown plays a role as an organizing principle of government. The Crown joins together the component parts of the state: the legislative, as represented by Parliament and the legislatures; the executive, represented by federal and provincial cabinets, governments and public service; and the judicial, represented by federal and provincial courts, the Crown prosecutors, et cetera.

Honourable senators, the Crown as the symbol of the people would continue to be linked federally and provincially.

Given the rich history and the importance of the office of Governor General and of the pre-Confederation governors, would it not be both wise and prudent to allow this office to evolve in a natural way? The office of governors and Governors General in Canada has a remarkable history and one that speaks directly to the development of Canada. The first governor in these lands was Samuel de Champlain, who served from 1612 to 1635. His governorship started the French regime, which ended with the Marquis de Vaudreuil in 1760.

The second phase of governors was the British regime, which dates from James Murray in 1764 to Viscount Monck, who was governor at the time of Confederation.

The post-Confederation phase dates from 1867, with Viscount Monck moving from his position as governor to continuing as Canada's first Governor General. This office is marked by such distinguished foreign-born personalities as the Earl of Dufferin, the Duke of Devonshire and Lord Byng of Vimy.

As honourable senators recall, it was in 1952 that the Canadian citizen phase of Governors General began with the Right Honourable Vincent Massey.

Just as the office of the Governor General has evolved with the country, so must the Crown itself.

Honourable senators, I believe that we could consider having our 21st century governors elected. The election of the Governor General and the lieutenant-governors could be conducted in a number of different ways. One, however, would want to ask which method of election would be most appropriate for the Canadian parliamentary system of governance. The experience of other parliamentary systems might prove instructive. A common approach is to have the election occur in the Parliament or legislature, thus an indirect election. Within an evolved Canadian context, one might envisage a joint session of the House of Commons and the Senate electing the Governor General and the lieutenant-governors being elected by their respective legislative assemblies. One might also wish to maintain a role for the Prime Minister in the nomination process. I would think that a term of office should be at least seven years.

Pursuant to the Constitution of Italy, the president, who is defined as the symbol of the people of Italy, is elected to a term of seven years in a joint session of the two houses of the Italian Parliament.

The powers vested in the monarch have been exercised by the Governor General and lieutenant-governors across Canada. Would it not therefore be a proposition of the current-day reality in Canada to formally have such powers vested in the Governor General and lieutenant-governors, who in turn represent the Crown, the symbol of the people? The Governor General or lieutenant-governors, as representative of the Crown, would continue to be the focal point of the supreme executive power of the state. This power in Canada is placed above and outside the governmental structure and political parties of the day. Power would continue to be given to governments temporarily and in trust by the Governor General or lieutenant-governors, who are representative of the Crown and symbol of the people. According to MacKinnon, in *The Crown in Canada*:

Thus one institution (the government) does not possess power but exercises it; while the other institution (the Crown as represented by the Governor General (Lieutenant-Governor) possesses power but does not exercise it.

By continuing the Canadian office of Governor General, we would continue our very successful system of governance, wherein — according to Monet in *The Canadian Crown* — “the power of the state is held in a non-partisan office above the conflicts and divisions of the political process.”

Honourable senators, is it not preferable to maintain executive power where it has been located successfully in the Canadian Confederation — that is, executive power is located in practice, if not in theory, within the federal or provincial cabinet? The Governor General and the lieutenant-governors would act on the advice of the cabinet. In matters of legislation, the Crown's representative would continue to act only on the advice and consent of the legislators.

Pursuant to the successful Canadian system of governance, I believe that it would be wise for Canada to continue with the head of state acting within a non-executive parliamentary model; in other words, the Governor General should continue to serve as head of the Canadian state. I also believe that the Governor General as the representative of the evolved Canadian Crown in the right of Canada should continue to serve as the commander-in-chief.

In sum, the tradition of the representative of the Crown continuing to exercise the power of the current Crown would be best continued. It is well to note that the role of the representative of the Crown in the exercise of his or her duties and responsibilities is “to serve but not to govern.”

I submit also that the preferential option is to allow the Crown to evolve in Canada and to do so in a manner that is consistent with the successful Canadian parliamentary model of governance.

The long tradition of the relation of the Crown with Parliament has yielded principles of parliamentary governance, which surely must be maintained as we evolve the Crown in Canada.

The rich history from the Magna Carta of 1215, the Bill of Rights of 1689 and the basis of parliamentary monarchy, the Convention Parliament of 1689 which broke with the doctrine of perpetuity by which the sovereign never dies, declared the Throne to be vacant. These early historical instruments, together with the Act of Settlement in 1701, established the principle that the Monarch owed his or her position not only to hereditary right but also to the consent of Parliament. From the time of the glorious revolution, the sovereign rules only through the consent of Parliament.

• (1520)

The preserving revolution of the 17th century established the principle of the supremacy of Parliament. The Crown, honourable senators, is subject to limitations by Parliament. Indeed, in the words of our friend often cited in this house, Erskine May, at page 10:

The right of succession and the prerogatives of the Crown itself are, however, subject to limitations and change by legislative process with the consent and authority of the sovereign;...

The Royal Prerogative, honourable senators, should also be maintained by the Crown in the provinces as well as federally.

It has been noted that one of the most distinctive features of the Canadian federalism has been the Royal Prerogative in all of its parts. Had the provinces only had legislative authority over certain matters in section 92 of the Constitution Act, but not Royal Prerogative in these same areas, their ability to develop social policies that involved extensive administrative regulation would have been severely hampered.

So, honourable senators, the Senate may serve the interest of all Canadians by engaging in a wholesome debate on the evolution of the Crown in Canada, and, indeed, we might at some juncture conclude that a constitutional resolution relating thereto ought to be introduced.

The Hon. the Speaker *pro tempore*: I regret to inform Senator Kinsella that his time for speaking has expired. Is leave granted for the honourable senator to continue?

Hon. Senators: Agreed.

Senator Kinsella: Might I invite the unanimous consent of the house that the Speaker not have to rise every time to intervene, given the circumstances.

Hon. Senators: Hear, hear!

Hon. Nicholas W. Taylor: I wish to compliment the honourable senator on a most original and interesting alternative to the methods we are now using. It raises two questions in my mind.

The honourable senator referred to the Italian system. How does the nomination come about? In other words, would it be possible for someone to nominate the Queen of England?

My second question relates to the pronunciation of the word "lieutenant." I notice that the honourable senator uses the American pronunciation, as opposed to the British pronunciation. Has the honourable senator "republicanized" the Constitution already, in that he uses that pronunciation?

Senator Kinsella: I thank the honourable senator for both questions.

In terms of the first question, it is my view, and I think I have mentioned this, that perhaps we would want to consider maintaining a role for the Prime Minister in the nomination process.

By the way, honourable senators, I would also keep a role for the Prime Minister in nominating chairs of committees in both Houses of Parliament.

Senator Rompkey: They needed you an hour ago!

Senator Kinsella: Not having a franchise in the other place, I could not be of any help.

We are a unique Parliament, one that is based on the party system. Our system has worked for 135 years, and I want to keep it. The proof of a better system is on those who are advocating some theoretical other system. I believe that you cannot find anywhere in the world the success of freedom at the level we have enjoyed in Canada for a continuous 135 years.

As to the honourable senator's second point, the pronunciation of the word "lieutenant," it allows me to make the point that our thought processes, sometimes expressed in language, are shaped by the environment. We live beside a huge republic to the south. People from the Maritimes often refer to the New England states as the Boston states, because of the close relationship between the two. It is, therefore, not surprising that much of the diction and pronunciation of English words in the Maritimes is influenced by the language of the republic to the south of us, in particular the Boston states area, just as our intellectual conceptualizations are influenced. Hence, the republican model and the thought process that goes with that have a tremendous impact on the way we think in Canada.

It is for that reason, honourable senators, that I have argued that we should not let our system meet the definition of others. Let us break that paradigm. Let us do it our way, and then let others define or label us after we do it our way.

[Translation]

Hon. Jean-Robert Gauthier: Honourable senators, I listened carefully to the comments made by Senator Kinsella, and I thank him. He gave us a good lesson in history. Last week I met with some twenty or so Canadians who were being honoured for the excellence of their contributions to the country. I presented to them a medal commemorating the Queen's golden jubilee. They were all very appreciative.

Is Senator Kinsella aware of the importance of the monarchy and the value that middle-class Canadians place on the monarchy?

The year 2008 will mark the 400th anniversary of the monarchy in Canada. In 1608, when the country was founded by Samuel de Champlain, the sovereign was Henry IV. Many people forget this part of our history, but Francophones have a good institutional memory, and their ancestry makes them very aware of these things.

Does Senator Kinsella remember this period? Has he studied this issue of the French and English monarchy? Today, the Parliament of Canada is made up of the House of Commons, the Senate and the monarchy.

I want to congratulate and thank Senator Kinsella on his comments.

[English]

Senator Kinsella: Let me thank the honourable senator for his question. Indeed, I agree with him, which is why I wanted to point out that our system of governorships did not begin in 1867. We have a long history of governorships. We had governorships during the British era. We had governorships that started with Samuel de Champlain, ending with Vaudreuil. It evolved, as Senator Gauthier has pointed out, through the French monarchical system and the British monarchical system, from 1867, with all the modifications that Parliaments have placed on the role of the monarch. We have been fortunate to have, since 1952, very successful Governor Generalships and very successful lieutenant governors across Canada.

• (1530)

Senator Gauthier raises important points about the charitable work or civil society work of the Queen's representative in each province. Reaching out to citizens' groups through various programs is an important part of the function and contribution of the Crown in Canada, which I submit should continue by letting it evolve in a natural way under our parliamentary system.

Hon. Gerald J. Comeau: Honourable senators, in listening to the presentation of the Honourable Senator Kinsella, I believe I heard him say that the first governor in Canada was appointed in 1608. I recollect that there might have been a governor four years earlier in what was then Acadia. I am not a historian, but was Pierre de Monts governor at that time?

Senator Kinsella: Honourable senators, there certainly was a Governor de Monts. The tenure of Samuel de Champlain was 1612 to 1635.

Senator Taylor: Honourable senators, I should like to continue debate on the Speech from the Throne. I will try to be brief and leave time for questions because, after all, I raised the issue the other day that it is incumbent upon the Speaker to leave time for questions.

I want to congratulate the mover and seconder of the Speech from the Throne. My presentation will not be as scholarly regarding the Governor General as that of the honourable

member opposite, which I found very interesting. I will concentrate on the Kyoto part of the Throne Speech, coming as I do from Alberta and the oil and gas business and being an engineer and geologist by training.

I have been very much in favour of the Kyoto Protocol for some time. I am disappointed that it has taken this long to progress to where we are discussing it in Parliament. In 1992, it was telegraphed from the Rio de Janeiro hearings of the United Nations that we would cut our greenhouse gas emissions. Since 1992, some groups in Canada — even the city of Calgary, in the middle of the so-called anti-Kyoto area — are halfway to their Kyoto targets already. In other words, they have done it on their own, without the big fuss we have on the national scene now. They went ahead, expecting that Kyoto would be ratified.

The Kyoto Protocol was drafted in response to the fact that the voluntary guidelines as set out in 1992 were not being followed. Greenhouse gas emissions and carbon dioxide levels were increasing. Therefore, the idea was put forth that the richer countries would get together to set a limit on hydrocarbon or CO₂ emissions, which was a natural progression because the voluntary system was not working.

The question we often get is that only the rich countries are making the big cuts and that Asian countries with large populations are not cutting. It is only natural. There is so much carbon dioxide in the atmosphere now, but emerging countries did not put it there. It was put there by the industrialized countries of Western Europe, by Canada and by the U.S. That is one of the arguments that came up during the discussions that led to the Kyoto accord.

The emerging nations are saying, "Look, you are asking that we all share equally in being penalized now. What about the fact that you have done all the polluting for the last 50 to 100 years in the push to industrialize yourselves?" Kyoto recognizes that we have a bigger responsibility to the rest of the world.

Honourable senators, I just got back from Bombay and Hyderabad, where one can see how they are handling their emissions. The emerging nations are saying, "You are driving SUVs and have a certain standard of living. Now you are saying that because we are so populous and we use the same methods as you do, we will pollute the air." It is incumbent upon us, as developed countries, to show and persuade the emerging nations that we can preserve our standard of living, or maybe even increase it, with decreased greenhouse gas emissions. They are watching us.

When I was in Hyderabad, I was interested in the fact that they have already shown a certain transfer of technology. For example, they ride in little three-wheel taxis that run on two-cycle motors, similar to a lawn mower motor or outboard motor, which pollute badly. The people there have managed to buy additives from Canada and the U.S. to mix into the gasoline rather than use ordinary oil, which cuts their carbon dioxide emissions by about 25 per cent. They were quite proud of that. Here is a poor nation, poor as far as the individual is concerned, bragging about what it is doing individually to try to meet the Kyoto targets.

[Senator Gauthier]

We have Esso over here, which is really a subsidiary of ExxonMobil. They run big ads saying, "Don't do it." Some of the richest and biggest people in the world are saying that Kyoto is too difficult and will hurt us all, whereas the poor taxi drivers and people in Bombay and Hyderabad are proud of the little bit they are doing to try to meet the Kyoto targets. One sometimes wonders what we are talking about when we see those ads. In other words, the rich want to get richer and the polluters want to pollute even more.

