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THE HONOURABLE DAN HAYS
SPEAKER

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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THE SENATE

Tuesday, December 3, 2002

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

Prayers.

SENATORS' STATEMENTS

INTERNATIONAL DAY OF DISABLED PERSONS

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, today we observe the International Day of Disabled Persons.

Last week, many of your offices participated in our Senate Partnership Day. This annual event pairs people with disabilities to Senate employees — we had six in our office — so that each of us can better understand not only workplace issues but also promote mutual understanding within the diverse communities to which we all belong.

[Translation]

According to United Nations figures, there are more than half a billion people around the world who have an intellectual, physical or sensory disability. Canada has done a great deal to ensure the integration of people with disabilities so that they can fully contribute to society. Our Charter of Rights and Freedoms was one of the first documents to protect the rights of persons with disabilities.

[English]

Honourable senators, some of you may be aware that, later today, we will celebrate the issuance of a report in American Sign Language and LSQ entitled: "Quality End-of-life Care: The Right of Every Canadian," which was published two years ago by the Senate subcommittee to update "Of Life and Death." Senator Robertson and I have been working with many other people in the Senate to make this institution a more accessible place to people with disabilities, and we are pleased that this report has now been made accessible to a wider community of Canadians. I am also extremely proud of the enthusiasm with which the Senate of Canada has embraced this worthy cause and put forward many initiatives to recognize people with disabilities and to advance their position in our society.

Honourable senators, we must persist in our attempts to equalize opportunities for persons with disabilities. We must continue to make whatever effort is required to include them in mainstream society and not let their talents or experience be squandered.

[Translation]

Hon. Pierre Claude Nolin: Honourable senators, as the minister was saying, today is the tenth anniversary of the International Day of Disabled Persons. More than 600 million people around

the world have some type of disability, including approximately 4 million Canadians. In the 10 years following the proclamation of this day by the United Nations, we have witnessed the enormous progress made by disabled persons in Canada. Today, we must recognize the many contributions people with disabilities make to improve Canadian society.

This year, the theme of the International Year of Disabled Persons is "Independent Living and Sustainable Livelihoods." This philosophy has its roots in a social movement begun in the United States almost exactly 20 years ago, and is intended to enable the disabled to contribute fully to society and to be freely and directly involved in all aspects of daily life. Canada has a total of 24 resource centres that help foster independence in persons with disabilities. These provide Canadians with information, resources and programs to assist them in making informed decisions. Each individual has the legitimate right to seek the ability and the autonomy to make choices, and these centres help the disabled to attain that ideal.

The relationship between the concepts of independent living and sustainable livelihood no longer needs to be demonstrated. All Canadians aspire to a sustainable livelihood, but this objective is harder for the disabled to attain, because it goes along with numerous personal, social and environmental obstacles. For the disabled, employment and a sustainable livelihood depend on several interdependent factors, including opportunities for "normal" employment, freedom of access, and special training and upgrading services.

Honourable senators, in its recent Speech from the Throne, the federal government promised that it would work in conjunction with the provinces to:

...fast-track a comprehensive agreement to remove barriers to participation in work and learning for persons with disabilities.

On this special day, let us hope that this pledge of cooperation will not take long to be translated into concrete action.

• (1410)

WORLD AIDS DAY

Hon. Yves Morin: Honourable senators, on Sunday, World AIDS Day was celebrated all over the world. This was an opportunity to celebrate the achievements of thousands of volunteers who provide help and comfort to those who have contracted this terrible disease.

We also paid tribute to the clinicians and researchers who work so hard to test new treatments and, hopefully, to soon discover a new vaccine that would put an end to this horrible epidemic.

[English]

Honourable senators, Canadian scientists are close to finding a vaccine. Dr. Yong Kang from the University of Western Ontario is working to develop a new type of AIDS vaccine. The vaccine will not only trigger the immune system to generate antibodies to the virus, but it will also create a type of white blood cell that will attack and kill cells already infected with HIV while leaving healthy cells alone. Nicole Bernard from McGill University is also doing her part to determine the types of immunity that can be prevented by this vaccine.

[Translation]

Similarly, Dr. Gaston Godin, a Laval University researcher, is developing, with his team, new prevention methods against AIDS for the new groups that are at risk, namely sexually active heterosexuals.

[English]

It seems, however, that complacency has set in among people at risk of contracting the disease. While many fewer people die of the disease today because of advanced therapeutics, the prevalence of HIV in Canada has increased by 66 per cent in the past 10 years. There are 4,000 new infections reported each year. The face of HIV and AIDS has changed dramatically in our country, reaching the homeless, women living in poverty, injection drug users, Aboriginals on reserves and in cities, and children who are born with the syndrome.

Each infection costs Canada's health care system \$150,000 a year. It is no time for governments to be complacent either. Canada's strategy on HIV/AIDS is contributing \$42 million a year to enhance research to provide treatments and services for those who are in need. Through research, for example, Canadian scientists and clinicians have contributed new knowledge to the world's understanding of what triggers HIV.

Honourable senators, finding a cure could soon be within our grasp. Canada's investment today is no longer enough. The Prime Minister, in a statement he made to the United Nations last year, committed Canada to boost significantly its efforts against the epidemic both at home and internationally.

I call on honourable senators, other levels of government, community groups and professionals to work to renew Canada's strategy on HIV/AIDS in a way that is consistent with our leadership on this issue and consistent with the new realities facing Canadians.

AGRICULTURE AND AGRI-FOOD

UNDERFUNDING OF VETERINARY COLLEGES—EFFECT ON FOOD SAFETY

Hon. Donald H. Oliver: Honourable senators, our goal of becoming a world leader in food safety is in jeopardy. Chronic underfunding of Canada's four major veterinary medicine facilities has resulted in a serious deterioration of their infrastructure. Now, their accreditations have been threatened because of this lack of funding. Countless presentations have been made by faculty members from the University of Prince Edward

Island, the Université de Montréal, the University of Guelph and the University of Saskatchewan to the government on the current state of their facilities and what needs to be done. Currently, two schools fall below the international standard, while the other two have serious infrastructure problems, making this a crisis situation. Some schools have buildings that are more than 30 years old, and the absence of recent government investment has led to a severe deterioration of the faculties' physical facilities, equipment and finances.

Honourable senators, losing accreditation would be a serious setback for our veterinary colleges because re-accreditation is a long and difficult process. If accreditation is lost, even by just one of the schools at risk, Canada's veterinary competency will also be called into question.

The Minister of Agriculture and Agri-Food has received letters highlighting this crisis from me, as Chairman of the Standing Senate Committee on Agriculture and Forestry, and from the chairman of the standing committee in the other place.

A five-year investment program totalling \$248 million must be announced by the government, before Christmas, to immediately deal with this crisis. The distribution required would be as follows: \$188 million for infrastructure to maintain international standards and \$60 million to create level three containment systems to deal with new viruses such as mad cow disease. This is something the federal government could do right now. Over a five-year period, funding could be distributed as follows: 5 per cent in the first year, 15 per cent in the second year, 30 per cent and 33 per cent in the following two years and 17 per cent in the final year.

Honourable senators, if an investment program such as the one that I have outlined is not put in place by the end of this year, one of the schools will lose its accreditation as early as next year. Now is the time for the government to act, as it has done during times of need by the veterinary colleges in the past. The government has recognized that this situation will have a serious detrimental impact on our ability to compete in the world of agri-food. Funding must be injected into the infrastructure of the universities in question before we fall short of our goal of being a world leader in food safety.

[Translation]

HERITAGE

DECLARATION OF NOTRE-DAME-DE-LA-DÉFENSE AS A NATIONAL HISTORIC SITE

Hon. Marisa Ferretti Barth: Honourable senators, I rise to highlight an unprecedented historic event for all of Canada's Italian community.

On Saturday, the Minister of Canadian Heritage declared the church of Notre-Dame-de-la-Défense a national historic site. I would like to express my gratitude to Minister Copps, who recognized the value of the church and all of its history. This recognition demonstrates not only the importance of the role of this church in the entire community, but also the contribution of Italian immigrants to our country's progress.

[Senator Morin]

Notre-Dame-de-la-Défense is located in the heart of the Italian community and is a small jewel of Montreal's Little Italy. As one of the oldest churches built for the Italian community in Canada, it was an arrival point and an anchor for many Italians who settled in Canada. Everyone, especially the seniors for whom I have worked for 30 years, has many memories of the place, and Saturday was a day of celebration for them.

Honourable senators, Notre-Dame-de-la-Défense is a symbol for Canada's Italian community, and it can be proud of having protected this legacy for all Canadians, despite all of the problems and difficulties it has experienced.

In closing, honourable senators, the designation of the church as a national historic site will ensure preservation of its treasures in Canada and of the history of Italians for generations to come.

[English]

ACCESS TO CENSUS INFORMATION

SOURCE OF PETITIONS

Hon. Lorna Milne: Honourable senators, since I received such an overwhelming response to my pre-presentation of petitions last week about the census, I thought I would try it again and see if I could annoy some more senators.

This week, I am presenting petitions from Prince Rupert and Victoria in British Columbia; Edmonton in Alberta; Kingston, Sarnia and Milton in Ontario; Repentigny and Ste-Brigitte-des-Saults in Quebec; Andersonville and Rothesay in New Brunswick; New Glasgow in Nova Scotia; Whitehorse in Yukon; Pensacola in Florida; and Hawaii.