The other argument is that the U.S. is not part of the Kyoto accord. In a way, perhaps we should be thankful that the U.S. is not part of it if we are buying what we call pollution credits or CO₂ credits in the international market. The Yankees pollute so badly that if they were to compete against Canada and Western Europe, the price of CO₂ per tonne would be driven up so that it would be that much more expensive for Albertans and Canadians to balance their books. The fact that the U.S. is not in there competing against us probably helps us to buy cheaper CO₂.

People make the chauvinistic argument that buying credits or CO₂ emission rights from Russia or a country in Africa that is operating beneath the Kyoto target will result in sending money out of the country. The point of Kyoto is that a tonne of carbon dioxide in the air, whether removed over Calgary, Montreal or Moscow, is still a tonne of carbon dioxide removed from this global village. It does not make sense for people to make the backward and chauvinistic argument that money is going out of the country. Who cares where that tonne of carbon dioxide is kept from going into the air? We are more likely to buy a tonne of CO₂ in Canada, but the point is that no matter where it comes from in the world, it is a tonne less.

The other argument we often hear is with respect to the tar sands, which contribute greatly to CO₂ emissions in Canada. It is rather interesting that Syncrude produces about eight megatonnes of CO₂ a year and is expected to go to 13 tonnes in 10 years. Within the whole valley of tar sands, we can expect, in 10 years, that 60 to 70 megatons per year of CO₂ will be produced from the development of the tar sands.

• (1540)

To put things in their proper perspective, the Americans, who we think are behind the times, have a geological basin in Texas called the Permian basin that has 40 CO₂ sequestration projects where CO₂ is taken and pumped into the ground. Those 40 projects get rid of 20 megatons per year. Alberta has an area of over 10 times the size of the Permian Basin, so one could argue that Alberta alone, by putting the CO₂ in the ground, would be able to bury the whole 240 megatons that we want to reduce under the Kyoto Protocol.

Technically speaking, if we use CO₂ at the same rate as Texas and Norway are now using it, we may not have enough CO₂ in Western Canada to put into the oil fields. This shows how silly the argument against Kyoto is, and that people are not thinking ahead. If anything, we, in Western Canada, should be in a very

good position. I would not be surprised to see the oil industry in Alberta use all the CO₂ and be out trying to buy some. In fact, they are now buying from North Dakota to put the carbon dioxide in Saskatchewan. The ads that the oil business has to hold back are misleading. I will acknowledge that some of the larger corporations will need to spend some money to capture the CO₂, but I am almost positive, if you can believe what is happening in Texas and Norway, that they will be able to sell what they capture for more than the cost of capturing.

Finally, I want to say something from the farmers' point of view. Senator Wiebe has pointed out that the use of ethanol and canola oil to make diesel fuel will add another market to the farmers' livelihood, so, all in all, Kyoto is a good story. In our mismanagement we have held back so long that we have let the Flat Earth Society take over the all the publicity. They have huge amounts of money to buy ads, and that bothers me. Whenever I see an advertisement informing me that ratification of the Kyoto Protocol is bad for Canadians, I realize that, as a taxpayer, I am paying for half of the cost of that ad. Those advertisements are put out by some of the largest Canadian corporations, and they deduct their advertising costs as a business expense. Surely, honourable senators, that has to depress you just a little.

Hon. Douglas Roche: I would like to ask a question of Senator Taylor.

I should like to preface my question to Senator Taylor by noting that, since I will not be here on Thursday when tributes will be paid to Senator Taylor — Senator Banks will actually speak for me when he gives his tribute — I want to pay my respects to him as a great Albertan and a great Canadian, and tell him that I will miss him here in the Senate. The speech he just gave is one of practical wisdom and it has evoked in me a question, which I will now direct to him.

My question concerns the attitude of the Government of Alberta to the Kyoto Protocol. That government established itself early in this process as being strongly against Kyoto. In the early stages, public opinion polls in Alberta were in favour of it, and then the government started a campaign against ratification of the Kyoto accord. Senator Taylor referred to some of those ads. Now public opinion in Alberta is ambivalent as to the efficacy of the Kyoto accord.

In the opinion of Senator Taylor, will the Kyoto accord hurt the economy of Alberta, or can the economy of Alberta, robust as it is, absorb the costs of Kyoto without dislocating jobs and the rest of the economy?

Senator Taylor: I thank the honourable senator for the question and also for the compliment that preceded his question.

Even the worst scenarios indicate that, over a 10-year span, there will be only a 2 to 3 per cent difference in the growth of the economic prospects if the Kyoto standards are met. Therefore, I do not think Kyoto will affect the economy of Alberta. I do not see how there can be a negative effect.

As a general rule, over the next 10 years, if 300,000 less jobs are created in Canada, Alberta's share will probably be 30,000 jobs. Recognizing that Alberta cannot fill the jobs it creates with immigration from abroad or migration from the other parts of Canada, no one in Alberta will lose a job. Rather, it is a question of how many people we must bring in to meet the needs of our expanding economy. The worst estimate is that we will not have to bring in as many people as we would if we did nothing.

My scenario would be that we will actually create jobs, because of the carbon dioxide from the tar plants being used to try to take oil out of our old oil fields. I think that will yield a lot more oil, and the taxpayers in Alberta will make money. Once again, the Lord will have smiled on us.

I can tell you that, years ago, when I first started in the business, we used to flare natural gas. We wanted to get rid of it so that we could get the oil. We started poisoning too many people. The same thing happens with the carbon dioxide. We are getting rid of the carbon dioxide in order to get the oil, but the point is that the carbon dioxide is of value and can be used in many things, so we will end up lucking out again and making money.

Hon. Yves Morin: I, too, would like to congratulate Senator Taylor for his speech and also for his enthusiastic support of the Kyoto accord.

What is Senator Taylor's opinion about the so-called Canadian plan to reduce greenhouse gases?

Senator Taylor: The so-called Canadian plan is based on a percentage reduction per unit. In other words, they will reduce the amount of carbon dioxide they leave in the air per barrel of oil, or per car or per unit, but that makes no allowance for growth. In other words, if you cut back on carbon dioxide per barrel by 15 or 20 per cent, but you double the amount of barrels you produce, you are still putting more tonnes of carbon dioxide into the air. That is the trouble with the Canadian plan. It is just a subtle method. Of course we feel very nationalistic that it is called the Canadian plan, but it is not a made-in-Canada solution. It is only a solution if we continue our present production. On each unit of production we will reduce the amount of waste CO₂ we put in the air. As Canada is a growing country, and more particularly Alberta is increasing its oil and gas development, this means that we will emit a lot more carbon dioxide into the air than we do now.

• (1550)

Hon. B. Alasdair Graham: Honourable senators, in rising to participate in the address in reply to the Speech from the Throne, I wish to begin by congratulating the mover and seconder, who happen to be seatmates on the other side of the chamber, Senators Morin and Hubley. I also wish to congratulate all honourable senators who have thus far participated in this important part of our parliamentary agenda. As well, I commend our new Speaker *pro tempore*, who now happens to be in the Chair, Senator P  pin. We are always assured when Speaker Hays is in the Chair, but we are also assured by the presence of the strong leadership teams on both sides of the house.

[Senator Taylor]

The Speech from the Throne, honourable senators, spoke of our rising confidence as a nation. We were told that less than 10 years ago the economy was in decline, the debt and deficit were out of control, our unity was under threat and our confidence was shaken. The speech spoke of collective efforts over those years of new opportunities, possibilities and choices for the Canada we want. This is the time for Canada, we were told. Now is the time to build on the strengths, the talents and all the adventure that is implicit in being Canadian, to build higher, stronger and more creatively than ever before.

One of the principal objectives of the Government of Canada, we were told, is to ensure that the country is a continuing magnet for talent and investment in the knowledge economy, in a world where success for companies, peoples and regions is measured by how well local activities meet world standards of excellence.

As the Speech from the Throne stressed:

The economy of the 21st century will need workers who are lifelong learners, who can respond and adapt to change.... To this end, the government will work with Canadians, provinces, sector councils, labour organizations and learning institutions to create the skills and learning architecture that Canada needs, and to promote workplace learning. This will include building our knowledge and reporting to Canadians about what is working and what is not.

As such, the government throws down the gauntlet. We can, have and will work even more diligently with Canadians to develop lifelong learners, to develop a workforce nourished by change and transition, a workforce energized by all the promise that the digital revolution represents. However, what works and what does not work, honourable senators, is a question of the greatest magnitude. I would suggest that the accumulation of reports from across the country must begin as soon as possible. Much of the data is found in our own backyards, in our own communities. I have found mine on the island of my birth, the land where sea and fiddles rule, the magical, mysterious and most beautiful island of Cape Breton.

Let me begin by stating the obvious: It is well understood that, as a strategic response to heightened economic competition over the decades, there has been a global trend for many kinds of economic agents, whether in the manufacturing or the service sector, to cluster together within large cities and regions to gain increased productivity and performance advantage. The age of globalization has accentuated this process.

It is true that vast areas of the contemporary economy are tied to enormous amounts of uncertainty. While high technology may be the most illustrative example, the same is true with business and financial services, or all kinds of markets that fluctuate because of fashion effects or constant design changes. Business must be prepared to combine equipment and labour, often on a day-to-day basis. However, analysts tell us that the kind of information needed to negotiate new contracts and restructure buying and selling relationships, or to shift from one job to another, depends on informal human relationships that are often found at the local level.

All that is to say that many researchers are finding that success in this globalizing world is not always in the design of the Lexus, important as the role of robots in the creation of that most illustrious automobile may be, but in the shadow of the ancient olive tree, as Thomas Friedman has so correctly noted in his recent book. Take the olive tree and substitute an ancient cultural symbol relevant to any community across the planet. To translate into some of my own jargon from Cape Breton, let us think about the centuries old social glue that becomes apparent when you step into the kitchen of a weathered old clapboard house, where the floors have had the “plank’er down” treatment from the neighbours’ lively steps, as they dance to jigs and reels of the fiddler, decade after decade.

Honourable senators, people who know Cape Breton well have always understood that our greatest natural resource is our strong community spirit. No matter what the insecurities and dangers endemic to our economy, we have always drawn strength from the instinctive humanity of our people. The old coal culture taught people how to look after each other. All kinds of unwritten codes knitted that culture together, unwritten codes about bravery, loyalty and brotherhood that provided strength and hope in communities that have experienced all the hardships and insecurities of a dangerous business.

Cape Bretoners are a unique blend of people of different ethnic backgrounds who are possessed of a deep loyalty to this “rock in a stream,” as the famous *Song of the Mira* tells us. A stubborn lot, we have over the centuries built a unique, rich and magical, musical culture and a way of life that attracts hundreds of thousands of visitors every year.

In spite of the forced exodus from the island when the limits of industry and politics have dictated, a Cape Bretoner is still a Cape Bretoner. Whether in exile in the Alberta tar sands, the offshore oil rigs, in New England or wherever, the longing for home is maintained. For those who manage to stay, despite the difficult times of a cyclical economy, the shared bond with those away is a deep and heartfelt love of the island.

It is well known that Cape Breton’s economy was anchored on the resource industries for many generations. Because of the inordinate dependence on such a small number of employers, the economy of the island did not mature and diversify into other sectors.

In the 1950s and 1960s, there were 7,500 people working at the Sydney Steel plant; today, there are none. In 1961, the Rand Commission on Coal noted that in an area of approximately 87,000 people — the so-called industrial area of Cape Breton — roughly 50,000 residents were dependent on coal mining; today, there are none.

One of the toughest decisions of my public life was to agree in early 1999 to the closure of the Devco mines. While I knew it was time to turn the page, I was conscious and indeed deeply troubled by the enormous turnaround that miners, their families and communities would have to make.

The fisheries were the third major pillar in the resource-based economy. Hard hit by the collapse of the groundfishery, over 2,300 people lost their jobs as a result of the closure.

What happened on Cape Breton Island was not just a shutdown or a slowdown; it was, in terms of the collapse of the resource industries, an almost total destruction of the *raison d’être* of Cape Breton.

In spite of the devastation in the resource industries, I wish to tell honourable senators that the forces driving the world economy are alive and well in Cape Breton today. The forces of innovation in software production have taken hold. Vibrant winds of change energize vigorous small firms and talented local entrepreneurs, all of those thriving locally, but at the same time harnessing global market forces and making them work to their advantage right at home.

Agri-foods, oil, gas, aquaculture, manufacturing, information technology and telecommunications are all part of the brilliant new spatial cluster, the shiny new constellation of producers revolutionizing our economy. From call centres, supercalendered paper, cheesecakes, pre-finished hardwood to computer-based animation, Cape Breton is doing it all.

I must also applaud the economic development efforts of the Government of Canada. Through the joint efforts of Enterprise Cape Breton Corporation, the Cape Breton Growth Fund, as well as ACOA, the Atlantic Canada Opportunities Agency, over 4,000 jobs have been created since 1999.

The solid progress being made is seen in the statistics. Employment levels are rising. In spite of the loss of over 3,000 jobs in coal and steel since 1993, the island has had a net increase of over 7,400 jobs. Employment on the island in 2001 was higher than in any year since 1988.

The participation rate in 2001 was higher than in any year since 1987. The unemployment rate for the first half of 2002 stood at 15.9 per cent, still far too high, but it is one of the lowest rates for a six-month period in the last 15 years. In 1993, for example, the unemployment rate for the first six months was over 27 per cent. We are on the right track, honourable senators.

• (1600)

There has been an increase of 635 new businesses created on Cape Breton between 1998 and 2001. The labour force continues to perform above average. As communities have mobilized to chart their own paths to economic prosperity, new employers have been attracted by the energy displayed. Just last month, a major business summit was hosted in Cape Breton to showcase the positive changes and the competitive advantages of doing business on this beautiful island which, as John Manley, the then Minister of Industry, said, not too long ago when he spoke to the industrial Cape Breton board of trade, is two minutes from the beach and two seconds from Tokyo.

In coming back to the challenge posed by the Speech from the Throne, how do we as a people facilitate, drive and motivate people to be life-long learners? When we look at the data, what are we doing right? Well, I must say, honourable senators: Look at the people of Cape Breton and stay tuned.

The social capital of Cape Bretoners is our most powerful resource. It is the problem-solving capability that comes from rich, shared experiences where culture and community are one. This wonderful resource is the infrastructure for an economics of trust. It is, I have no doubt at all, the local path to the global marketplace. It is the inherited genius of a people accustomed to caring and sharing. It is the spinal cord of some of the strongest communities in all of North America. It is the key to phenomenal success for business clusters that are nourished by such fundamental human understanding at the grassroots level. I am proud to say it has become the inheritance of our young people, who are busily opening windows on the future and who have the confidence and determination to open them at home.

I am speaking here of a special place where people believe that technology serves people and serves communities. I am speaking about Cape Breton, where sea and fiddle still rule, but where we are continuing to discover, as an example to our country and to the world, that life-long learning starts in a place called home.

Hon. Senators: Hear, hear!

Senator Roche: I should like to raise a question for clarification on the timing of the debate by directing a question to the Deputy Leader of the Government in the Senate. The question is this: This being the fifth day of an eight-day debate, can the Deputy Leader confirm that this debate will continue at least until Tuesday, November 19?

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, today is the sixth day of debate and the fifth day of resumed debate. If debate were to continue through Thursday, we would reach the eighth day, which would terminate debate, pursuant to the motion passed by this chamber.

[English]

Senator Roche: I now understand the distinction that the Deputy Leader of the Senate has made between the eighth day of debate and this fifth day of resumed debate.

I would ask the view of the Deputy Leader of the Government as to whether this debate will continue until at least Tuesday, November 19.

[Translation]

Senator Robichaud: Honourable senators, I cannot give my honourable colleague this assurance, simply because if any senators wish to speak to this tomorrow or Thursday, they would have the right to do so. They would thereby use up the days allocated for this debate.

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

[Senator Graham]

[English]

CODE OF CONDUCT AND ETHICS GUIDELINES

MOTION TO REFER DOCUMENTS TO STANDING COMMITTEE ON RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Carstairs, P.C.:

That the documents entitled: “Proposals to amend the Parliament of Canada Act (Ethics Commissioner) and other Acts as a consequence” and “Proposals to amend the Rules of the Senate and the Standing Orders of the House of Commons to implement the 1997 Milliken-Oliver Report,” tabled in the Senate on October 23, 2002, be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, had the government introduced proposals such as the ones tabled 10 days ago immediately after the 1993 election, now 10 years ago, with the same fervour with which it cancelled the helicopter contract and the Pearson airport contract, chances are that they would have been received with more enthusiasm and certainly less cynicism than what is before us today.

After years of refusing to honour a then highly publicized pledge in Red Book I regarding an ethics counsellor, and trying to convince Canadians since that an ethics counsellor appointed by and reporting exclusively to the Prime Minister did just that, the government now reverses course without a word of apology to spring on us a draft bill on an ethics commissioner and a draft code of conduct for parliamentarians.

It all sounds very promising — and no doubt a first step is better than no step at all — yet the way the government wants us to proceed is most unusual, to say the least. Both Houses are, so far, at least, to separately examine amendments to the Parliament of Canada Act establishing an ethics commissioner. I am not aware of a government bill being referred to a committee of each house before having even been given first reading. Is this a new adaptation of pre-study?

In addition, the draft code of conduct draft is a complement to the draft bill. Whatever the unusual procedure, tabling both at the same time is most welcome. For years, Parliament had been asked to approve bills whose main impact is in regulations that they authorize but which are seldom submitted to Parliament before being gazetted, even for comment. A thorough assessment of such legislation is impossible without having draft regulations associated with it submitted at the same time. Hopefully, the government doing the equivalent now is a precedent that will be followed regularly in the future.

What is before us can only be called an improvement because nothing could be worse than the embarrassing charade the Prime Minister has foisted on Canadians for nearly a decade. An ethics counsellor named by him, reporting only to him, using a code of conduct known only to the two of them, is a formula which has not only led to ridicule but, even worse, has contributed greatly to an ever-increasing disenchantment with the federal political system.

What ethics declare proper a Prime Minister contacting the head of a Crown agency on a matter in which he has more than a personal, passing interest? What ethics allow a cabinet minister dismissed in disgrace to be rewarded with an ambassadorship? What ethics determine that a cabinet minister who accepts hospitality from a government supplier can be shifted to another cabinet position — another cabinet position, by the way, which was considered a demotion, as if being responsible for the management of House of Commons business is less important than having the responsibility for dishing out public funds to friends and supporters? If ever proof of this government's priorities is needed, it is crudely but well summed up here.

The departure of the former Solicitor General mystifies me. Some two years ago, he inquired from the ethics counsellor about being involved in a request for federal financing of a program at an institution headed by his brother. The counsellor's advice was that it was best for another minister to handle the file, as if that were enough to remove any suspicion of favouritism, whether founded or not. How naive can one be? This reminds me of how some ministers get around the rule that they cannot hire direct relatives in their offices. They have cabinet colleagues hire them instead.

What I find particularly shocking in this last ministerial gaffe relates to the resignation letter to the Prime Minister. It is not that the former Solicitor General strongly disagreed with the Ethics Counsellor — one could expect nothing else — but that the Prime Minister agreed with his former colleague, thereby publicly contradicting his own adviser. Why, after being so humiliated, Mr. Wilson did not resign on the spot is beyond me. Certainly, any remaining credibility in his independence, which had always been weak at best, has now evaporated.

• (1610)

What is before us is only a recommendation for discussion and not final government policy. Therefore, any opinion expressed on this side, anyway, certainly from me, is a personal one, thus allowing a wide expression of views that, hopefully in the end, can lead to some form of general agreement. To date, regretfully, this package of reforms only seems to have successfully diverted attention from the real problem, which is not addressed anywhere in the material before us, namely, that some members of cabinet do not seem able to distinguish the public interest from their own interests or those of their friends.

I, for one, am not an enthusiast when it comes to codes of conduct for the simple reason that I have yet to be convinced that they act as a deterrent. Even if they did, however, I am certainly not impressed with how the government is now proposing to deal with the matter for one obvious reason: It suggests that the Ethics

Commissioner be appointed by the Governor in Council for one term of five years. This is completely unacceptable. Anyone accepting this unique position after the 10 years of sad experience we have had with Mr. Wilson will only be able to carry out his or her responsibilities if he or she has the full confidence of Parliament as a whole. Ideally, candidates should appear before parliamentarians to allow members of both Houses to have the opportunity to satisfy themselves of the candidates' independence and qualifications. If this is found too cumbersome and time-consuming, the government should at least allow us to follow the course set out in Red Book I, which states:

The Ethics Counsellor will be appointed after consultation with the leaders of all parties in the House of Commons and will report directly to Parliament.

Approval by one or both Houses is not an unusual procedure. The Chief Electoral Officer is appointed by resolution of the House of Commons. The Information Commissioner and the Privacy Commissioner must be approved by both Houses, as does the Commissioner of Official Languages. Why continue the appointment of an officer affecting all parliamentarians without any ability for them to be reassured directly of its holder's qualifications? Surely, no one wants Mr. Wilson's successor to work under the same handicaps he has had to work under since his first day on the job.

I will not comment further at this time on any other aspect of the proposals since the rest of them, particularly the code of conduct for parliamentarians, whatever their final form, will not be taken seriously as long as neither House of Parliament has a direct say in the selection of the Ethics Commissioner.

Honourable senators, this is an ideal time to put an end to a farce that has gone on for far too long, and I am hopeful and even confident that the Senate will lead Parliament in this direction.

Hon. Jeremiah S. Grafstein: Would the Honourable Senator Lynch-Staunton allow a question or two?

Senator Lynch-Staunton: I will give it a try.

Senator Grafstein: The Honourable Leader of the Opposition has been staunch in the sovereignty of the powers of the Senate but has made no mention with respect to the different and separate powers between the House of Commons and this chamber. Is he not concerned that by allowing a commissioner to apply to both Houses, that person, as honourable as he or she may be, would have more direct responsibility on a day-to-day basis to the other chamber than to what we have traditionally done in this place, which is to handle our own matters vis-à-vis our own rules?

Senator Lynch-Staunton: I am in complete agreement. There are many flaws in what has been recommended. As I said, the major one is the appointment of the Ethics Commissioner. If that is not resolved, I do not say the rest is secondary, but it certainly does not lend itself to proper follow-up by whoever is responsible.

I feel very strongly that this house should be the master of its internal rules, as it affects the running of the chamber, committees, and the code of conduct of its own members. That is something that I hope we will discuss before the committee.

There are other things in the proposed code of conduct. For example, we can snitch on each other. We can go to the commissioner and whisper in his ear that we have heard that a fellow member has a vested interest in this or in that. We can sully reputations. I will be answered in return, "Yes, but all this is confidential." Let us not fool ourselves: Nothing is confidential; nothing is private.

Finally, I am against a code of conduct which requires that I or any member divulge my assets, whatever they may be, the value of them, and perhaps, as some suggest, those of my spouse. It is a personal affront to be required to do that. It means that I come into this chamber under suspicion or I am not eligible to come in here unless I divulge everything my wife and I own. That will discourage competent people from coming here and will encourage incompetent ones more.

I have not touched on all the aspects of this issue because I am more concerned with our insistence that the Ethics Commissioner, whoever he or she may be, is approved by at least one House of Parliament, if not both. If that is not done, I am afraid anything else that follows for which he or she will be responsible will just be a continuation of the farce we have had to suffer for the last nine years.

Senator Grafstein: I thank the honourable senator for his response.

I think the honourable leader agrees with me that the question of the jurist consult to both Houses runs contrary to the constitutional position that the two Houses are to be dealt with in a separate way. Does the Honourable Leader of the Opposition agree with that proposition?

Senator Lynch-Staunton: Completely.

On motion of Senator Sparrow, debate adjourned.

[Translation]

THE ESTIMATES, 2002-03

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUPPLEMENTARY ESTIMATES (A)

Hon. Fernand Robichaud (Deputy Leader of the Government), pursuant to notice of October 31, 2002, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 2003, with the exception of Parliament Vote 10a.

Motion agreed to.

PARLIAMENT VOTE 10A OF SUPPLEMENTARY ESTIMATES REFERRED TO STANDING JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT

Hon. Fernand Robichaud (Deputy Leader of the Government), pursuant to notice of October 31, 2002, moved:

That the Standing Joint Committee on the Library of Parliament be authorized to examine the expenditures set out in Parliament Vote 10a of the Supplementary

Estimates (A) for the fiscal year ending March 31, 2003; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

Motion agreed to.

• (1620)

NATIONAL FINANCE COMMITTEE AUTHORIZED TO CONTINUE STUDY OF MAIN ESTIMATES

Hon. Fernand Robichaud (Deputy Leader of the Government), pursuant to notice of October 31, 2002, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2003, with the exception of Parliament Vote 10a and Privy Council Vote 35; and

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

Motion agreed to.

[English]

STUDY ON STATE OF HEALTH CARE SYSTEM

FINAL REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the third report (final) of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *The Health of Canadians — The Federal Role, Volume Six: Recommendations for Reform*, tabled in the Senate on October 25, 2002.—(*Honourable Senator Kirby*).

Hon. Michael Kirby moved the adoption of the report.

He said: Honourable senators, I rise to begin the debate on the third report of the Standing Senate Committee on Social Affairs, Science and Technology on the health care study. I should like to make one or two observations before turning to the substance of the issue.

First, I wish to thank all my colleagues on the committee who have contributed so enormously of their time and, more important, of their incredible individual talents and knowledge so that we could produce a report that was not only unanimous but extremely detailed in terms of its understanding of the health care system and the kinds of things that needed to be done to restructure, refurbish and return the system to a form that would enable it to meet the aspirations of Canadians.