It may be of interest to some senators to know that members of their families are probably signing some of these petitions. We have eight people who have signed them with the surname Smith, two with the surname Robertson, two with the surname Adams, two with the surname Christensen, one Murray, one Watt, one Cook and one Atkins.

[Translation]

ROUTINE PROCEEDINGS

AUDITOR GENERAL'S REPORT

TABLED

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the report of the Auditor General of Canada to the House of Commons, dated December 2002.

• (1420)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FOURTH REPORT OF COMMITTEE PRESENTED

Hon. Lise Bacon, Chair of the Standing Senate Committee on Internal Economy, Budgets and Administration, presented the following report:

Tuesday, December 3, 2002

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

FOURTH REPORT

Your Committee wishes to inform the Senate that on November 19, 2002, the Canadian Radio-television and Telecommunications Commission released its Decision concerning CPAC's licence renewal application. (Decision CRTC 2002-377).

The Decision is the result of a public hearing held before the Commission earlier this year in which the Senate intervened to express concerns about CPAC's television coverage of Senate committee programming and related matters.

The Commission concluded that:

It considers it important that CPAC's programming reflect "the bicameral nature of Canada's Parliament by providing coverage of both the upper and the lower houses."

The Commission announced that it was amending the "House of Commons and Provincial or Territorial Legislature Proceedings Exemption Order" pursuant to which CPAC has until now been broadcasting Parliamentary proceedings. Previously, that Order did not include any reference to the Senate. As noted by the Commission in the Public Notice announcing the amendment:

"In the context of its consideration of CPAC's renewal applications, the Commission determined that the programming service provided pursuant to the "House of Commons and Provincial or Territorial Exemption Order" should reflect the bicameral nature of Canada's Parliament by providing coverage of both the House of Commons and the Senate. Accordingly, the Commission amends this Exemption Order to describe the programming service provided by an exempt undertaking as including coverage of the Senate and its various committees, as provided by the Speaker or appropriate committee responsible for broadcasting matters."

The Commission's amendment also changes the title of the Order to "Parliamentary and Provincial or Territorial Legislature Proceedings Exemption Order". Pursuant to the Amended Order, CPAC and any other broadcasting undertaking purporting to broadcast parliamentary proceedings are required to meet, among others, the following criteria:

Except as permitted under sections (i) and (j) below the programming service provided by the undertaking covers the proceedings of the House of Commons, the Senate or the legislature involved from beginning to end and does not offer selected excerpts of the proceedings, i.e. the coverage is "gavel to gavel".

The programming service provided by the undertaking may include coverage of Parliamentary committee meetings on a selective basis, where the appropriate Speaker or committee responsible for broadcasting matters is satisfied that such coverage is equitable.

The programming service provided by the undertaking may include a repeat broadcast of the relevant question period.

Control over the programming provided by the undertaking is retained by the appropriate Speaker or committee responsible for broadcasting matters.

As well, the Commission stated in its Decision that it expects CPAC to:

schedule Senate Committee proceedings equitably in relation to its televised proceedings of the House of Commons; and work with the Senate to find a mutually satisfactory solution to the scheduling of such programming.

The Commission noted CPAC's commitment to discuss with the Senate specific proposals the Senate may wish to put forward regarding the presentation of programs that would profile the work of the Senate. The Commission also encouraged CPAC to give implementation of the above commitments "its highest priority".

The Commission modified the programming principles to which CPAC has traditionally been required to abide, by making an express reference to the Senate. On the assumption that CPAC will proceed to negotiate an agreement with the Senate, as referred to above, CPAC's programming principles now include the following: "CPAC must respect its agreements with the House of Commons and the Senate".

Finally, the Commission agreed with the Senate and other participants who objected to CPAC's request for "dual distribution status", which could have potentially limited the scope of CPAC's distribution to cable operators and other distribution undertakings. As a result of the Commission's decision, all of CPAC's programming,

including its Parliamentary proceedings, must be distributed by virtually all distribution undertakings in the country on the basic tier in order to ensure access by Canadians.

Your Committee has authorized its Subcommittee on Agenda and Procedure (Steering Committee) to continue negotiations with CPAC for a renewed Broadcasting Agreement. We believe that the CRTC decision is important for the Senate. The Chamber's concerns have been recognized as legitimate and the Commission has created a solid foundation upon which to better assess CPAC's broadcasts of Senate programming in the future.

Respectfully submitted,

LISE BACON
Chair

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

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

[*English*]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FIFTH REPORT OF COMMITTEE PRESENTED

Hon. Lorna Milne, Chair of the Standing Committee on Rules, Procedures and the Rights of Parliament, presented the following report:

Tuesday, December 3, 2002

The Standing Committee on Rules, Procedures and the Rights of Parliament has the honour to present its

FIFTH REPORT

1. On Thursday, October 31, 2002, the Senate referred the following motion to your Committee:

That for the duration of the present session any select committee may meet during adjournments of the Senate.

2. On November 7, 2002, the Senate adopted your Committee's Second Report, as amended, which provided "that, for the purpose of Rule 95(3), committees of the Senate be permitted to meet at any time on any weekday Monday to Friday the Senate stands adjourned during a Senate sitting week."

3. There is no question that highly important work is done by the committees of the Senate. Indeed, the Senate has benefited greatly from the very favourable public reaction to many committee reports, including several recent ones. The *Rules of the Senate* should facilitate the ability of committees to function.
4. Committee meetings during extended adjournments of the Senate, however, raise a number of significant issues and questions. On the one hand, committee meetings during periods when the Senate is not sitting can be very valuable and useful. Such meetings can be longer and more intensive than are otherwise possible. Moreover, the logistics of travel by committees is considerably easier when the Senate is not sitting.
5. At the same time, there is a need for the Senate to have advance knowledge of, and some degree of control over, plans for committee meetings. There is also the fact that Senators generally are interested in and often follow the proceedings of committees on which they are not members. In addition, Senators want and need some certainty and ability in planning their schedules, including during adjournments.
6. Your Committee believes that clearer processes for determining whether and when committees should meet during adjournments are required. Your Committee believes that its role is to provide clarification and guidance to the Senate and Senators in dealing with committee meetings during extended adjournments.
7. Your Committee recommends that Senate committees should be required to obtain permission of the Senate in order to meet during any extended adjournment. In other words, your Committee recommends that committees comply with Rule 95(3) of the Senate. This requires giving at least one day's notice of such a motion, which allows all Senators to consider and participate in the decision-making process. Your Committee would expect that before giving notice of such a motion, there would be appropriate consultations with the members of the full committee or of the sub-committee on agenda and procedure, as well as the party whips, in order to ensure full participation in committee. In moving such a motion, the mover should be expected to set forth compelling and convincing arguments and reasons for allowing the committee to meet during the adjournment.
8. Your Committee also believes that there should be a procedure in place for dealing with urgent situations, which may arise during an extended adjournment. For instance, during the winter or summer adjournment, an important dignitary may become available for a meeting, or an issue may suddenly take on some urgency. As such, meetings cannot always be foreseen, and it may not be possible to obtain permission of the Senate in advance, another procedure should be available. This would involve a written request signed by the Chair and Deputy Chair of the committee in question, and consent being obtained from the Government and Opposition Leaders or any Senators named by such

Leaders in the Senate. In all such cases, if such meetings are agreed to, the committee will be required to ensure that all Senators are provided with advance notice of the impending meeting, by means of electronic distribution, or otherwise.

Your Committee, therefore, recommends Rule 95 be amended by deleting the existing Rule 95(3), and substituting in its place the following new paragraph (3):

95(3) A select committee may meet during an adjournment of the Senate which exceeds a week by:

(a) an order of the Senate; or

(b) the signed consent of the Government and Opposition Leaders, or any Senators named by such Leaders to a written request made by the Chair and the Deputy Chair.

Respectfully submitted,

LORNA MILNE
Chair

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

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

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY LAW OF MARRIAGE

Hon. Anne C. Cools: Honourable senators, pursuant to rule 56(1), I hereby give notice that, two days hence, I shall move, seconded by Senator Watt:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the law of marriage in Canada, in particular its historical and constitutional meaning as a voluntary union between a man and a woman, and the history and application of the law of marriage, and the *Constitution Act, 1982 Charter of Rights*, and the current constitutional challenges to the law of marriage in the courts of British Columbia, Ontario, and Quebec, and the Minister of Justice's November 2002 discussion paper on marriage, and the current demands for different forms of marriage, and the public interest in the law of marriage; and

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

TRANSPORT

STATE OF AIR TRAVEL IN CANADA— NOTICE OF INQUIRY

Hon. Ethel Cochrane: Honourable senators, I give notice that on Tuesday next, December 10, 2002, I will call the attention of the Senate to the state of air travel in Canada.

ACCESS TO CENSUS INFORMATION

PRESENTATION OF PETITIONS

Hon. Lorna Milne: Honourable senators, I have the honour, today, to present 325 signatures from Canadians in the provinces of B.C., Alberta, Ontario, Quebec, New Brunswick and Nova Scotia, as well as the Yukon, who are researching their ancestry, as well as signatures from 116 people from the United States who are researching their Canadian roots. A total of 441 people are petitioning the following:

Your petitioners call upon Parliament to take whatever steps necessary to retroactively amend the confidentiality privacy clauses of statistics acts since 1906, to allow release to the public, after a reasonable period of time, of post-1901 census reports starting with the 1906 census.