As a good indication of the enormous commitment of the members of the committee to the health care issue, we need look no further than the Speaker *pro tempore*, Senator Pélipin. The honourable senator decided, immediately upon the completion of the committee's report, that she would attempt to understand, first-hand, whether the health care system was as bad as the

[Senator Lynch-Staunton]

committee had reported it was in many cases. Senator Pépin proceeded to injure her foot and to be taken as a hospital emergency case to actually test the way these facilities in the health care system operated. Earlier today, Senator Pépin said that there is no question about it: Our description of the waiting line issue in the report is understated. I thank Senator Pépin for her extreme devotion to the cause.

Second, I should like to put on the record, on behalf of the committee, a few words about the extraordinary work and assistance of the committee's two researchers, Odette Madore and Howard Chodos, and the committee's clerk, Catherine Piccinin. The reality is that, during the summer, we asked those three individuals to work way beyond the bounds of what is normal in their positions. Not only did they respond positively in terms of the help they gave us, but also they responded enthusiastically to what were, on many occasions, difficult deadlines to meet. The committee had an opportunity at a dinner last week to thank these individuals, but it is also important that those comments be on the record.

Honourable senators, let me say upfront that I will most likely ask for leave to speak beyond the 15-minute limit. I will not go into the details of all of the recommendations in the report because people are capable of reading the report themselves. Indeed, I know a number of members of the committee will want to talk about some of the recommendations. However, I should like to take a few minutes to give honourable senators the intellectual framework, or the underpinning, which is at the basis of the report and on which all the recommendations in the report ultimately can be hung. There are six key elements to this framework.

First, the system clearly needs to be changed to make it substantially more efficient. The reality is that, over the course of the last two and one half years, the committee found that there are many areas in which changes need to be made to enable the system to operate more efficiently. This is clearly not all that needs to be done, as I will explain in a few minutes. However, it is clearly an underlying principle of our report.

Related to the issue of efficiency, however, is our view of how one gets a system to change. On this element, it is highly likely that our report may be different, and certainly is different, from the position taken in the National Forum on Health in 1997, and it may well be different from other reports that will be coming out shortly. The reason for that is we began with the view that this system is too big, too complex, and that hospitals are a far too difficult type of organization to manage for government to be able to operate with a regulatory, top-down, classic command-and-control-type model. That means that it is not possible, given the complexity of health care institutions, for government to be able to micro-manage them.

Yet that is exactly what is happening. Honourable senators, I have one statistic for you that we have heard from a number of chief executive officers of hospitals across Canada: They spend somewhere between 30 and 35 per cent of their time negotiating or haggling with bureaucrats in provincial departments of health. It is absurd that an individual running an institution, where budgets run in the hundreds of millions of dollars, should spend on the order of one third of his or her time haggling with people who have never had experience running anything.

The reality is that this system cannot be managed in the old-fashioned government way of the 1960s and 1970s. In those days, government could get institutions and individuals to behave the way in which they wanted them to behave by imposing many kinds of behavioural conditions and by attempting to regulate behaviour — what we call the “command-and-control model.” Instead, the third report lays out a series of incentives for the different players and for the different points in the system. The incentives have been specifically designed to meet the following test: that a rational person faced with such a set of incentives would end up exhibiting the kind of behaviour that the committee would like him or her to exhibit in order to make the system more efficient, and to make it better for patients.

I give honourable senators two examples. This question has been raised with me a number of times in the last couple of weeks, related to what appears at first glance to be a contradiction in the report, but is not a contradiction. With respect to primary care physicians, we argued that the current method of reimbursing physicians, which is a fee-for-service model, encourages physicians to drive volume and to not delegate the performing of certain procedures to members of their staffs, such as nurses or nurse practitioners, who are trained to do some of those procedures. However, they are not operating at the current level of their competence. Our opinion on the best way to proceed on that would be to change the way in which physicians are remunerated, to a method of capitation, in which they would be paid a particular sum of money to look after a given patient for the year, regardless of how often they saw the patient.

Faced with that remuneration structure, the family practitioner is then incented to do two things: allow his staff members to do the procedures they are trained to do, because the physician does not have to see the patient and will receive the same amount of money in any event; and promote preventive medicine to the extent that he can keep the patient healthy for an ongoing period of time. Thus, he will have fewer visits from that patient and his own workload will be eased.

We use that incentive plan in an attempt to change the behaviour of family practitioners, rather than order them to allow their staff to do the procedures they are trained to do.

• (1630)

Conversely, our view of the hospital system was that hospitals should be paid on the basis of service-based funding, instead of their current method of being paid, which is a global or annual budget. To use the same terminology I used a moment ago with respect to general practitioners, hospitals should be paid on a fee-for-service basis. In a sense, that seems contradictory. Why would we be opposed to fee-for-service for general practitioners but in favour of fee-for-service for hospitals?

Let us examine what happens to the incentive system. If hospitals are going to be paid that way, it does encourage hospitals to drive volume, which is a good thing not a bad thing, whereas with respect to family practitioners, it is not a desirable practice. Second, and perhaps more important, it encourages hospitals to specialize. We know for a fact that the more a procedure is performed within a hospital, the more efficient the hospital gets at doing it. That is obviously economically good.

It is also extremely good for patients when a particular procedure is routinely performed by the same medical team. Not only are they more efficient, which is economically good, but the quality goes up.

One of the interesting things about the health care system is that it is one of the few businesses in which increasing volume and increasing quality go up together. With many businesses that is not true. If you increase volume too much, in fact quality goes down. All of the studies worldwide show that is categorically not true with respect to the hospital system.

I give you those as two illustrations of the fact that, throughout the report, you will find a series of measures designed to make the system more efficient, designed to achieve that not in the old-fashioned way of government, which is, essentially, trying to regulate behaviour, but trying to design a set of principles which will lead to rational people operating in their own self-interests to change their behaviour to the way we want it.

The second major principle we should comment on is the role that we see for the federal government in the infrastructure of the health care system. Historically, going all the way back to 1867 and the Canadian Pacific Railway, the federal government has always had a major role to play in infrastructure throughout the country. In our view, there is a major role for the federal government to fill. We strongly believe that medicare ought to have significant national characteristics. We believe that the federal government should largely pay for the underlying element of the infrastructure of the health care system. I emphasize the infrastructure, not the operating method. I will say something about the operation system in a moment.

In our report, we mention two major areas of infrastructure that cost a huge amount of money and, therefore, only the federal government can afford, in our view. In each of these two areas, we recommend that the federal government pay 100 per cent of the costs, rather than the old 50-50, 75-25 or cost-sharing model which led to the inevitable and interminable federal-provincial wrangling back in the first decade that medicare was in effect, from 1967 to 1977, when the Established Programs Financing Act came into effect.

We emphasized two areas of infrastructure. The first area is information systems. Honourable senators, it is impossible to manage the hospital system the way we believe it ought to be managed unless the information systems available to the people managing those institutions are vastly improved.

To give you one illustration, the first or second question I asked the first hospital CEO I met two-and-a-half years ago, after the committee started its work, was what it costs to perform an appendectomy. I was told by the CEO that he did not have the foggiest notion, because their management information systems did not allow them to know the cost of any specific procedure. When I asked how they could possibly run a service-oriented business, which is what a hospital is, when you do not know your cost of production, he admitted that he would like to know the cost of production. However, the reality was that he did not.

In September of 2000, the federal government committed some \$500 million to the beginning of an electronic patient health record, which is the cornerstone of the ultimate kinds of information systems that hospitals and the health care system will need. We have gone beyond that to argue that the federal government should pay for building a national information system, the purpose of which will have huge advantages. First, it is much cheaper to build one system. Second, by rolling out a common system across the country, the ability to make comparisons between institutions in regions of the country is enormously enhanced. Third, it makes the portability element of the Canada Health Act actually doable because, given the mobility of Canadians, the information on a health record in one part of the country would be available in another, and so on. That is one of the two big infrastructure pieces we have emphasized in our report.

The second big infrastructure piece has to do with what we have called academic health science centres, and which the layperson would typically think of as medical schools and the medical schools' associated teaching hospitals.

In our view, they are the critical elements, particularly in terms of the health care infrastructure of this country. Most of the sophisticated equipment is in teaching hospitals. All of the very complicated medical procedures that take place in hospitals always take place in teaching hospitals. The ultimate overall level of quality, other than for routine procedures, of the health care system will depend primarily on what happens in teaching hospitals.

Again, there is the problem of the provinces, having been strapped for money, finding it difficult to get the kinds of equipment into these hospitals that were needed. In some parts of the country, the physical facilities in which teaching hospitals are operating are old and antiquated, some going back over 80 years.

The Hon. the Speaker *pro tempore*: I regret to inform the honourable senator that his time for speaking has expired. Is he asking for leave to continue?

Senator Kirby: Yes.

The Hon. the Speaker *pro tempore*: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Kirby: Thank you, honourable senators.

In our view, it is extremely important that the federal government, as its contribution to health, take the responsibility for ensuring that adequate equipment and facilities are available in all the teaching hospitals across this country.

While it is unusual, I suppose, for a committee to take the position that the federal government ought to pay 100 per cent of anything that is a shared responsibility in a federal-provincial sense, in our view, one of the big advantages of this system is that it avoids a lot of the detailed bickering that typically takes place at the federal-provincial level.

Second, a national program enables the development, within Canada, of centres of excellence, because any new technology is developed in only three to five places. That can only happen if the allocation of resources and equipment is done at the national level. Aside from the financial assistance, the potential spinoffs to both the economy on the one hand and health care research and the health care system on the other hand is extremely beneficial as a result of operating with 100 per cent federal support. The infrastructure principle is our second principle.

Our third is that the time has come to move beyond the hospital-and-doctor system that we have now to begin to close some gaps in the health care safety net. It is interesting that many commentators that the media have reported — and every member of the committee has been doing various interviews, including a number of phone-in shows — talk as if we have a national health care system in this country when we do not. We have a national hospital-and-doctor system.

Honourable senators, just to put that into perspective, hospitals and doctors now account for 46 per cent and falling as a percentage of health care expenditures. In spite of all the common myths and the language that most of us use when talking about national health care, we do not have a national health care system. We have a system that now covers less than half of all health care expenditures. As a result, there have been significant, growing gaps in what are the health care issues — health care issues that go beyond the doctor's office and hospital walls.

We have proposed three particular programs that would begin to close the gap in those areas. Other honourable senators will deal with the details and the specifics. I will merely highlight each point.

• (1640)

The first is catastrophic drug costs. It is our view that no one in this country should go bankrupt having to pay for drug bills. As we have documented in Volume Five of the report with one example and in Volume Six tabled 10 days ago with another example, the reality is that there are people in this country who are being forced into bankruptcy, forced to spend all of their life savings and forced on to the welfare rolls in order to pay drug bills. In our view, that is simply wrong. I am happy to admit that that is absolutely a value statement, but it is a value statement in which every member of the committee passionately believes.

We have designed the plan to deal with that issue while not interfering with the role of the existing private and public drug care plans. It is essentially a safety net for the extremely expensive cases that would be kicked over into a new program funded 90 per cent by the federal government and 10 per cent by a private plan if the patient is a member of one or 10 per cent by a public plan if they are a member of a public plan.

The second area we talked about in order to expand the system is described in the report as home care for individuals who have been served in hospitals and then leave the hospital. It is home care for a period of 90 days after a patient leaves the hospital.

A better way of describing that plan would be to say that we have recommended that the hospital walls be deemed to include the walls of an individual's home for a period of up to 90 days after that person leaves the hospital.

We did that for two reasons. First, a vast majority of people would like to leave hospital as soon as possible and go home, but in some cases they cannot because they cannot afford it. Therefore, it seemed to us to be the right thing to do from a patient perspective. Equally important, to go back to my first principle of efficiency, it is significantly more efficient to move someone out of a hospital bed and into home care if they are medically well enough to do that. Typically, an average one-day stay in a hospital bed costs the hospital between \$1,400 and \$1,500. Typically, for people leaving hospital and needing home care for a short period of time following their movement out of hospital, the cost is less than one third that amount, somewhere under \$500 a day.

Honourable senators might ask why this is not done now. It is not done now because an individual in a hospital can stay in the hospital and not have to pay for it, costing the hospital \$1,400 or \$1,500 a day, or they can be sent home and pay \$300 or \$500 out of their own pocket. Faced with that choice, a great many Canadians, if they are at the middle or lower ends of the income scale, will say, "I cannot afford to go home, so you have to keep me in the hospital." That strikes us as absurd, frankly, but the nature of the current funding mechanism promotes that behaviour.

To return to my point about incentives, by agreeing to fund home care for people leaving hospital, we have provided a terrific incentive for hospitals to have an individual leave the hospital when they are medically ready to do so. That incentive will save money. I repeat that this is not a top down command-and-control approach; it is an incentive-driven approach.

We have adopted a similar recommendation with respect to palliative care. Polling evidence shows that something like 80 per cent of Canadians have indicated that they would prefer, if possible, to spend their dying days at home, yet the reality is that roughly the same 80 per cent spend their dying days in hospital. That happens in large measure because palliative care at home is not covered by current public funding under medicare, whereas palliative care in the hospital is covered.

While it is true that a number of patients require so much ongoing service in the palliative state that it may well be necessary for them to stay in hospital, there are many people for whom that is not true. We had much evidence on that point. Our argument would be that it is not only the right thing to do in the social sense, it is absolutely a more efficient thing to do.

Honourable senators, the big three themes in the report are efficiency, infrastructure and closing the gaps in the safety net. However, using those as vertical principles, there are three horizontal principles that cut across all aspects of the report.

One principle is the care guarantee. The care guarantee essentially means that for most major hospital procedures, clinically determined, evidence-based guidelines would stipulate the maximum waiting time for individuals to get service for their particular procedure. In saying that, the committee is referring to service all the way through to the end of the process. Currently, the system is structured such that the waiting line for service is through the first stage, then a new waiting line is started. We are talking about waiting lines to the end of the process.

We have made that recommendation for two reasons. First, it is absurd to have a health care system that does not provide timely care. A health care system that does not provide timely care can hardly be described as the best health care system in the world, as I have read in newspapers lately. However, it is an extremely good one, but it is deteriorating rapidly as evidenced by the waiting time issue.

The minute a person is diagnosed, he or she would know the maximum outside waiting time. The minute that waiting time has elapsed without treatment, government — as the insurer, as the provider of funds for the system and the insurance company, in a sense, for the system — would be required to pay the cost of that individual receiving that service either in another place in Canada or, if necessary, in another country, such as the United States.

Believe me, honourable senators, nothing will provide a greater incentive to provincial governments to move on restructuring the system to make it more efficient than the notion that if they do not, the waiting lines will get longer, more people will reach the maximum waiting time on the list, and government will have to pay the cost of those patients getting treatment elsewhere. That is a positive reason for arguing for a care guarantee. It is very much a patient-driven argument.

There is another side of the issue of which we all need to be aware. In the committee's fourth report, which was tabled a little over a year ago, we raised the question of what would happen if someone challenged the lack of timely care from a constitutional standpoint, specifically under section 7 of the Charter of Rights, which guarantees the right to life and security of the person. We posed that question and received a fairly negative response from particularly the left wing in this country, which was surprised that we even had the audacity to ask the question. We asked the question and quoted section 1 of the Charter. As I recall, we questioned whether it is just and reasonable in a free and democratic society for government to take on the obligation to provide necessary medical services and simultaneously deny an individual the right to buy those services, or buy insurance to get those services elsewhere, and then in turn not provide the services in a timely manner.

A number of academic pieces have been written based on that question from a year ago. One piece was by the C.D. Howe Institute, as written by Patrick Monahan and Stanley Hartt. Another very good case study was prepared for the Romanow royal commission by some academics headquartered at the University of Saskatchewan, but not unique to that university. Several other legal commentators have made observations on that question. The conclusions from everyone are the same.

• (1700)

The conclusions are that if government is not prepared to provide timely service, if it continues to leave people on waiting lists to the extent that their health will deteriorate while they are sitting on those waiting lists, then sooner or later the Supreme Court will rule that if that is the government's attitude then government can no longer prevent individuals from buying health care insurance. In turn, this would allow those people to pay for those services privately in Canada.

At the present time, the reason there is no parallel private system is a combination of provincial legislation and, to a lesser extent, the Canada Health Act. The committee passionately believes that it does not want to go to a parallel private system. Throughout the report, we have argued against that in a number of places. In our view, the care guarantee is essential not only from the point of view of serving patients, but also to prevent the courts from ultimately leading us in the direction of a parallel private system that not only does the committee unanimously not want but which we believe Canadians do not want. That issue of the care guarantee really crosses all of the first three principles that I raised.

My fifth point is that we worked very hard to avoid the issue of federal-provincial conflict. Let me be clear: It is not possible to get into this area of discussion without some element of federal-provincial conflict. The blunt reality is that the delivery of health care services is a provincial responsibility. That is a fact. It is also a fact that while some provincial governments will argue very passionately about any interference by the federal government in this area, they will ask for money with no strings attached. Not only do we think that would be foolish, we think it would be a recipe for absolute disaster.

Witness the \$23 billion that was promised in September 2000. Several people have recently asked me anecdotally around the chamber where that money went. As is obvious from the Auditor General's report, no one is quite sure. I will make the observation that somewhere on the order of two thirds to three quarters of that money went to salary increases, whether for physicians or nurses or hospital workers or whatever. This is not to argue in the slightest that people working in those professions and jobs did not deserve a salary increase. In many cases, wages had been frozen for a very long time.

I mention this observation to argue that we believe our money ought to be very clearly targeted, and targeted in a way that avoids, as much as possible, the impossible situation where both federal and provincial governments try to manage hospitals. The reality is that we tried it from 1967 to 1977. It was a complete disaster, which is why we went to EPF and subsequently to the CHST.

That is why, in looking at the federal-provincial conflict issue, we have done two things. The first is to say, as I pointed out with respect to teaching hospitals, for example, that we would pay 100 per cent of the funding. That would avoid a lot of the federal-provincial conflict that naturally emerges under a 50-50 program or some other cost-sharing program.

Second, with respect to home care and palliative care, we have argued for a 50-50 split. We have done so under quite a different model from the one that existed in the original days of medicare. We have argued for service-based funding for hospitals and for service-based funding for home-care patients, whether they be post-acute or palliative home-care patients. The beauty of this model is that the federal government would in no way be involved in the delivery of the service. All the federal government would be doing is paying 50 per cent of the cost. The per diem cost would be a negotiated number, the details of which caused all the problems before, when federal and provincial bureaucrats used to argue about things being included or excluded. It was an impossible situation. By moving to service-based funding, and saying we will pay 50 per cent of the service-based funding for palliative care and home care, we have reduced the federal-provincial issue to simply an accounting issue based on the number of days. The old-fashioned type of federal-provincial conflict would simply not be there.

I find it interesting, honourable senators, that since the release of our report the majority of health care ministers across the country have commented publicly on it. None of the commentary has been negative. None of the health ministers have raised the jurisdictional issue. They believe we have structured it in a way that will deal with that problem.

Finally, honourable senators, I want to deal with the issue of how change should be funded. Historically, for those who have been in government or have lobbied governments, one goes to government and says: "Here are all the things we want from you. Go find the money." Our committee took the view that that was a cop-out. The words we used two years ago were that that would be ducking the central issue.

We felt that we had to describe to Canadians what \$5 billion would mean, if they were to be asked to pay that money. We looked at the various ways in which federal revenue could be raised, and we came up with a health care premium. Obviously, an individual who does not pay any income tax would not pay the premium. The premium for an individual who pays some federal income tax, at the lowest bracket, would begin at 50 cents a day. An individual whose taxable income exceeds \$103,000 would pay a premium of \$4 a day.

Honourable senators, we put the funding issue in terms that ordinary Canadians can relate to, relating the premium to income tax bracket. If the government happens to have \$5 billion sitting around and wants to spend it that way, that is obviously its choice. However, we thought it would be irresponsible on our part to propose a huge amount of money and not address the funding issue, even though we knew very well that the main reaction to our report would be focused on the funding issue.

That has certainly been the case for 10 days, although the coverage in the media is starting to move to our more substantive issues. I do not think any of us on the committee regret having done that. In our view, to fail to propose a number like \$5 billion, \$6 billion or \$7 billion and not deal with where the money would come from would be to duck the central issue. We had no intention of doing that.

Honourable senators, those six themes of efficiency, infrastructure, gaps in the safety net, care guarantee, reducing as much as possible federal-provincial conflict, and how change should be funded are the central themes of the report. Every recommendation can be hung on one of those themes.

In concluding, let me make two observations. I have listened to a number of phone-in shows and have participated in some — although not as many as my colleague Senator Fairbairn has. I have also not been abused as much on phone-in shows as she has been. We have, however, begun to get some sense of the mood out there among interest groups, be they nurses, doctors, or other health care professionals. I think our report could be classified as having met what I would call the time-honoured Canadian test of equalized unhappiness. By that, I mean that most people like 75 or 80 per cent of the report, and they all like a different 75 or 80 per cent. They are all willing to swallow the 20 to 25 per cent they do not like in order to get the 75 or 80 per cent they do like, which I think is what equalization is all about.

In that context, it is interesting that every major group that has spoken up has been overwhelmingly laudatory about the report's recommendations. They all agree that it is time for change; they all agree that restructuring is necessary; they all agree simply pumping more money into the existing system would be absolutely the wrong thing to do.

They all want to quibble with bits and pieces, which are the 20 or 25 per cent they do not like, and that is fine. However, there has not been any real attack on the report as a whole.

• (1700)

One senses that not only did we meet the principle of equalized unhappiness, but that we also met the other unwritten objective of the committee, because we recognized there was not much sense in doing a study if the findings were so impractical that they could not be implemented or put into place. Therefore, the committee tried to come forward with a set of proposals that we would describe as being just inside the outer edge of political feasibility. By that I mean we would push the system as far as we could towards what we described as the very outer edge of political feasibility, and stay just inside that limit. One gets the sense from the reaction of various interest groups across the country and from provincial governments on down that we probably did a good job of judging where that outer edge of political feasibility is situated.

Finally, I would make one other comment, honourable senators. There is no perfect solution to this problem. This is not a problem with a solution that everybody will love. That does not exist. This problem is not a perfectly solvable one. By the way, it is not a solvable problem, as we said, without the care guarantee. In our view, there is no question that, within the next five years, without a care guarantee, the courts will make decisions that will ultimately lead rapidly to a parallel private system.

The time has come for people to do two things: One is to be willing to compromise in the interest of dealing with the issue; and the other is for federal and provincial governments to have the courage to do some difficult things, to take on the system, to be willing to challenge some of the entrenched interests who will go to great lengths to protect their own position.

In the absence of tackling any element of fundamental change, without any restructuring, the net result will be that one of the institutions in this country which all of us care about — and I will say, speaking personally for the members of the committee, that we have come to care absolutely passionately about in the last two and a half years — will collapse. If the attitude following the First Ministers' Conference, which is dump more money into the situation, continues, then the institutions will inevitably collapse.

Those of us on the committee have spent two and one half years fighting hard to avoid that outcome. I would say to every member of this chamber, to the extent that you can help us sell those two messages, which are that restructuring is necessary and just dumping money in is not the answer, that would be extremely helpful. In our view, to do those two things is a recipe for causing Canada to lose one of those things that all Canadians and all members of the committee care very passionately about.

I thank honourable senators for their attention.

Hon. Senators: Hear, hear!

Hon. Leonard J. Gustafson: Honourable senators, might the honourable senator entertain a question?

Senator Kirby: Of course.

Senator Gustafson: Coming from Saskatchewan, where medicare was born, and wondering how I could incorporate the subject of agriculture into this debate, I shall put my question as follows: As I was sitting on the combine listening to all of the radio programs that were dealing with this subject, what came across to me was that in the United States the average stay in hospital is three days, while in Canada the average stay is seven days. I would like the honourable senator's comments on that. He referred to this in his speech.

In Saskatchewan, physician fees were tried by a government that was defeated. Are user fees a possibility?

Senator Kirby: We are adamantly opposed to user fees.

One could argue that one could be opposed to user fees merely on the grounds that it is not politically saleable. The real problem with user fees is that they do not work.

I will come back to the comment related to the U.S. in a moment.

With respect to issues such as user fees, one cannot learn anything from the experience of the United States in the sense that it is not only the most expensive system in the world but it also

produces the ninth, tenth or eleventh worst outcomes in all the industrialized nations. They will spend four or five per cent more GDP than Canada does and end up with worse outcomes. It is hardly something we can learn from.

The real problem with user fees is that, first, they act as a deterrent for people of lower incomes to seek medical help. On the simple grounds of equity, it is not the right thing to do. Second, on the grounds of efficiency, it is a stupid thing to do. By the time people do go for treatment, long after their situation has deteriorated, the cost of providing them with treatment is more than it would have been had they been dealt with earlier. In any event, we categorically ruled out user fees on the grounds of equity. I would also make the observation that they are also bad from a medical policy standpoint.

The honourable senator's first comment related to the length of hospital stays. With regard to the length of stay in the U.S., his information may be partly correct. However, I am suspicious of U.S. data. We have attempted to get at that issue precisely through our post-acute home-care program.

There is no parallel between the Canadian and U.S. systems. Even the terminology is different. The way things are measured is different. Better parallels can be drawn with parts of Europe and Australia rather than the U.S.

Senator Gustafson: I was negligent in not commending the committee and the honourable senator for the fine job they have done. I think every senator in this place is proud of the work done by the committee.

However, coming from Saskatchewan where "Romanow" is a well-known name, I must ask how the honourable senator thinks he can sell what the committee has done.

Senator Kirby: Honourable senators, that is a good question. I guess the answer is that we need all the help we can get. All members of the committee have given interviews. We all have a number of speeches lined up between now and the Christmas break. Committee members made an attempt to talk to individual premiers and health ministers prior to the release of the report, which I think is one of the reasons they were able to give a knowledgeable response when the report came out. Ultimately, this issue is really in the hands of the Canadian people.

Mr. Romanow will have another view. By the way, I would be surprised if we do not cover many of the same topics. Our means to a solution may be different; but I would be surprised if, directionally, we do not have a similar view on many topics.