I have now presented petitions with 19,923 signatures to the Thirty-seventh Parliament and petitions with over 6,000 signatures to the Thirty-sixth Parliament, all calling for immediate action on this very important matter of Canadian history.

QUESTION PERIOD

PUBLIC WORKS AND GOVERNMENT SERVICES

REPLACEMENT OF SEA KING HELICOPTERS—DEPARTMENTAL REORGANIZATION—EFFECT ON PROCUREMENT PROCESS

Hon. J. Michael Forrestall: Honourable senators, my question is directed to the Leader of the Government in the Senate. As honourable senators know, the Department of Public Works and Government Services has undergone a significant reorganization, and it has effectively eliminated anyone who had past involvement in the management of the Maritime Helicopter Project or procurement under that program.

Can the minister tell us why this reorganization has taken place, leaving the department with no current history of the project?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, it is my understanding that the reorganization has taken place as reorganizations take place in every department at various times because, in some cases, people choose to go elsewhere. In some cases, it is determined that their services are needed in other places and lateral transfers are made. However, I do not think the honourable senator should read into it anything that will harm the procurement strategy for the Maritime Helicopter Project.

Senator Forrestall: Honourable senators, I certainly will read something into it because it is too coincidental to have seen all these people, albeit not in one day, but over a relatively short period of time, leave what had, after all, been a long-time commitment on their part.

Can the minister tell us if the government has, in effect, sidetracked the Maritime Helicopter Project once again to delay the program until the Prime Minister's departure in 2004?

Senator Carstairs: Honourable senators, the answer to that is simple: No.

Senator Forrestall: Honourable senators, will the minister tell us whether the bureaucrats rejected the current split procurement process as unworkable and a totally political machination and simply revolted? After all, the government has eliminated Rand Quail, former deputy minister; Jane Billings, former Assistant Deputy Minister of Public Works who appeared before us in Committee of the Whole; and Jim Judd, Deputy Minister of National Defence, from the process because they were uncooperative with this government's wishes.

Can the minister tell us if the Public Works and Government Services reorganization was done to put down a revolt in the procurement shop?

Senator Carstairs: The honourable senator is making some very serious allegations. The answer is quite simple: Those individuals were not moved — to use his vocabulary — because they were uncooperative. In some cases, they were given promotions and that moved them to various other positions in government. It had nothing whatever to do with their work on the Maritime Helicopter Project.

Senator Forrestall: Of course they were. Could the minister tell us who got a promotion out of this?

JUSTICE

CHANGES TO FIREARMS REGULATIONS— EFFECT ON BILL C-10A

Hon. A. Raynell Andreychuk: Honourable senators, on November 29, Justice Minister Martin Cauchon put some extensions into the Firearms Act through regulations.

We were told, in the Standing Senate Committee on Legal and Constitutional Affairs, that it was absolutely necessary that Bill C-10 be passed by December 31 in order that citizens who are in good faith attempting to register their firearms would not be classed as criminals, if I may be blunt.

Can the Leader of the Government in the Senate explain why the minister chose the particular process for time extensions that he did and whether the same urgency for the passage of Bill C-10A now exists?

• (1430)

Hon. Sharon Carstairs (Leader of the Government): I am pleased to answer the honourable senator's question. One has absolutely nothing to do with the other.

Bill C-10A will do a number of things, as she well knows, having studied it carefully in committee. It will establish a commissioner of firearms. It will also establish a process similar to that which we use for the renewal of a driver's licence so that a person's registration renewal will become due not on the anniversary of the registration, but on the certificate holder's birthday. All registrations will be evenly spread out over a calendar year.

However, the bill does not outline the procedure that was laid down in Bill C-68, which required Canadians to register their guns no later than December 31, 2002.

In his press release of last week, the minister indicated that a number of Canadians made application under the firearms registration program. In some instances, those individuals have not yet received their registration form. I am referring to licensed firearm owners who have not yet completed the registration portion of their twofold endeavour — one is to license the owner, and the other is to register their gun. The Honourable Minister Cauchon has told us that the applications that have been received by the program, even though the individuals may not have actually received their registration form, will have a grace period of six months. In other words, if an individual filed a registration form in late November, but the processing is such that the certificate will not be received until January or February, those individuals will have been shown to have acted in good faith by fulfilling the obligation to file their registration forms, and they will not be prosecuted. They will be given a grace period of six months.

EFFECT OF FIREARMS ACT

Hon. A. Raynell Andreychuk: If I understand what the honourable minister has done, he has extended, for the bureaucracy, a grace period to complete the registrations and to get these registrations in the hands of the firearms people.

In committee, we heard the admission by the government that some 600,000 people have been unable to obtain licences for their firearms or to apply for registration. Many of these people are Inuit. We heard that, when they are attempting to register on-line, their numbers are being rejected because they are two numerals longer than the application will allow. We also heard that they cannot get through on the telephones because there are not enough people manning the phones. Many people who are law-abiding and acting in good faith will not benefit by this release.

What troubles me is that these people are being put in a bad position not because of what they have done. They sincerely want to register, but cannot because of what the government has not afforded them. They have not been afforded a proper registry system with sufficient manpower and processes to allow them to comply. Many of them will still be in the dastardly position they were in before, that is, they want to abide by the law, but they are not being allowed to do that.

However, it will assist those who have been able to break through the system, but who have not yet received their certificates.

Is my assessment, therefore, right, that we still have a block of people who are honest, law-abiding, and acting in good faith who cannot comply because of the bureaucracy we have set up?

Since this news release and taking into account what has happened over the weekend, people are confused. Some people think that they are off the hook and that they have six more

months to register. They do not understand the complexity of what these regulations will do.

The term “firearms” further compounds the situation. Are we talking about handguns or all firearms?

Does it not behove the minister and the government to rethink its whole strategy towards the law-abiding segment of society?

Hon. Sharon Carstairs (Leader of the Government): With the greatest respect to the minister, this government has bent over backwards to meet the needs of firearm owners in this country. On a number of occasions, it has extended the period of time to register. It has now given a grace period. However, that only applies to those who have made the effort.

Earlier this fall, all licensed firearm owners were sent a reminder that they had registered all of their guns. Fortunately, that resulted in a great number of applications. However, there are still some Canadians who, despite what the law says, have decided that they will not register their guns. Those individuals will not be aided and abetted by the announcement made by the minister last week. It is the owners of firearms who have gone through the processes — those who have either registered by mail, by phone or on-line, whichever suited their purpose — who will be protected. Only those who have submitted an application form will be protected.

Senator Andreychuk: As a supplementary question, we heard from people who received the reminder that they have to go through the process of getting a licence and then having to apply for registration. They have been unable to contact the government by telephone or through the Internet and, therefore, they are not in a position to afford themselves of the grace period. These are not people who are avoiding the law. These are people who want to register, who have acted in good faith and have made the effort to register, but who either cannot make contact by telephone or do not have the proper number to use the Internet system.

What will the minister or this government do for those 600,000 Canadians?

Senator Carstairs: We must make a clear distinction between people who are not licensed and those who have not registered their firearms. The deadline for licensing has been over for some time. If those people have not complied, they are in violation of the law. As to the registration of their guns, that deadline is the end of December. However, to give some comfort to the honourable senator, I have been informed that a study on the average waiting time was done at the Miramichi call centre, and it was found to be between 15 and 20 minutes during peak hours.

Hon. Gerry St. Germain: The only thing that is backwards, honourable senators, in this whole process is the gun registry and the way it has been handled.

Mr. Webster appeared before the committee and, in good faith, he is trying to do the impossible. The Leader of the Government has told us that the waiting time is 15 to 20 minutes, but I would point out that, when I attended personally, I was told that the waiting period would be 60 minutes. It has not changed as far as I am concerned.

The honourable senator talks about licensing, which is key, and she tells us that those people who have not licensed their firearms are in violation of the law. Quite possibly so. What about our native peoples? Our own native peoples who sit in this very institution, honourable senator, have clearly stated that their people have not, by virtue of language, where they live, and a litany of other things, been able to license their firearms. If the minister can grant amnesty on registration for six months because the bureaucracy and the system is flawed and it cannot handle the situation, then why, from a humanitarian point of view, can they not grant amnesty at least to the Inuit people who have been downtrodden, beat on and victimized by this horrific legislation?

• (1440)

Senator Carstairs: Honourable senators, the basis for this legislation has been in force and effect for some time. It is not new. It has been around for a number of years.

Clearly, the Inuit people have some complications in their processes. I would suggest that if there had not been individuals who kept saying that it was all right not to register for a licence because the Supreme Court would tell the federal government that they cannot do this, then perhaps some Canadians would have acted more quickly and applied for both their licence and their registration. However, we had a political party out there saying, "It is all right. We will defeat Bill C-68 at some time in the future in this country. Do not register your guns or license yourselves because we will be the government and we will do away with it." That was irresponsible.

The vast majority of the Canadian people want this bill. We have this bill, and it is up to Canadians, including Aboriginal Canadians, to license and register their guns.

Senator St. Germain: The honourable minister can talk about the various political parties and what positions they took on Bill C-68. However, if the Inuit and our Aboriginal peoples have a case — and the cases are before the courts now under section 35 of the Constitution and the Charter of Rights and Freedoms — that is a totally different thing. If those people believe that their constitutional rights are being violated, I suggest to the minister that she look at this subject from that perspective and not the rhetorical perspective that exists out there.