I think that it will come down to the federal government and the provincial governments, in particular the First Ministers' Conference. Out of that, there will subsequently be a federal budget. Members of this chamber cover the country geographically and we are influential locally to the extent that we can get the message out that the worst mistake that could be made would be to simply dump more money in because all that does is delay the resolution of problem and make the waiting lines longer.

The time has come to stop talking and stop studying, and bite the bullet and make some fundamental changes. Every member of this chamber and various other professional organizations across the country must do a selling job. We gave briefing notes and a terrific power point presentation in both official languages. We have all kinds of material. If this material would help anyone, all they need do is contact the clerk of the committee, and she will have it available for them in a moment.

Hon. Marcel Prud'homme: Honourable senators, I have more of a comment than a question. It is at times like this that I regret that we do not have television coverage of our debates or at least some of them so that Canadians could judge the seriousness of the work that is done here after watching what takes place in the other chamber.

Hon. Douglas Roche: Senator Kirby knows and will recall that I gave my full support to the report and all its recommendations. I stand behind that now. I would also like to commend Senator Kirby for his leadership of the committee and the manner in which he has presented the report.

That being said, honourable senators, I wish to ask the honourable senator if he will comment on a concern that I carry forward from our deliberations. This concern revolves around the variable premium that we have recommended. It is being interpreted as a tax. Whatever it is, it is extra money that Canadians will have to pay to improve the health care system and add the services we think are necessary and that Canadians want. My point is that this premium is, in effect, a tax.

• (1710)

Another main line of activity or interest in our country at this moment is also claiming the need for \$5 billion or \$7 billion, and that is the need for military expenditures. I do not want to be interpreted as being opposed to increases in military expenditures. That is a debate that will be conducted in the other place. However, it is a fact that those who espouse an increase in the defence budget are not asking for a variable premium or an extra tax or collection from the Canadian people. They are saying that it should be built into our system of complete taxation. It is also a fact that increased defence expenditures are to enable the Canadian Forces to fight wars abroad that are not of Canadian making.

Honourable senators, my concern is that we are asking Canadians to pay extra for health care, which is an integral and central part of the value system of our country, but I do not hear us asking for a premium or a means by which Canadians can pay for an increased defence budget. That concerns me and other people with whom I have spoken. Can Senator Kirby help me resolve this dilemma, which is real in my mind?

Senator Kirby: I thank the Honourable Senator Roche for his question. I should say that Senator Roche was the independent senator on our committee. He contributed extensively to our hearings and was helpful in dealing with the issues we covered.

There is, of course, no answer from the committee on the issue of whether the federal government should spend money on one thing or another. Obviously, that is a spending priority decision that must be taken by the government as a result, at the very least in the health care case, of an extensive federal-province process culminating in a first ministers' conference. Thus, it is impossible for the committee to get into the issue of whether money should

be spent on Kyoto, on health or on defence. Had we done that, we would have gone way beyond our order of reference, which was to deal with the health care system.

We did not say, unlike defence, that we need another several billion dollars and that that several billion dollars must come out of existing revenues. Our view was that it would be irresponsible for us to not match revenues with expenditures in some way. If we are to demand extra money from government, then we ought to indicate to the Canadian people where it will come from or how it can be raised if the government does not have it.

We did one other thing that I did not mention in my remarks. We said that we know Canadians will not be prepared to pay any more money for health care unless they can be assured that the money actually will be spent on health care. As honourable senators have seen from the Auditor General's reports, getting that assurance is difficult. We proposed that if extra money is to be raised from Canadians for health care, there must be an earmarked revenue-raising scheme, the same way CPP contributions are earmarked, and that the money out of that fund must come to the government on the advice of the health care commissioner and the associated national health care council. At end of the year, that advice must be made public because it will be more difficult for the Minister of Health to change the advice if he or she knows that the advice will be public. Finally, the actual expenditures out of the fund must be audited by the Auditor General. In other words, we tried to put the money as much out of reach of other parts of the federal government as it was possible to do. Effectively, we put it into a lockbox to be spent on health care and health care only. We believe that this step was necessary to encourage Canadians to make a contribution. We had to convince them that the money would be spent for health care. We did that and we believe it is the right way to go.

The issue of arguing whether the money should be spent on one thing or another is not our problem. Our problem is to categorically ensure that the health care system is properly funded and is not left to the vagaries of a federal budget from which someone can arbitrarily, because of financial difficulty, decide to cut transfers for health. We must isolate the money from that kind of process.

Because it was outside our mandate, we did not tell nor would we presume to tell the government how it should choose between competing authorities, but we decided that we should tell the government how it could match our expenditure plan with a revenue plan, if it did not already have the money.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, in moving the adjournment of the debate in the name of Senator LeBreton, I, too, join with all senators in congratulating the members of the Standing Senate Committee on Social Affairs, Science and Technology for a study that is causing a fairly wholesome debate, not only in this place but across the country. As I was driving from Saint John, New Brunswick, to Fredericton Sunday evening, I was pleased to listen in on the conversations between Rex Murphy and Senator Kirby. I was intrigued by the number of comments that came from the grassroots across Canada, to use a phrase of one political observer in the country from the other place.

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

• (1720)

THE SENATE

MOTION REQUESTING GOVERNMENT RESPONSE TO NATIONAL SECURITY AND DEFENCE COMMITTEE REPORT—REFERRED TO COMMITTEE

Hon. Jane Cordy, pursuant to notice of October 8, 2002, moved:

That within 150 days, the Leader of the Government shall provide the Senate with a comprehensive government response to the report of the Standing Committee on National Security and Defence entitled *Defence of North America: A Canadian Responsibility* tabled on August 30, 2002.

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

[Translation]

REFERRED TO COMMITTEE

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I move that this motion be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament, which is currently studying government responses to a Senate committee report. It could all be studied together.

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

Motion agreed to.

[English]

BANKING, TRADE AND COMMERCE

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

Hon. E. Leo Kolber, pursuant to notice of October 30, 2002, moved:

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.

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

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Could the honourable senator please explain?

Senator Kolber: What would my honourable friend like to have explained?

About three weeks ago, honourable senators read that a proposed bank merger was for some reason turned down. I do not know the exact circumstance; I only know what I read in the paper.

Minister Manley called me and said that he and the Secretary of State for Financial Institutions, Mr. Bevilacqua, would send a letter to my committee and to Sue Barnes, who heads up the Commons Finance Committee. The purpose of the study would be to interpret part of Bill C-8, which honourable senators will recall we passed last year, which was the large financial legislation bill.

That bill, honourable senators, said essentially that mergers would be entertained, but three main tests had to be passed, not necessarily the way they were set out in the bill. The first was a prudential test to ascertain whether the ensuing entity would be financially viable. The second was a test to determine if there would be sufficient access by Canadians to places where they could do their banking business. The third test was meant to determine if the merger was in the public interest. That was never defined. I have my own ideas on the subject. Some eminent academics in this country have written extensively on this subject, whose works I have read and to whom I have spoken. The bottom line is this: Do we have a viable banking industry? Can we maintain the status quo? Our committee will delve into those issues and will attempt to define the national interest.

Senator Kinsella: Honourable senators, I wish to thank the Honourable Senator Kolber for his explanation. In participating in the debate on the motion, I should like to make a few observations.

First, we are fortunate in having a Standing Senate Committee on Banking, Trade and Commerce that is composed of senators who are knowledgeable in this field and who do excellent work under the leadership of Senator Kolber. As I understand it, this study is a continuation of a mandate that flows in part from Bill C-8 in the last Parliament.

My understanding as a consumer and layperson in this field is that if one were to look at our banks in terms of how they could best compete in the global market, one would find that Canadian banks do quite well in Canada. It is when they enter into fields outside of Canada that sometimes they have difficulty competing. Many of the losses that banks incur are not incurred so much in Canada as outside of Canada. I have often wondered that if it is true that Canadian banks do very well in Canada and not so well outside of Canada, are Canadians in effect underwriting these adventures that Canadian banks enter into outside of Canada? I support our committee, which has this technical knowledge, studying the public interest of mergers, and no doubt this concern will be addressed.

The apparent contrary positions around this issue that are held between the Prime Minister's Office on the one hand and the Office of the Minister of Finance on the other have left me somewhat confused as a layperson. If our Banking Committee were able to look at this question and bring some clarity to it, then I would find that to be a laudable objective in and of itself.

In terms of a minister of the Crown making a request to the Senate that we conduct a study in some policy area — and I know there is more to the circumstances around the letter that came from the Minister of Finance to Senator Kolber — I think it is terribly important for us to distinguish between the role of the minister in the exercise of his or her executive power and the tremendous support given to that executive by the ministry. The ministry has tremendous resources to conduct the studies and inquiries that it wants to have conducted. We, as part of the legislative branch, want to be very careful. We do not have the resources to do policy development studies that perhaps would be more appropriately conducted by the executive branch as opposed to the legislative branch.

Those are a few of my own thoughts on this matter. If other senators wish to speak, they will. At the end of the debate today, I would wish to move the adjournment of the debate in the name of the Honourable Senator Tkachuk.

Senator Kolber: The honourable senator's points are well taken. He should keep in mind that when Bill C-8 was before us, the proposed legislation at the time said that if a merger was requested, the Minister of Finance — at that time, Mr. Martin — would have to consult with the House of Commons but not with the Senate. Thus, we said that we really believe as a committee that the Minister of Finance in the case of a bank merger should not consult with Parliament altogether. For example, in the United States, Treasury Secretary Rubin was in charge of that. They never went to Congress, and we said, "Don't go to Parliament." However, they insisted, so we said, "Okay, but if you want us to pass this bill, then you will have to change and consult Parliament, not just the House of Commons."

In a sense, we are hoisted by our own petard. The minister is consulting. The ministry obviously has larger resources than do we.

By the way, we are not obliged to do this. I think the minister feels that we would give a more independent viewpoint than his own department. It is an interesting opportunity for the Senate to do some worthwhile work in this area.

• (1730)

Hon. Marcel Prud'homme: Honourable senators, I shall be brief. I was impressed by the views expressed by Senator Kinsella. I am the latest addition to the prestigious Banking Committee. I am happy to serve with Senator Kolber, from whom I learn much. I also learn much from Senator Tkachuk. It will be interesting for honourable senators to know that all members of the official opposition in attendance at that meeting were in full agreement that we should do this study. I was at the meetings where Senators Tkachuk, Kelleher, Meighen and Angus enthusiastically supported the motion put to us by the chair, Senator Kolber.

I would hope that we could dispose of this motion this week. We will adjourn for a week and we would like to be the first to have an opportunity to address this matter before someone else in another chamber decides to pre-empt us. I urge the four

representatives of the Conservative Party of Canada, the official opposition, to dispose of the matter this week. At our last meeting we all endorsed this motion.

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

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Tommy Banks, pursuant to notice of October 31, 2002, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources 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. Tommy Banks, pursuant to notice of October 31, 2002, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

FISHERIES

MOTION TO AUTHORIZE COMMITTEE TO CHANGE NAME TO FISHERIES AND OCEANS— REFERRED TO COMMITTEE

Hon. Gerald J. Comeau, pursuant to notice of October 30, 2002, moved:

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."

He said: Honourable senators, I move that this motion be referred to the Standing Committee on Rules, Procedure and the Rights of Parliament.

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

Motion agreed to.

[*Translation*]

That the Clerk's Accounts, tabled on Thursday, October 31, 2002, be referred to the Standing Committee on Internal Economy, Budgets and Administration.

CLERK OF THE SENATE

2002 ANNUAL ACCOUNTS REFERRED TO INTERNAL
ECONOMY, BUDGETS AND ADMINISTRATION
COMMITTEE

Motion agreed to.

Hon. Lise Bacon, pursuant to notice of October 31, 2002,
moved:

The Senate adjourned until Wednesday, November 6, 2002, at
1:30 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Daniel P. Hays

THE LEADER OF THE GOVERNMENT

The Honourable Sharon Carstairs, P.C.

THE LEADER OF THE OPPOSITION

The Honourable John Lynch-Staunton

OFFICERS OF THE SENATE**CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

Gary O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Blair Armitage (Act.)