The press release states that 7,000 firearms licences have been refused or revoked. Can the honourable minister tell this Senate exactly how many Inuit, Aboriginal and Metis like myself have been refused a licence as a result of the high number of criminal charges that have been brought against these people due to the mistreatment of these people by governments and government agencies in this country?

Senator Carstairs: As the honourable senator knows full well, one of the preconditions to being granted a licence is that one not have a criminal record. I believe it is a privilege to own a gun. That privilege is revoked if one has a criminal record.

Senator St. Germain: The Leader of the Government in the Senate says that it is a privilege for our Aboriginal peoples to have

firearms. That is a disgraceful statement. It is a disgrace to these people because it is clearly stated in our Constitution that they have been given hunting rights.

I believe that a high percentage of those 7,000 who were rejected were of Aboriginal descent. As Senator Watt pointed out in committee, in a community of 9,500, there are 8,000 who have criminal records. This may be funny to some honourable senators on the other side. However, I can tell them that, in the penitentiary in Prince Albert, 80 per cent of the inmates are Aboriginal peoples.

Can we not extrapolate this into the realities of what is really out there and the challenges that we have for these people? If we can do an amnesty for the registration because the bureaucracy cannot handle it, do honourable senators mean to say that we cannot extend the amnesty to these people?

Senator Carstairs: Quite frankly, I believe the question that the honourable senator asks does a great disservice to our Aboriginal people. I would be the first to agree that Aboriginal people have not been well-served in the courts of this country. I admit that that is true. It is equally true that they have been given the same time to register and to license as other Canadians have been given.

There have been people who work at the firearms centre who actually speak Aboriginal languages, including Inuktitut, in order to make it possible for those licensing activities to take place.

However, the reality is that the Criminal Code of Canada applies to all Canadians, no matter where they live, whether it is north, south, east or west, rural or urban, whether they are Aboriginal or not.

CHANGES TO FIREARMS REGULATIONS— EXTENSION OF GRACE PERIOD

Hon. Herbert O. Sparrow: Honourable senators, my question is to the Leader of the Government in the Senate. What authority does the minister have to extend a grace period? This matter comes under the auspices of the Criminal Code. Is the Minister of Justice empowered to tell the police to not enforce that law? That appears to me to be exactly what is happening.

We are not talking about an amnesty. We are talking about a grace period. The Governor in Council may have the power to declare amnesties, but I do not see anywhere that they have the power to declare a grace period such as the one we are discussing here. We are stating that all Canadians must abide by the Criminal Code. Now we are saying, no, via the provision of a grace period, we do not have to abide by that law.

Hon. Sharon Carstairs (Leader of the Government): It is interesting that the honourable senator would indicate they have the right to an amnesty but they do not have the right to a grace period. It is my opinion that they have more of a right to a grace period than they do to an amnesty under this legislation.

Senator Sparrow: I am talking about the Criminal Code; it refers to amnesty. However, nowhere in the Criminal Code have I found reference to the power of the government to give a grace period on anything.

Senator Carstairs: I have to say, honourable senators, that I cannot give the Honourable Senator Sparrow the jurisprudence to indicate the difference between the two today. However, if the honourable senator reads the press release, it was also announced that there would be an extension to the amnesty period for prohibited handguns until December 31, 2003.

FISHERIES AND OCEANS

AUDITOR GENERAL'S REPORT— MARINE NAVIGATION

Hon. Gerald J. Comeau: Honourable senators, my question is also to the Leader of the Government in the Senate, and it has to do with Chapter 2 of the Auditor General's report, which deals with DFO's contributions to safe and efficient marine navigation.

The Auditor General's report found that the Department of Fisheries and Oceans had limited performance information that shows how it contributes to safe and efficient marine navigation. Further, the Auditor General also found that DFO had not cost effectively managed functions regarding the question of safe and efficient navigation.

Could the minister advise what steps are being taken by the government to address these shortcomings as identified by the Auditor General?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for his question. He carefully identified Chapter 2 of the Auditor General's report. I want him know that the Department of Fisheries and Oceans accepts the Auditor General's findings and is committed to finding solutions.

The department has already identified many of the findings raised by the Auditor General. Further, the Department of Fisheries and Oceans has started a number of initiatives to respond to those recommendations, including developing and implementing results-based management, developing a risk management policy framework, amending regulations and acts, updating the Canadian Coast Guard national policies and standards, implementing quality assurance functions and completing the review of the staffed light stations by 2003.

AUDITOR GENERAL'S REPORT—NEED FOR NEW TECHNOLOGIES AND SERVICES

Hon. Gerald J. Comeau: The Auditor General raised a shortcoming that I found particularly worrying. In the 1980s, the Auditor General had raised some of the shortcomings that she identified in this report. There seems to have been no concerted effort to address these shortcomings since that time. Many of these areas have new technologies and services that should have been put in place many years ago. Will the question of new technology and services, which should have been in place years ago, be addressed?

• (1450)

Hon. Sharon Carstairs (Leader of the Government): The honourable senator raises questions that the Auditor General

raised as well. The department recognizes that there is still much more work to be done. However, they are moving towards addressing the issues that are of concern.

DEPLETED COD STOCKS—PROPOSAL TO ALLOW LARGER FISHING BOATS

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, in regard to a question asked by the honourable senator last week in which he indicated that the Minister of Fisheries and Oceans had launched an initiative to go to bigger boats, that is simply not true. The Honourable Robert Thibault announced that there would be consultations on vessel replacement rules. He did not indicate they were moving to bigger boats.

Hon. Gerald J. Comeau: Honourable senators, I do not think that is what I indicated last week. I indicated there was a plan to look at the possibility of going to bigger boats and the concentration of licences into bigger boats. I did not say the minister had specifically given the go-ahead. I indicated they were going to look at the question of going to concentration of licences and to fewer and bigger boats that would have the capacity to catch more fish.

Senator Carstairs: With the greatest of respect to the honourable senator, I do have the transcript of November 26, 2002. He said:

In Canada, the Minister of Fisheries and Oceans has launched an initiative to go to bigger boats...

UNITED NATIONS

POSSIBLE WAR WITH IRAQ—SUPPORT FOR POSITION OF SECURITY COUNCIL

Hon. Douglas Roche: My question is for the Leader of the Government in the Senate. What is the Government of Canada doing to ensure that the inspection process in Iraq mandated under Resolution 1441 is not undermined by those who are determined to wage war irrespective of the results of the inspection process? Is it still the position of the Government of Canada that Canada will not support an attack on Iraq that is not mandated by the UN Security Council?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the Government of Canada has been very clear on this issue, and the position is unchanged; that is, that Canada supports Resolution 1441. We anticipate that should there be any violations by Iraq that are identified by Mr. Blix and his observers in Iraq at the present time, they will be reported to the United Nations, at which point the Security Council of the United Nations will debate that issue and, perhaps, come to a different conclusion than Resolution 1441.

Our position is clear: We support the United Nations.

Senator Roche: Honourable senators, I want to follow up on this matter with the minister. What will Canada do to ensure that international law is followed, that only the UN Security Council will have the authority to determine whether Resolution 1441 is being complied with and that no other state will have such authority?

Senator Carstairs: Iraq has been in non-compliance with previous resolutions for over a decade. Resolution 1441 came about specifically because there had been a violation, and it was decided that Iraq had to be given a clear message that it must comply with Resolution 1441.

Canada firmly believes that Iraq must comply with Resolution 1441. We support the investigators who are on the ground in Iraq at the present time. We have indicated to Mr. Blix that should he need further help from Canada, he need only ask and we will make that help available to him.

Honourable senators should not jump to conclusions. Iraq clearly has a deadline with respect to reporting to the United Nations on weapons of mass destruction that it needs to meet on December 8. The inspectors clearly have a job to do, to continue what they have been doing now for over a week, which is going from site to site. To date, my understanding is that the inspectors have not found anything. From that perspective, Iraq would not be in violation of Resolution 1441. However, the process must be allowed to continue.

JUSTICE

CHANGES TO FIREARMS REGULATIONS— EXTENSION OF GRACE PERIOD

Hon. Charlie Watt: Honourable senators, two senators have already raised questions on the firearms regulations. In a sense, their comments were complementary to what Senator Carstairs has stated. However, I want to make sure that what is on the record reflects the reality. My question is for the Leader of the Government in the Senate, and I do not ask it lightly.

We have not encouraged the Inuit people not to obey the law. That is not what we have done. What we have done, honourable senators, is tried our best to encourage the people to comply with the law, because it was already a law. At the same time, we also indicated to the Inuit that this matter is in the hands of the Supreme Court of Canada. That process has a life of its own. Let it be.

On top of that, some time ago, Nunavut filed an injunction as to whether the law should apply, because the government made the right decision in Bill C-68 by including the non-derogation clause to limit its impact on Aboriginal people.

Senator Beaudoin has said from time to time as long as the constitutional provision is intact, Aboriginals will be okay and they will not be impacted. In theory that sounds good but, in practice, it does not work that way. I want to make sure the following is clear: To me and to the people I represent, this whole notion of the coming deadlines could have a life or death impact.

Honourable senators might think I am saying that just for the sake of winning the argument. That is not the case. This is an important issue. As I have said over and over again, there is a large number of Inuit who have criminal records. There is no way those people will be given a permit, let alone registration.

Let me give honourable senators an example of what happened over the weekend. I was talking to an old man who is 71 years old, still raising three —

Hon. J. Michael Forrestall: That is not old. Be careful!

The Hon. the Speaker: Order.

While I am on my feet, honourable senators, I should advise that Question Period is virtually over.

However, Senator Watt, if you can complete your question, I will recognize Senator Carstairs afterwards.

Senator Watt: I am sorry, honourable senators, but it takes some time to express my concern. I hope that it will penetrate into the minds of honourable senators, because this issue should not be taken lightly.

Honourable senators, it is a very important question. Honourable senators should be representing the needs of the regions and representing minority groups. I have been here for 18 years. At times I have enjoyed myself here and much of the dialogue, and I have managed to make friends with everyone. However, on this issue, I have not seen great sincerity. At times we receive pressure from the House of Commons. If senators were a bit more independent of the House of Commons, I am sure a lot of people would not be treating us the way we feel we have been treated, from time to time. I know it is not the intention of honourable senators, but the fact is that, at times, the system is used to pressure senators but the small people should not feel it. We are feeling it now, honourable senators.

I would like to ask the Leader of the Government in the Senate one question. I mentioned the 71-year-old person who is raising his grandchildren. They do not have jobs, and to him, the job is being able to hunt to feed his family, and to do the job they have to have rifles.

Honourable senators, when we have money, we go to the grocery store, and we do not go out to the country to get that food, but the majority of Inuit still make a living today by hunting. It is the job of the Inuit to hunt and bring food to the family to feed the hungry children.

• (1500)

There are no jobs available to those people. As I mentioned earlier, many people are still unilingual.

The Hon. the Speaker: Senator Watt, I am sorry to advise all honourable senators that Question Period is five minutes beyond its usual time. Having said that, it seems to be the will of the house that the question be put and that I give Senator Carstairs an opportunity to answer. I would ask the Honourable Senator Watt to come to the question.

Senator Watt: My question, honourable senators, is this: What will the government do, knowing the fact that we are not just making up stories? I know the leader is a sincere person and will do what she can to deliver this message through the cabinet level. The minister has indicated that there will be a six-month grace period. What is his reason for doing that? How is he using the instrument? Where is he getting the orders from? Is that definite, or is the pressure off now? What is it? We need to see the copy, honourable senators.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I hope that that I can have a few minutes to answer a very long question.

[English]

First, under no circumstances did I say that the Innu people or the Inuit people themselves told their individuals not to register. I indicated that a political party had made such a pronouncement. I do not believe there was anyone in this chamber who encouraged anyone to not register.

In terms of the impact of Bill C-68, the firearms legislation, as the honourable senator will remember, particular provisions were put into place for Aboriginal people. For example, an Aboriginal person convicted of a criminal offence, while they could not have a licensed gun, could, in fact, go to their elders, their community, and be given a gun for the purposes of the hunt. That special regulation was put in to address the particular concerns of Aboriginal people.

However, on the overall impact of a law that was passed some years ago, I am of the firm belief that all Canadians must be treated equally before the Criminal Code of Canada. I myself went up North during our deliberations on Bill C-68 and travelled to three Inuit communities so that I could learn first-hand the experiences of those individuals. The purpose of that trip was to ensure that there were special regulations for Aboriginal people, and, indeed, special regulations were put in place.

Senator St. Germain: Do you still think it is a privilege? I thought it was a right.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table, in this House, a delayed response to an oral question raised by Senator Atkins on October 2, 2002, concerning applications for citizenship by immigrants from the United States and the United Kingdom.

CITIZENSHIP AND IMMIGRATION

APPLICATIONS FOR CITIZENSHIP BY IMMIGRANTS FROM UNITED STATES AND UNITED KINGDOM

(Response to question raised by Hon. Norman K. Atkins on October 2, 2002)

Please find attached statistics for the number of landed immigrants from United Kingdom and United States for the period 1997 to 2001 and the number of grants of Canadian citizenship for the corresponding period. Note that the original request was for the number of people applying for citizenship. The Department does not keep records of people applying for citizenship but rather for people who have been granted citizenship.

(For statistics, see Appendix A, p. 530.)

QUESTIONS ON THE ORDER PAPER

REQUEST FOR ANSWERS

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I should like to ask the Deputy Leader or the Leader herself about a number of written questions I have had on the Order Paper since the end of September. I would like to know if I could have an answer to these questions before we break for the Christmas holidays.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I wish to thank the honourable senator for that. He has already informed my staff of his question. However, I, too, will ensure that we put some pressure on and that we have the appropriate responses for the honourable senator.

Senator Lynch-Staunton: I thank you.

Hon. J. Michael Forrestall: Honourable senators, I wish to put a similar question to the Leader of the Government in the Senate with respect to questions I have had for about two months now.

Senator Carstairs: Honourable senators, I wish to thank the honourable senator for that question. As you know, I am somewhat in the unenviable position of waiting for departments to respond. However, I will bring as much pressure as I can to clear the decks, in so much as it is possible, before the Christmas break.

Senator Forrestall: A brief response would be the reason why they will not answer them.

ORDERS OF THE DAY

TAX CONVENTIONS IMPLEMENTATION BILL, 2002

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-2, to implement an agreement, conventions and protocols concluded between Canada and Kuwait, Mongolia, the United Arab Emirates, Moldova, Norway, Belgium and Italy for the avoidance of double taxation and the prevention of fiscal evasion and to amend the enacted text of three tax treaties, and acquainting the Senate that they have passed this bill without amendment.

PHYSICAL ACTIVITY AND SPORT BILL

THIRD READING—MOTIONS IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mahovich, seconded by the Honourable Senator Poy, for the third reading of Bill C-12, to promote physical activity and sport,

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

(a) in clause 32, on page 13, by adding after line 27 the following:

“(4) The Minister shall cause a copy of the corporate plan to be tabled in each House of Parliament on any of the first fifteen days on which that House is sitting after the Minister receives the plan.”; and

(b) in clause 33, on page 14, by adding after line 11 the following:

“(5) The Minister shall cause a copy of the annual report to be tabled in each House of Parliament on any of the first fifteen days on which that House is sitting after the Minister receives the report.”.

And on the motion in amendment of the Honourable Senator Kinsella, seconded by the Honourable Senator Atkins, that the Bill be not now read a third time but that it be amended,

(a) on page 13, by adding after line 10, the following:

“32. The Centre is deemed to be a government institution as that term is defined in section 3 of the *Access to Information Act* and section 3 of the *Privacy Act* for the purposes of those Acts.”;

(b) on page 15,

(i) by adding before the heading “*Department of Canadian Heritage*” before line 17, the following:

“*Access to Information Act*

37. Schedule I to the *Access to Information Act* is amended by adding the following in alphabetical order under the heading “*Other Government Institutions*”:

Sport Dispute Resolution Centre of Canada
Centre de règlement des différends sportifs du Canada”;

(ii) by adding after line 21, the following:

“*Privacy Act*

39. Schedule I to the *Privacy Act* is amended by adding the following in alphabetical order under the heading “*Other Government Institutions*”:

Sport Dispute Resolution Centre of Canada
Centre de règlement des différends sportifs du Canada” ; and

(c) by renumbering clauses 32 to 40 and any cross-references thereto accordingly.

And on the motion in amendment of the Honourable Senator Roche, seconded by the Honourable Senator Murray, P.C., that the Bill be not now read a third time but that it be amended in clause 35,

(a) on page 14, by deleting the heading before line 23 and lines 23 to 46;

(b) on page 15, by deleting lines 1 to 7; and

(c) by renumbering clauses 36 to 40 as clauses 35 to 39 and any cross-references thereto accordingly.

And on the motion in amendment of the Honourable Senator Gauthier, seconded by the Honourable Senator LaPierre, that the Bill be not now read a third time but that it be amended in the Preamble, on page 1, by replacing lines 5 to 8 with the following:

“social cohesion, linguistic duality, economic activity, cultural diversity and quality of life;”.

And on the motion in amendment of the Honourable Senator Bolduc, seconded by the Honourable Senator Nolin, that the Bill be not now read a third time but that it be amended, in clause 28, on page 10, by replacing lines 34 to 38 with the following:

“*Auditor General of Canada*

28. (1) The accounts and financial transactions of the Centre are subject to examination and audit by the Auditor General of Canada.

(2) The Auditor General of Canada shall annually

(a) audit and provide an opinion on the financial statements of the Centre; and

(b) provide a report to the Chairperson and to the Minister on the audit and opinion.

(3) The Minister shall cause a copy of the Auditor General's report to be tabled in each House of Parliament on any of the first fifteen days on which that House is sitting after the Minister receives the report.”.

The Hon. the Speaker: Honourable senators, I am giving the floor to Senator Gauthier for the balance of his time, which is very short.

Hon. Jean-Robert Gauthier: How much time do I have left?

[English]

The Hon. the Speaker: About one minute.

Senator Gauthier: Honourable senators, I am pretty well through with my first amendment regarding the duality proposal.

However, on the second amendment to Bill C-12, I have something else to say.

[Translation]

In Bill C-12, clause 7 on page 4, I would like to add the following after line 19:

In developing contribution and policy implementation agreements, the Minister shall take into account the needs of the English-speaking and French-speaking minorities, in accordance with the Official Languages Act.

To explain, the amendment is important because it clearly indicates that, with regard to such agreements, the minister responsible must take into account the needs of the English-speaking and French-speaking minorities, in accordance with the Official Languages Act.