THE MINISTRY

According to Precedence

(November 5, 2002)

The Right Hon. Jean Chrétien	Prime Minister
The Hon. David M. Collenette	Minister of Transport
The Hon. David Anderson	Minister of the Environment
The Hon. Ralph E. Goodale	Minister of Public Works and Government Services Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians
The Hon. Sheila Copps	Minister of Canadian Heritage
The Hon. John Manley	Deputy Prime Minister, Minister of Finance and Minister of Infrastructure
The Hon. Anne McLellan	Minister of Health
The Hon. Allan Rock	Minister of Industry
The Hon. Lucienne Robillard	President of the Treasury Board
The Hon. Martin Cauchon	Minister of Justice and Attorney General of Canada
The Hon. Jane Stewart	Minister of Human Resources Development
The Hon. Stéphane Dion	President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs
The Hon. Pierre Pettigrew	Minister of International Trade
The Hon. Don Boudria	Leader of the Government in the House of Commons
The Hon. Lyle Vancilief	Minister of Agriculture and Agri-Food
The Hon. Herb Dhaliwal	Minister of Natural Resources
The Hon. Claudette Bradshaw	Minister of Labour
The Hon. Robert Daniel Nault	Minister of Indian Affairs and Northern Development
The Hon. Elinor Caplan	Minister for National Revenue
The Hon. Denis Coderre	Minister of Citizenship and Immigration
The Hon. Sharon Carstairs	Leader of the Government in the Senate
The Hon. Robert G. Thibault	Minister of Fisheries and Oceans
The Hon. Rey Pagtakhan	Minister of Veterans Affairs and Secretary of State (Science, Research and Development)
The Hon. Susan Whelan	Minister for International Cooperation
The Hon. William Graham	Minister of Foreign Affairs
The Hon. Gerry Byrne	Minister of State (Atlantic Canada Opportunities Agency)
The Hon. John McCallum	Minister of National Defence
The Hon. Wayne Easter	Solicitor General of Canada
The Hon. Ethel Blondin-Andrew	Secretary of State (Children and Youth)
The Hon. David Kilgour	Secretary of State (Asia-Pacific)
The Hon. Andrew Mitchell	Secretary of State (Rural Development) (Federal Economic Development Initiative for Northern Ontario)
The Hon. Maurizio Bevilacqua	Secretary of State (International Financial Institutions)
The Hon. Paul DeVillers	Secretary of State (Amateur Sport) and Deputy Leader of the Government in the House of Commons
The Hon. Gar Knutson	Secretary of State (Central and Eastern Europe and Middle East)
The Hon. Denis Paradis	Secretary of State (Latin America and Africa) (Francophonie)
The Hon. Claude Drouin	Secretary of State (Economic Development Agency of Canada for the Regions of Quebec)
The Hon. Stephen Owen	Secretary of State (Western Economic Diversification) (Indian Affairs and Northern Development)
The Hon. Jean Augustine	Secretary of State (Multiculturalism)(Status of Women)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(November 5, 2002)

Senator	Designation	Post Office Address
THE HONOURABLE		
Herbert O. Sparrow	Saskatchewan	North Battleford, Sask.
Edward M. Lawson	Vancouver	Vancouver, B.C.
Bernard Alasdair Graham, P.C.	The Highlands	Sydney, N.S.
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
C. William Doody	Harbour Main-Bell Island	St. John's, Nfld.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
E. Leo Kolber	Victoria	Westmount, Que.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto-Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Daniel Phillip Hays, <i>Speaker</i>	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Brenda Mary Robertson	Riverview	Shediac, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld.
Eileen Rossiter	Prince Edward Island	Charlottetown, P.E.I.
Mira Spivak	Manitoba	Winnipeg, Man.
Roch Bolduc	Gulf	Sainte-Foy, Que.
Gérald-A. Beaudoin	Rigaud	Hull, Que.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Church Point, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton, N.B.
John Buchanan, P.C.	Nova Scotia	Halifax, N.S.
John Lynch-Staunton	Grandville	Georgeville, Que.
James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie, Ont.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Regina	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.

Senator	Designation	Post Office Address
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Victoria Beach, Man.
Landon Pearson	Ontario	Ottawa, Ont.
Jean-Robert Gauthier	Ottawa-Vanier	Ottawa, Ont.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	Labrador	North West River, Labrador, Nfld.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Shirley Maheu	Rougemont	Saint-Laurent, Que.
Nicholas William Taylor	Sturgeon	Chestermere, Alta.
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Marisa Ferretti Barth	Repentigny	Pierrefonds, Que.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Thelma J. Chalifoux	Alberta	Morinville, Alta.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Richard H. Kroft	Manitoba	Winnipeg, Man.
Douglas James Roche	Edmonton	Edmonton, Alta.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
Ione Christensen	Yukon Territory	Whitehorse, Y.T.
George Furey	Newfoundland and Labrador	St. John's, Nfld.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Isobel Finnerty	Ontario	Burlington, Ont.
John Wiebe	Saskatchewan	Swift Current, Sask.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Raymond C. Setlakwe	The Laurentides	Thetford Mines, Que.
Yves Morin	Lauzon	Quebec, Que.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Laurier L. LaPierre	Ontario	Ottawa, Ont.
Viola Léger	New Brunswick	Moncton, N.B.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.

SENATORS OF CANADA

ALPHABETICAL LIST

(November 5, 2002)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Lib
Andreychuk, A. Raynell	Regina	Regina, Sask.	PC
Angus, W. David	Alma	Montreal, Que.	PC
Atkins, Norman K.	Markham	Toronto, Ont.	PC
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Lib
Bacon, Lise	De la Durantaye	Laval, Que.	Lib
Baker, George S., P.C.	Newfoundland and Labrador	Gander Nfld.	Lib
Banks, Tommy	Alberta	Edmonton, Alta.	Lib
Beaudoin, Gerald-A.	Rigaud	Hull, Que.	PC
Biron, Michel	Mille Isles	Nicolet, Que.	Lib
Bolduc, Roch	Gulf	Sainte-Foy, Que.	PC
Bryden, John G.	New Brunswick	Bayfield, N.B.	Lib
Buchanan, John, P.C.	Halifax	Halifax, N.S.	PC
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Lib
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	PC
Carstairs, Sharon, P.C.	Manitoba	Victoria Beach, Man.	Lib
Chalifoux, Thelma J.	Alberta	Morinville, Alta.	Lib
Christensen, Ione	Yukon Territory	Whitehorse, Y.T.	Lib
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld.	PC
Comeau, Gerald J.	Nova Scotia	Church Point, N.S.	PC
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld.	Lib
Cools, Anne C.	Toronto-Centre-York	Toronto, Ont.	Lib
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Lib
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Lib
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Lib
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Lib
Di Nino, Consiglio	Ontario	Downsview, Ont.	PC
Doody, C. William	Harbour Main-Bell Island	St. John's, Nfld.	PC
Eyton, J. Trevor	Ontario	Caledon, Ont.	PC
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Lib
Ferretti Barth, Marisa	Repentigny	Pierrefonds, Que.	Lib
Finnerty, Isobel	Ontario	Burlington, Ont.	Lib
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Lib
Forrestall, J. Michael	Dartmouth and the Eastern Shore	Dartmouth, N.S.	PC
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Lib
Furey, George	Newfoundland and Labrador	St. John's, Nfld.	Lib
Gauthier, Jean-Robert	Ottawa-Vanier	Ottawa, Ont.	Lib
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Lib
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Lib
Graham, Bernard Alasdair, P.C.	The Highlands	Sydney, N.S.	Lib
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	PC
Hays, Daniel Phillip, <i>Speaker</i>	Calgary	Calgary, Alta.	Lib
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Lib
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Lib
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Lib

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	PC
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Lib
Kelleher, James Francis, P.C.	Ontario	Sault Ste. Marie, Ont.	PC
Kenny, Colin	Rideau	Ottawa, Ont.	Lib
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	PC
Kinsella, Noël A.	Fredericton-York-Sunbury	Fredericton, N.B.	PC
Kirby, Michael	South Shore	Halifax, N.S.	Lib
Kolber, E. Leo	Victoria	Westmount, Que.	Lib
Kroft, Richard H.	Manitoba	Winnipeg, Man.	Lib
LaPierre, Laurier L.	Ontario	Ottawa, Ont.	Lib
Lapointe, Jean	Saurel	Magog, Que.	Lib
Lavigne, Raymond	Montarville	Verdun, Que.	Lib
Lawson, Edward M.	Vancouver	Vancouver, B.C.	Ind
LeBreton, Marjory	Ontario	Manotick, Ont.	PC
Léger, Viola	New Brunswick	Moncton, N.B.	Lib
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Lib
Lynch-Staunton, John	Grandville	Georgeville, Que.	PC
Maheu, Shirley	Rougemont	Saint-Laurent, Que.	Lib
Mahovlich, Francis William	Toronto	Toronto, Ont.	Lib
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	PC
Milne, Lorna	Peel County	Brampton, Ont.	Lib
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Lib
Morin, Yves	Lauzon	Quebec, Que.	Lib
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	PC
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	PC
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	PC
Pearson, Landon	Ontario	Ottawa, Ontario	Lib
Pépin, Lucie	Shawinigan	Montreal, Que.	Lib
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Lib
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Ind
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Lib
Poy, Vivienne	Toronto	Toronto, Ont.	Lib
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Ind
Rivest, Jean-Claude	Stadacona	Quebec, Que.	PC
Robertson, Brenda Mary	Riverview	Shediac, N.B.	PC
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Lib
Roche, Douglas James	Edmonton	Edmonton, Alta.	Ind
Rompkey, William H., P.C.	Labrador	North West River, Labrador, Nfld.	Lib
Rossiter, Eileen	Prince Edward Island	Charlottetown, P.E.I.	PC
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	CA
Setlakwe, Raymond C.	The Laurentides	Thetford Mines, Que.	Lib
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Lib
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Lib
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.	Lib
Spivak, Mira	Manitoba	Winnipeg, Man.	PC
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Lib
Stratton, Terrance R.	Red River	St. Norbert, Man.	PC
Taylor, Nicholas William	Sturgeon	Chestermere, Alta.	Lib
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	PC
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Lib
Wiebe, John	Saskatchewan	Swift Current, Sask.	Lib

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
 (November 5, 2002)

ONTARIO—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jeremiah S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto-Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie
10 John Trevor Eyton	Ontario	Caledon
11 Wilbert Joseph Keon	Ottawa	Ottawa
12 Michael Arthur Meighen	St. Marys	Toronto
13 Marjory LeBreton	Ontario	Manotick
14 Landon Pearson	Ontario	Ottawa
15 Jean-Robert Gauthier	Ottawa-Vanier	Ottawa
16 Lorna Milne	Peel County	Brampton
17 Marie-P. Poulin	Northern Ontario	Ottawa
18 Francis William Mahovlich	Toronto	Toronto
19 Vivienne Poy	Toronto	Toronto
20 Isobel Finnerty	Ontario	Burlington
21 Laurier L. LaPierre	Ontario	Ottawa
22 David P. Smith, P.C.	Cobourg	Toronto
23		
24		

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 E. Leo Kolber	Victoria	Westmount
2 Charlie Watt	Inkerman	Kuuujuaq
3 Pierre De Bané, P.C.	De la Vallière	Montreal
4 Roch Bolduc	Gulf	Sainte-Foy
5 Gérald-A. Beaudoin	Rigaud	Hull
6 John Lynch-Staunton	Grandville	Georgeville
7 Jean-Claude Rivest	Stadacona	Quebec
8 Marcel Prud'homme, P.C.	La Salle	Montreal
9 W. David Angus	Alma	Montreal
10 Pierre Claude Nolin	De Salaberry	Quebec
11 Lise Bacon	De la Durantaye	Laval
12 Céline Hervieux-Payette, P.C.	Bedford	Montreal
13 Shirley Maheu	Rougemont	Ville de Saint-Laurent
14 Lucie Pépin	Shawinigan	Montreal
15 Marisa Ferretti Barth	Repentigny	Pierrefonds
16 Serge Joyal, P.C.	Kennebec	Montreal
17 Joan Thorne Fraser	De Lorimier	Montreal
18 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
19 Raymond C. Setlakwe	The Laurentides	Thetford Mines
20 Yves Morin	Lauzon	Quebec
21 Jean Lapointe	Saurel	Magog
22 Michel Biron	Milles Isles	Nicolet
23 Raymond Lavigne	Montarville	Verdun
24 . . . . .	. . . . .	. . . . .

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Bernard Alasdair Graham, P.C.	The Highlands	Sydney
2 Michael Kirby	South Shore	Halifax
3 Gerald J. Comeau	Nova Scotia	Church Point
4 Donald H. Oliver	Nova Scotia	Halifax
5 John Buchanan, P.C.	Halifax	Halifax
6 J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth
7 Wilfred P. Moore	Stanhope St./Bluenose	Chester
8 Jane Cordy	Nova Scotia	Dartmouth
9 Gerard A. Phalen	Nova Scotia	Glace Bay
10 . . . . .	. . . . .	. . . . .

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Brenda Mary Robertson	Riverview	Shediac
3 Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton
4 John G. Bryden	New Brunswick	Bayfield
5 Rose-Marie Losier-Cool	Tracadie	Bathurst
6 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
7 Viola Léger	New Brunswick	Moncton
8 Joseph A. Day	Saint John-Kennebecasis	Hampton
9 . . . . .	. . . . .	. . . . .
10 . . . . .	. . . . .	. . . . .

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eileen Rossiter	Prince Edward Island	Charlottetown
2 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
3 Elizabeth M. Hubley	Prince Edward Island	Kensington
4 . . . . .	. . . . .	. . . . .