It is essential for Canadians in official language minority communities to be able to have impartial and totally equal access to the services provided. Often, government agencies neglect their fundamental duty to respect linguistic equality at all times.

One need only read the annual report of the Commissioner of Official Languages, for example the sections on equitable language of service, Part IV, or on language of work. The commissioner's report makes frequent references to chronic complaints about these three aspects of the Official Languages Act, which will not apply to Bill C-12. Bill C-12 is excluded from application of the Official Languages Act.

The other day I gave my arguments as to why I believe the Official Languages Act should apply. I was told that because it is a shared jurisdiction between the federal government and the provinces, it was difficult for the federal government to impose the federal Official Languages Act. However, one can always hope.

Under Bill C-12, the centre will be required to adopt a language policy that is public, clear and precise in terms of the services it will provide and the work it will do.

Honourable senators, it is essential to treat all linguistic communities equally. The new act must not allow ambiguity when it comes to linguistic requirements and affirming the linguistic duality that is essential here.

• (1510)

It is worth noting that 90 per cent of Canadians feel, as we heard in committee, that sports can strengthen the feeling of national pride and can strengthen community ties.

MOTION IN AMENDMENT

Hon. Jean-Robert Gauthier: Therefore, honourable senators, I move, seconded by Senator Hubley:

That Bill C-12 be not now read a third time but that it be amended in clause 7, on page 4, by adding after line 19 the following:

“(3) In developing contribution and policy implementation agreements, the Minister shall take into account the needs of the English-speaking and French-speaking minorities, in accordance with the *Official Languages Act*.”.

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

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, if no other senator wishes to speak to Bill C-12, I move that debate be adjourned to the next sitting of the Senate.

On motion of Senator Robichaud, debate adjourned.

[English]

CRIMINAL CODE FIREARMS ACT

BILL TO AMEND—THIRD READING— POINT OF ORDER

On the Order:

Third Reading of Bill C-10A, to amend the Criminal Code (firearms) and the Firearms Act.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, on a point of order, what is before us is not a bill, although it is intitled Bill C-10A. If it is a bill, it should not be at third reading. My argument requires a bit of background.

Two weeks or so ago, the Senate agreed to send Bill C-10 to the Standing Senate Committee on Legal and Constitutional Affairs with instructions to split the bill and to report accordingly. So far, so good. However, the committee decided to hold hearings on the firearms aspect of the bill and to keep the cruelty to animals aspect of the bill in committee for discussion at a later date. Last week, the committee reported to this chamber accordingly and reported a document — and I call it a document, not a bill — which it identifies as Bill C-10A.

My preoccupation is with the tearing up of a bill that has come to us from the House of Commons for study and, hopefully, support and agreement, and bringing to this chamber what is now identified as a new bill covering only part of the original Bill C-10.

Had the committee done one of two things, I do not think I would be on my feet. I would have thought the committee would follow the instruction of splitting the bill under two separate subject matters, report them both at the same time to this chamber, and leave it to the chamber as to what to do with the two new documents. My recommendation before going any further would have been to send the two documents to the House of Commons and ask for its consent and concurrence to find out whether we were proceeding in a way that it would agree to.

Instead, we are suddenly faced with part of Bill C-10 identified as Bill C-10A at third reading. If it is a bill — and I do not think it is — then it is a brand new bill.

Senator Cools: It is a new bill!

Senator Lynch-Staunton: If it is a bill, and I do not think it is, it is a brand new bill that will have to go through first reading, second reading, committee stage, third reading, and so on. I claim it is not a bill. However, if it is a bill, then it has not gone through the proper procedures. It is a document that has been separated from another document.

If we proceed with a vote on this document, what exactly will we be doing? We will take a document that has no bill status and give it a number, an identification that is not a Senate identification, although it is a product of a Senate committee. We give it a number, Bill C-10A. The letter “C” is an exclusive identification belonging to the House of Commons. If it were called “S” for first reading, I would still say that we would be going a little too far without seeking concurrence from the House of Commons, but at least it could be identified as an initiative from this chamber.

Instead, the committee is asking us to ignore completely the request from the House of Commons to look at its bill as one unit. At our request, the committee did divide the bill, but it did not report both sections of the bill, as I said earlier, after which we could have advised the House of Commons of the following: “We feel that the subject matters are best treated separately, and this is the way we think it should be done. What is your advice?” Had the House of Commons been against our suggestion, then we should have acted accordingly because the wishes of the elected people must be predominant.

Honourable senators, I maintain again that the committee has not proceeded in a manner respectful of the privileges and rights of the House of Commons. I maintain that what is before us is not a bill. It is a document that has no status as such, except for study. Any vote on it cannot be considered a vote at third reading but certainly a vote of approval or disapproval.

Hon. Gerry St. Germain: Honourable senators, without repeating the comments that the Leader of the Opposition in the Senate has put forward, my office has done a considerable

amount of study on this matter. For the record, a hasty ruling on the part of His Honour would not be in the best interest of the governance of the Senate.

The legislative process requires that a bill be read three times. Marleau and Montpetit state at page 607 of *House of Commons Procedure and Practice* that:

Some of the rules concerning the legislative process that were in effect at Confederation are still in effect today.

Parliament is prohibited from “the introduction of bills in blank or in an imperfect form,” and there are stipulations “that all bills be read three times on different days.” Page 625 describes how the standing orders of the other place require “that every bill receive three readings, on different days, before being passed.” The practice of giving a bill three separate readings derives from an ancient parliamentary practice originating in the United Kingdom. At that time, when the technology was not yet available to reproduce large numbers of copies at low cost, bills were delivered in handwritten form, one copy at a time. In order for the members to know the contents of the bill, the clerk read the document to them. The idea of reading the bill was taken literally.

• (1520)

Marleau and Montpetit go on to explain that today, a bill is no longer read aloud, but the formality of holding a reading is still preserved. When the Speaker declares the motion for first reading has passed, a clerk at the Table rises and announces “First reading of this bill,” thus signifying that the order of the House has been obeyed. That scenario is repeated when the House has ordered a second and then a third reading of the bill.

Marleau and Montpetit describe that bills must go through the same stages of the legislative process, but that they do not necessarily follow the same route. They describe three avenues for the adoption of legislation on page 626. The path of Bill C-10A does not match any of these three avenues and fails to meet the requirements to be legitimately before this house.

I will quickly go through the three avenues. They are as follows:

After appropriate notice, a Minister or a private Member may introduce a bill, which will be given first reading immediately. The bill is then debated generally at the second reading stage. It is then sent to a committee for clause-by-clause study.

A Minister or a private Member may propose a motion that a committee be instructed to prepare a bill. A bill will be presented by the committee and carried through the second reading stage without debate or amendment.

A Minister may move that a bill be referred to a committee for study before second reading.

Page 627 of Marleau and Montpetit outlines in detail the stages that a bill must go through when it is introduced in the House of Commons.

Honourable senators, there is a lot of background that relates to this possible scenario. It would be unfortunate if we were to partake in something that would set a new precedent and undermine this very institution and the processes and procedures that have been in place since the Senate was created.

In order that we do not delay this whole process, honourable senators, I would suggest that we deal with this issue immediately. It would be most unfortunate if this particular process were established.

Hon. A. Raynell Andreychuk: Honourable senators, I would support what Senator Lynch-Staunton has said.

In committee, some of us raised the fact that we had been instructed to submit the bill in two portions and that, once the bill had been split, it should be returned to the Senate for further action. The majority opinion was that we should proceed with the study of the issue. The bill was split into two bills and the bills were numbered.

I will not speak to the constitutionality of what we are doing. I would point out, however, that, procedurally, this is somewhat different from the precedent we were attempting to rely on, which was the precedent set in 1998 with Bill C-103. In that case, it was clearly stated that what the Senate was returning was Bill C-103 in two portions and not two bills. It was my opinion at that time that, procedurally, the Senate would have been following the correct process if we were to split the bill into two portions and to then study the bills and report them back. However, to identify that we were studying two new bills would have been to create a precedent that would have gone beyond the procedures of this chamber.

Hon. Eymard G. Corbin: Honourable senators, on the point of order, it may be convenient to argue solely the splitting of the bill, but I think we are doing a disservice to this house by not presenting the full picture.

On a motion of this house, Bill C-10 was referred to committee. Following that motion, another motion was adopted instructing the committee in its examination of the bill. Of course, the examination of the bill by the committee is paramount. The house added the specific instruction, not as an afterthought, that in its examination of Bill C-10, the committee was to consider splitting the bill along the lines of the different topics of gun control and animal cruelty.

I do not see a conundrum or a problem at all. I would argue that the committee did exactly what this house instructed it to do.

Furthermore, we should observe that, in the second report of that committee, there was attached an annex that shows the splitting. The annex is found in Appendix A of the *Journals of the Senate* of Thursday, November 28. The annex contains the split bill under the titles of Bill C-10A and Bill C-10B.

Senator Beaudoin included that in the report of the committee. Therefore, the original Bill C-10 is still within the purview of the committee and the house, in the sense that the house is now seized

with that portion of Bill C-10 now called Bill C-10A, and the committee is in possession of Bill C-10B, has followed faithfully, in my opinion, the earlier instruction of the house.

I do not think we need concern ourselves about what will happen in the other place when we seek the concurrence of our actions. This house, constitutionally, is master of its proceedings. We are not subservient to the procedures of the House of Commons. The decision of this house to instruct the committee to split the bill is well within its powers and discretion. What remains to be done, now that the committee has faithfully followed the instruction of the Senate, is simply to ask concurrence of their honours in the other place for Bill C-10A. That is all that must be done.

We should not be concerned with what happens in the other place at this stage. We are operating within the purviews of our constitutional powers, and we shall so inform the other House. That is where it ends.

The Hon. the Speaker: I will come back to you, Senator Lynch-Staunton, but first I will allow others to intervene.

Hon. Anne C. Cools: Honourable senators, I would be quite happy to defer to my leadership. They know how cooperative I am.

Honourable senators, what is most interesting is that, at the first meeting of the committee, I adopted the position that, by agreeing to the motion in committee to divide Bill C-10, we would be creating two new creatures. The motion that was proposed in the committee to divide the bill was different from the instruction that was given here in the Senate. The instruction to the committee was to divide the bill into two bills. The motion in the Senate committee went a lot further. It not only asked the committee to divide Bill C-10 into two bills, but it also instructed us to undertake the numbering of the bills.

• (1530)

The motion adopted in the committee is quite different from the instruction that was given here. To my mind, it went a lot further. It concerned me at the time, because I had adopted the position that the committee was creating two new bills and that those two bills would be lacking first and second reading in this chamber. The first order of business would have been that those two bills be reported immediately to the Senate for approval. In my wisdom, if I were in the position of leadership, I would have sent a message to the House of Commons asking concurrence before the committee proceeded. Obviously, my wisdom is not considered to be wise by many.

Honourable senators, Senator John Lynch-Staunton is absolutely correct. The Senate, in taking this particular action, has exceeded itself and has gone beyond not only the constitution of the Senate but also the notion of the constitutional relationship between the two chambers. That relationship is about the sense of constitutional comity and constitutional independence of the two chambers.

I feel very strongly that there is no proceeding of the Senate that can produce a Commons bill. It is simply not possible. It is like saying a giraffe can give birth to an elephant. It does not work that way. There is absolutely no proceeding in the Senate that can produce a Commons bill, or two Commons bills.

We now have two new creatures, two new bills — I am not even convinced that they are bills — with totally new names. These bills have not had first or second reading in this chamber.

Perhaps other senators can operate in this sloppy, shabby way, but I do not like it, quite frankly. It is so easy to proceed in an orderly and proper way that I do not understand why everyone does not do it naturally. Perhaps my upbringing by my Methodist mother instilled that into me.

I wish to put on the record that if honourable senators were to comb the records for authorities, information or opinion on the question of division of bills by one chamber, they would find an absolute dearth. Dividing a bill is a procedure that is rarely done. If honourable senators look to any of the texts, including Beauchesne and Erskine May, to determine what is written on the division of bills, they would soon discover that the citations are very limited and scant.

However, where the citations do occur in Beauchesne and Erskine May, they are inevitably referring to division of bills in the respective chamber that originated the bill. Beauchesne, Erskine May and others presuppose that, when a chamber is talking about dividing a bill, it is talking about one of its bills, not a bill from the other chamber.

I am neither prudish nor unprepared to make change. However, in this instance, we have founded the position very poorly. If I had been asked how to do this, I would have done it quite differently.

I also wish to speak to the phenomenon of the committee dividing the bill. It is unclear as to whether the committee divided the bill or in fact has rewritten the bill.

I took the committee's deliberation on this matter very seriously. I wanted to know more about the authorities, the precedents and so forth. However, that was not to be.

Honourable senators, the committee did not divide the bill in obedience to any instruction from the Senate. The committee delegated someone else to do the division. The committee did not sit down, in any measured and pondered way, to discuss which clause should follow which clause. The committee gave no conceptual or structural direction to the business of division of the bill. The committee quickly took a vote.

It was not easy to raise questions or receive advice about the process. As a matter of fact, at the first committee meeting there was a lengthy debate about having the law clerk, or someone from the law clerk's office, address the committee.

That part of the proceeding has bothered me deeply. I would have been a party to the entire development of the process, as it

unfolded, if I were a lawyer. Honourable senators, it is our duty to proceed with due diligence and due vigilance in these difficult matters.

Honourable senators, this matter is so momentous and unusual that we have a duty to proceed very carefully and cautiously, in order to avoid being accused in the future of that which we are now accused, that is, proceeding on a precedent that is indeed a flawed and faulty one.

Honourable senators, His Honour has a difficult task ahead of him. I am curious to see how this will be navigated.

We must remember that Bill C-10 came to this chamber in a very strange way, in that it was resuscitated in the House of Commons. This bill is not a good choice upon which to build a precedent.

The treatment of this bill has been unparliamentary and unconstitutional. It is tainted by the fact, honourable senators, that the decision to divide the bill was not made after much deliberation here. The decision was perhaps made in private conversations with the Minister of Justice.

Honourable senators will remember that the Minister of Justice was sitting right here behind our bar at the time that instruction was given. Honourable senators, there is something very wrong with the Minister of Justice, the Attorney General of Canada, having the position in the House of Commons that the bill is indivisible while taking the position in the Senate that the bill is divisible. Senators should be deeply concerned that a Senate vote is being used to defeat and overcome a House of Commons decision. That bothers me deeply.

The bill should have been divided years ago. I intend to speak about omnibus bills in a speech at another time.

Honourable senators, we have before us a creature that is neither fish nor fowl. The bill is neither Senate nor House of Commons. I do not know how we will determine what Bill C-10A and Bill C-10B are, but very clearly they are creatures that are unknown to either of our constitutions.

• (1540)

Hon. Herbert O. Sparrow: Honourable senators, perhaps I am confused, as others may be, but I do not know what happened to Bill C-10. Where is it? By some twist of magic, could someone simply declare that it no longer exists? The Senate received the message from the House of Commons to consider Bill C-10 and to concur with it. Where is it? How can the Senate do that? Had the committee brought in an amendment to Bill C-10 to remove that portion in respect of cruelty to animals and sent the bill back to the House, there would have been no problem — it would then be Bill C-10 with an amendment.

Honourable senators, I do not know what the house is doing. It would be a crucial ruling for the Senate to take the power to make this kind of change. I should hope that it can be determined just where Bill C-10 is.

Hon. Terry Stratton: Honourable senators, that is a tough one to follow. The argument, at least on our side in committee discussions, has been about what we ended up with when the bill was divided. Did we make them draft documents? If so, they are not bills. If they are draft or working documents, as the legal clerks had stated, then it is our case that the committee should take those two drafts, or documents, and refer them back to this chamber. Committee members determined that they could continue to study a portion of the draft or working documents. If they are only drafts or working documents as Senator Sparrow has said, where has Bill C-10 gone? We now have Bill C-10A and Bill C-10B. Senator Cools has made the same argument that Senator Andreychuk has made: if they are working documents they are not, in our humble opinion, bills. They have to come back for the concurrence of this chamber, and this chamber will debate whether they should go back to the House of Commons. We have argued strenuously that that is where these two drafts, or working documents, should go.

Hon. George Baker: Honourable senators, strictly on a procedural question, could the honourable senator who raised this issue inform us of the procedure to which he now objects? As honourable senators are aware, once the decision was taken on Senator Adams' motion, no objection to the procedure was raised, and the instruction went to the committee. It was a decision of the Senate to send the bill to the committee with the instruction to split it. The matter was discussed in committee which, after study, reported to the Senate. As I understand it, the Senate accepted the report and now the bill is at third reading.

It does not matter, honourable senators, whether it was on division; it was accepted by the Senate.

Honourable senators, is the objection to something that was done before by the Senate? If we are reverting to the motion put by Senator Adams, that would be one consideration. If we are reverting to report stage, that is another consideration. Could the honourable senator tell this house where the Senate went wrong in the procedures that the Senate laid down and decided upon, and on what authority he would then base our revisiting a decision made by the Senate?

The Hon. the Speaker: Honourable senators, following Senator Robichaud and Senator Lynch-Staunton, I will close the debate on the matter of Bill C-10 and then I will explain how we will proceed.

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I do not see any problem. What we are doing is simple. The Senate is an independent chamber that can make its own decisions. It does not have to yield to any other institution.

We often point out that we have the independence to decide ourselves what we will do. I believe this is exactly what we did in this case.

A motion was tabled by Senator Adams to have the Senate instruct the committee to split the bill. That motion was adopted by this chamber. Any point of order regarding this instruction should have been raised immediately, before we moved on to another stage and the bill was referred to committee.

The committee complied with the instruction given by this chamber and split the bill into two parts. When the chair of the committee reported to the Senate, indicating that the bill was being sent back as C-10A and C-10B, we moved on to consideration at report stage. The committee's report was then adopted by this chamber.

If honourable senators had a problem with the procedure and wanted to raise a point of order, they should have done so before we moved on to the next stage. The report has been adopted. All the senators who were present had an opportunity to vote for or against its adoption.

When the Speaker asked: "When shall this bill be read the third time?", the answer was: "At the next sitting of the Senate."

[English]

Marleau and Montpetit's *House of Commons Procedure and Practice* states:

Points of order respecting procedure must be raised promptly and before the question has passed to a stage at which the objection would be out of place.

[Translation]

Honourable senators, I do not see how we can question a procedure that has already been accepted.

As to whether the House of Commons will accept this procedure, we cannot take for granted that it will. If we did, we would be encroaching on the privileges of the House of Commons. They would be perfectly within their rights to refuse.