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak	Manitoba	Winnipeg
2 Janis G. Johnson	Winnipeg-Interlake	Gimli
3 Terrance R. Stratton	Red River	St. Norbert
4 Sharon Carstairs, P.C.	Manitoba	Victoria Beach
5 Richard H. Kroft	Manitoba	Winnipeg
6		

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Edward M. Lawson	Vancouver	Vancouver
2 Jack Austin, P.C.	Vancouver South	Vancouver
3 Pat Carney, P.C.	British Columbia	Vancouver
4 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
5 Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
6 Mobina S.B. Jaffer	British Columbia	North Vancouver

SASKATCHEWAN—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Herbert O. Sparrow	Saskatchewan	North Battleford
2 A. Raynell Andreychuk	Regina	Regina
3 Leonard J. Gustafson	Saskatchewan	Macoun
4 David Tkachuk	Saskatchewan	Saskatoon
5 John Wiebe	Saskatchewan	Swift Current
6		

ALBERTA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Phillip Hays, <i>Speaker</i>	Calgary	Calgary
2 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3 Nicholas William Taylor	Sturgeon	Chestermere
4 Thelma J. Chalifoux	Alberta	Morinville
5 Douglas James Roche	Edmonton	Edmonton
6 Tommy Banks	Alberta	Edmonton

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 C. William Doody	Harbour Main-Bell Island	St. John's
2 Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
3 William H. Rompkey, P.C.	Labrador	North West River, Labrador
4 Joan Cook	Newfoundland and Labrador	St. John's
5 George Furey	Newfoundland and Labrador	St. John's
6 George S. Baker, P.C..	Newfoundland and Labrador	Gander

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON TERRITORY—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ione Christensen	Yukon Territory.	Whitehorse

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of November 5, 2002)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator Chalifoux

Deputy Chair: Honourable Senator Robertson

Honourable Senators:

Carney,	Christensen,	* Lynch-Staunton,	Sibbeston,
* Carstairs,	Gill,	(or Kinsella)	St. Germain,
(or Robichaud)	Hubley,	Pearson,	Stratton,
Chalifoux,	Leger,	Robertson	Tkachuk.

Original Members as nominated by the Committee of Selection

*Carney, *Carstairs (or Robichaud), Chalifoux, Christensen, Gill, Hubley, Johnson, Léger, *Lynch-Staunton (or Kinsella), Pearson, Sibbeston, St. Germain, Tkachuk.*

AGRICULTURE AND FORESTRY

Chair: Honourable Senator Oliver

Deputy Chair: Honourable Senator Wiebe

Honourable Senators:

* Carstairs,	Fairbairn,	LeBreton,	Oliver,
(or Robichaud)	Gustafson,	* Lynch-Staunton,	Tkachuk,
Chalifoux,	Hubley,	(or Kinsella)	Wiebe.
Day,	LaPierre,	Moore,	

Original Members as nominated by the Committee of Selection

**Carstairs (or Robichaud), Chalifoux, Day, Fairbairn, Gustafson, Hubley, LaPierre, Lapointe, LeBreton, *Lynch-Staunton (or Kinsella), Moore, Oliver, Tkachuk, Wiebe.*

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Kolber

Deputy Chair: Honourable Senator Tkachuk

Honourable Senators:

* Angus,	Hervieux-Payette,	* Lynch-Staunton,	Prud'homme,
Carstairs,	Kelleher,	(or Kinsella)	Setlakwe,
(or Robichaud)	Kolber,	Meighen,	Taylor,
Fitzpatrick,	Kroft,	Poulin,	Tkachuk.

Original Members as nominated by the Committee of Selection

*Angus, *Carstairs (or Robichaud), Fitzpatrick, Hervieux-Payette, Kelleher, Kolber, Kroft, *Lynch-Staunton (or Kinsella), Meighen, Poulin, Prud'homme, Setlakwe, Taylor, Tkachuk.*

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES**Chair: Honourable Senator Banks****Deputy Chair: Honourable Senator Spivak****Honourable Senators:**

Baker,	Christensen,	Kenny,	Spivak,
Banks,	Cochrane,	* Lynch-Staunton,	Taylor
Buchanan,	Eyton,	(or Kinsella)	Watt.
* Carstairs,	Finnerty,	Milne,	
(or Robichaud)			

Original Members as nominated by the Committee of Selection

*Baker, Banks, Buchanan, *Carstairs (or Robichaud), Christensen, Cochrane, Eyton, Finnerty, Kenny, *Lynch-Staunton (or Kinsella), Milne, Spivak, Taylor, Watt.*

FISHERIES**Chair: Honourable Senator Comeau****Deputy Chair: Honourable Senator Cook****Honourable Senators:**

Adams,	Cochrane,	Johnson,	Meighen,
Baker,	Comeau,	* Lynch-Staunton,	Moore,
* Carstairs,	Cook,	(or Kinsella)	Phalen,
(or Robichaud)	Hubley,	Mahovlich,	Watt.

Original Members as nominated by the Committee of Selection

*Adams, Baker, *Carstairs (or Robichaud), Cochrane, Comeau, Cook, Hubley, Johnson, *Lynch-Staunton (or Kinsella), Mahovlich, Moore, Phalen, Robertson, Watt*

FOREIGN AFFAIRS**Chair: Honourable Senator Stollery****Deputy Chair: Honourable Senator Di Nino****Honourable Senators:**

Andreychuk,	* Carstairs,	Di Nino,	* Lynch-Staunton,
Austin,	(or Robichaud)	Grafstein,	(or Kinsella)
Bolduc,	Corbin,	Graham,	Setlakwe,
Carney,	De Bané,	Losier-Cool,	Stollery.

Original Members as nominated by the Committee of Selection

*Andreychuk, Austin, Bolduc, Carney, *Carstairs (or Robichaud), Corbin, De Bané, Di Nino, Grafstein, Graham, Losier-Cool, *Lynch-Staunton (or Kinsella), Setlakwe, Stollery.*

HUMAN RIGHTS

Chair: Honourable Senator Maheu

Deputy Chair: Honourable Senator Rossiter

Honourable Senators:

Beaudoin,	Fraser,	* Lynch-Staunton,	Poy
* Carstairs,	Jaffer,	(or Kinsella)	Rivest,
(or Robichaud)	LaPierre,	Maheu,	Rossiter.
Ferretti Barth,			

Original Members as nominated by the Committee of Selection

*Beaudoin, *Carstairs (or Robichaud), Ferretti Barth, Fraser, Jaffer, LaPierre,
Lynch-Staunton (or Kinsella), Maheu, Poy, Rivest, Rossiter.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Bacon

Deputy Chair: Honourable Senator Atkins

Honourable Senators:

Angus,	Bryden,	Gauthier,	* Lynch-Staunton,
Atkins,	* Carstairs,	Gill,	(or Kinsella)
Austin,	(or Robichaud)	Jaffer,	Poulin,
Bacon,	De Bané,	Kroft,	Robichaud,
Bolduc,	Eyton,		Stratton.

Original Members as nominated by the Committee of Selection

*Angus, Atkins, Austin, *Carstairs (or Robichaud), Bacon, Bryden, De Bané, Doody, Eyton, Gauthier,
Gill, Jaffer, Kroft, *Lynch-Staunton (or Kinsella), Poulin, Robichaud, Stratton.*

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Furey

Deputy Chair: Honourable Senator Beaudoin

Honourable Senators:

Andreychuk,	* Carstairs,	Jaffer,	Nolin,
Baker,	(or Robichaud)	Joyal,	Pearson,
Beaudoin,	Cools,	* Lynch-Staunton,	Smith.
Bryden,	Furey,	(or Kinsella)	
Buchanan,			

Original Members as nominated by the Committee of Selection

*Andreychuk, Baker, Beaudoin, Bryden, Buchanan, *Carstairs (or Robichaud), Cools, Furey,
Jaffer, Joyal, *Lynch-Staunton (or Kinsella), Nolin, Pearson, Smith.*

LIBRARY OF PARLIAMENT (Joint)

Joint Chair:

Vice-Chair:

Honourable Senators:

Bolduc, Forrestall,	Lapointe,	Morin,	Poy.
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Original Members agreed to by Motion of the Senate

Bolduc, Forrestall, Lapointe, Morin, Poy.

NATIONAL FINANCE

Chair: Honourable Senator Murray

Deputy Chair: Honourable Senator Day

Honourable Senators:

Biron, Bolduc, * Carstairs, (or Robichaud)	Cools, Day, Doody, Eyton,	Ferretti Barth, Finnerty, Furey, Gauthier,	* Lynch-Staunton, (or Kinsella) Mahovlich, Murray.
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Original Members as nominated by the Committee of Selection

*Biron, Bolduc, *Carstairs (or Robichaud), Cools, Day, Doody, Eyton, Ferretti Barth, Finnerty, Furey, Gauthier, *Lynch-Staunton (or Kinsella), Mahovlich, Murray.*

NATIONAL SECURITY AND DEFENCE

Chair: Honourable Senator Kenny

Deputy Chair: Honourable Senator Forrestall

Honourable Senators:

Atkins, Banks, * Carstairs, (or Robichaud)	Cordy, Day, Forrestall,	Kenny, * Lynch-Staunton, (or Kinsella)	Meighen, Smith, Wiebe.
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Original Members as nominated by the Committee of Selection

*Atkins, Banks, *Carstairs (or Robichaud), Cordy, Day, Forrestall, Kenny, *Lynch-Staunton (or Kinsella), Meighen, Smith, Wiebe.*

VETERANS AFFAIRS**(Subcommittee of National Security and Defence)****Chair: Honourable Senator Meighan****Deputy Chair: Honourable Senator Day****Honourable Senators:**

Atkins,	Day,	* Lynch-Staunton,	Meighan,
* Carstairs,	Kenny,	(or Kinsella)	Wiebe.
(or Robichaud)			

OFFICIAL LANGUAGES**Chair:****Deputy Chair:****Honourable Senators:**

Beaudoin,	Ferretti Barth,	Lapointe,	* Lynch-Staunton,
* Carstairs,	Gauthier,	Léger,	(or Kinsella)
(or Robichaud)	Keon,	Losier-Cool,	Maheu.
Comeau,			

Original Members agreed to by Motion of the Senate

*Beaudoin, *Carstairs (or Robichaud), Comeau, Ferretti Barth, Gauthier, Keon, Lapointe, Léger, Losier-Cool, *Lynch-Staunton (or Kinsella), Maheu.*

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT**Chair: Honourable Senator Milne****Deputy Chair: Honourable Senator Andreychuk****Honourable Senators:**

Andreychuk,	Grafstein,	Milne	Rompkey,
Bacon,	Joyal,	Murray,	Smith,
* Carstairs,	Losier-Cool,	Pépin,	Sparrow,
(or Robichaud)	* Lynch-Staunton,	Pitfield,	Stratton.
Di Nino,	(or Kinsella)	Robertson,	

Original Members as nominated by the Committee of Selection

*Andreychuk, Bacon, *Carstairs (or Robichaud), Di Nino, Grafstein, Joyal, Losier-Cool, *Lynch-Staunton (or Kinsella), Milne, Murray, Pépin, Pitfield, Robertson, Rompkey, Smith, Stratton, Wiebe.*

SCRUTINY OF REGULATIONS (Joint)**Joint Chair:****Vice-Chair:****Honourable Senators:**

Biron,	Hubley,	Moore,	Phalen.
Hervieux-Payette,	Kelleher,	Nolin,	

*Original Members as agreed to by Motion of the Senate**Biron, Hervieux-Payette, Hubley, Kelleher, Moore, Nolin, Phalen.***SELECTION****Chair: Honourable Senator Rompkey****Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

Bacon,	De Bané,	Kolber,	Rompkey,
* Carstairs,	Fairbairn,	LeBreton,	Stratton,
(or Robichaud)	Kinsella,	* Lynch-Staunton,	Tkachuk.
		(or Kinsella)	

*Original Members agreed to by Motion of the Senate**Bacon, *Carstairs, (or Robichaud), De Bané, Fairbairn, Kinsella, Kolber, LeBreton, *Lynch-Staunton, (or Kinsella), Rompkey, Stratton, Tkachuk.***SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY****Chair: Honourable Senator Kirby****Deputy Chair: Honourable Senator LeBreton****Honourable Senators:**

Callbeck,	Cordy,	Kirby,	Morin,
* Carstairs,	Di Nino,	LeBreton,	Murray,
(or Robichaud)	Fairbairn,	Léger,	Roche.
Cook,	Keon,	* Lynch-Staunton,	
		(or Kinsella)	

*Original Members as nominated by the Committee of Selection**Callbeck *Carstairs (or Robichaud), Cook, Cordy, Di Nino Fairbairn, Keon, Kirby, LeBreton, *Lynch-Staunton (or Kinsella), Morin, Pépin, Robertson, Roche.*

TRANSPORT AND COMMUNICATIONS**Chair: Honourable Senator Fraser****Deputy Chair: Honourable Senator Gustafson****Honourable Senators:**

Adams,	* Carstairs,	Graham,	* Lynch-Staunton,
Biron,	(or Robichaud)	Gustafson,	(or Kinsella)
Callbeck,	Eyton,	Johnson,	Phalen,
	Fraser,	LaPierre,	Spivak.

Original Members as nominated by the Committee of Selection

*Adams, Biron, Callbeck, *Carstairs (or Robichaud), Day, Eyton, Fraser,
Graham, Gustafson, Johnson, LaPierre,*Lynch-Staunton (or Kinsella), Phalen, Spivak.*

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