When we send the bill back to the House of Commons, we will merely ask the House to agree with what we have done. The House of Commons will be free to accept or to refuse.

In the Senate, being masters of our proceedings as well as the way we conduct those proceedings, the committee met its obligations. No point of order was raised at that time. Now we ought to resume debate on third reading of this bill.

• (1550)

Hon. Pierre Claude Nolin: Honourable senators, I had no intention of speaking, but decided to do so after hearing Senator Robichaud.

The Speaker does not have to revisit a decision made 10 days ago, as to whether the Senate can ask a committee to split the bill. This is not what is he is being asked to do. What he is being asked to rule on is whether the Senate can, today, address part one of a bill without the second. It is as simple as that.

[English]

Senator Lynch-Staunton: The instructions to the committee are not what the point of order is about. No one is questioning the instruction. What is being questioned is how we are being asked to treat the result of that instruction in this chamber.

Again I maintain that these are not new bills, but assuming that the committee has created two new bills, then, to answer Senator Sparrow's question, suddenly Bill C-10 as sent there is gone. First, by what right can a bill from the House of Commons suddenly disappear in a committee? It is up to this chamber to say, "Let us abolish Bill C-10," or "Let us send a message to the House of Commons that we do not like Bill C-10." It is their bill, but suddenly it disappears in committee and we replace it by two bills.

Where are the two bills? We have only half of Bill C-10, although I do not know whether it is half of the content. The other part remains in committee. We are saying this is two new bills, but there is only one before us. If it is a new bill, as Senator St. Germain pointed out, it must go through the procedure for each new bill, that is, introduction, first reading and second reading.

On both counts, I think the point of order is well founded. If it is a bill, it is not properly before us at third reading, having not received first and second readings. If it is not a bill, which I maintain it is not, but rather a document emanating from the Standing Senate Committee on Legal and Constitutional Affairs, it should not be identified as a bill for third reading.

The Hon. the Speaker: I would like to thank honourable senators for their assistance on the question Senator Lynch-Staunton has raised as a point of order with regard to Bill C-10 as it appears at third reading stage on our Order Paper.

I point out to honourable senators that this item is subject to an order of this house, that being that we are to vote on all matters at 6 p.m. with a bell at 5:30, which time is not that far away. I am, therefore, under some pressure to respond to this matter very quickly, given that we will be in conflict with a house order if we are not able to proceed with this matter as was anticipated when it was placed on the Order Paper.

Therefore, I will take some time out of the Chair. I suggest that the house proceed with the remainder of the Order Paper. We cannot adjourn until after we vote, in any event. I will return to the house as soon as possible with an answer to the question raised by Senator Lynch-Staunton.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, it seems to me that the decision of the Chair on whether the matter is properly before us trumps the house order pursuant to rule 38. I do not think the Speaker is under any obligation to do anything but exercise due diligence and careful analysis of the question. This is absolutely unprecedented. We are charting new parliamentary ground, and it should be done properly.

[Translation]

Senator Robichaud: Honourable senators, I do not completely agree with my honourable colleague opposite. We must act in

accordance with the will of this chamber. Right now, there is an order that says that at 5:30 p.m. the Speaker must interrupt the proceedings and move on to the vote at third reading stage of Bill C-12. Therefore, we must proceed in this manner.

However, the Speaker likely needs a certain amount of time to analyse the question. If this is the case, I invite him to do so promptly so that we may resume debate, thereby giving those who wish to speak at third reading an opportunity to do so before 5:30 p.m.

[English]

Senator Kinsella: Honourable senators, I am prepared to rise on a formal point of order to have a determination on the matter. The Speaker has reserved judgment on an item that is under debate. That same item is subject to a house order on when to vote on a particular phase of that bill, that being third reading in the matter before us. A house order made pursuant to rule 38, or indeed pursuant to rule 39, should be trumped, as I put it, by the decision of the Chair to examine the orderliness of the first matter.

Clearly, honourable senators, the Speaker has the duty and responsibility, pursuant to other orders in our rule book, to maintain the orderly proceedings of this house. In order to carry out that responsibility, the Speaker must have the opportunity to do the study necessary.

Therefore, I now raise as a point of order that a house order made pursuant to rule 38 does not require the putting of the question by the Speaker if the Speaker has taken under advisement a point of order on the orderliness of the very motion that would be voted upon.

The Hon. the Speaker: Honourable senators, I will rule on this point of order now. The question that Senator Kinsella raises is a very good one, but it is premature. I am under an obligation to respond to the orders of this house. There is an order to deal with this matter at the end of the afternoon, and I must keep that in mind. I believe that obliges me to at least attempt to make a ruling on the question that Senator Lynch-Staunton has raised. If I am unable to do so, then the question that Senator Kinsella and Senator Robichaud have commented on is rife for debate or discussion. I rule that it is premature to deal with that matter now.

I will ask the Speaker *pro tempore* to take the Chair. I will deliberate briefly and attempt to make a ruling. If I am unable to do so, I will return and we will then have to deal with the question raised by Senator Kinsella.

Senator Robichaud: Honourable senators, I rise on a point of information.

If His Honour is replaced in the Chair and we move on to other business, I would like to make it clear that when he has arrived at a decision these proceedings will be interrupted immediately in order that he may deliver his ruling, after which we will proceed with the order of business that is presently before us.

The Hon. the Speaker: Honourable senators, that proposal is in order. The proceedings were interrupted just before third reading was moved. I do not think it would be appropriate to move third reading because the question raised goes to the heart of whether we should be debating it.

If, hypothetically, the ruling favoured proceeding, we would proceed at that time, because we are under house order to deal with this matter today, and I can see no other option but to do that.

I will return to the Chair as soon as possible.

• (1600)

KYOTO PROTOCOL ON CLIMATE CHANGE

MOTION TO RATIFY—DEBATE CONTINUED

On the Order:

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

That the Senate call on the government to ratify the Kyoto Protocol on Climate Change.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, in September of this year at the World Summit on Sustainable Development held in Johannesburg, the Prime Minister stated categorically that “before the end of the year, the Canadian Parliament will be asked to vote on the ratification of the Kyoto accord.”

While ratification of international treaties in Canada is the exclusive responsibility of the executive, supporters of the accord were greatly heartened by this statement as it was unanimously interpreted as an unequivocal commitment to seek parliamentary endorsement for ratification before the end of 2002.

It did not take long, however, before the Prime Minister — obviously led to overenthusiasm in the friendly confines of Johannesburg — backtracked shamelessly less than a month later after facing the hard reality of provincial, caucus and even cabinet resistance upon his return home.

In the Speech from the Throne read less than a month later, it is stated that the government will bring forward a resolution to Parliament on the issue of ratifying the Kyoto Protocol on Climate Change before the end of the year; thus the motion tabled last week before both Houses “to call on the government to ratify the Kyoto Protocol on Climate Change.”

A debate on a vote on ratification — meaning Parliament having a say in the government’s final decision — would have been historic as it would for the first time have allowed a national debate on a treaty before the final commitment to it was made.

Instead, Parliament is asked to ask the government to do what it has said it intended to do all along, whatever the opinion of senators and MPs. Stranger still, in her speech beginning debate

on the motion last week, the Leader of the Government said little on the accord itself, preferring instead to vaunt the merits of Canada’s Climate Change Plan, which the Minister of the Environment and the Minister of Natural Resources made public on November 21. Can we conclude from this that we can implement a climate change plan without ratifying the accord? As Senator Carstairs pointed out herself, the United States has chosen not to ratify; yet this has not stopped it and some 40 states initiating plans of their own, while the New England governors and Eastern Canadian premiers agreed to a regional climate change action plan at their 2002 conference.

When one examines the Chrétien-Martin government’s record on the environment, it is nothing short of appalling. I will only touch on some of its major highlights.

At the Rio Earth Summit in 1992, participants agreed to give priority to biodiversity: 10 years later, Canada still does not have species-at-risk legislation. Global climate change was formally recognized at Rio. It took the government 10 years to come out with the “Climate Change Plan for Canada” mentioned earlier, a slick publication full of promise but short on details.

Lest anyone suggests that my assessment distorts reality, let me quote from the report of the Commissioner of the Environment and Sustainable Development entitled “The Commissioner’s Perspective — 2002: The Decade after Rio” tabled in the House of Commons on October 22.

The federal government is not investing enough — enough of its human and financial resources; its legislative, regulatory, and economic powers; or its political leadership — to fulfil its sustainable development commitments. The result is a growing environmental, health, and financial burden that our children will have to bear.

Later, the commissioner states:

Key federal departments have suffered significant cuts in funding — especially Environment Canada, whose budget dropped by 40 percent while the government’s grew by 13 per cent. By reducing funding to such an extent, the government reduces its capacity to meet the sustainable development objectives it has set for itself.

On top of all this, the one key element essential for obligations under the Kyoto accord to be fully met is missing: support of the provinces and territories and affected industry.

There is the rub, honourable senators. The provinces have been treated as bothersome nuisances since the beginning. It was only in November 1997, on the eve the Kyoto conference, that the federal and provincial governments agreed that their position at Kyoto would be to reduce aggregate gas emissions in Canada back to 1990 levels by 2010. The next day, the resources minister changed his mind. A week later, the Prime Minister committed to reductions below 1990 levels. Is it any wonder, then, that provinces rebel at this repeated unilateral approach? Can anyone explain why there were no meaningful consultations between Rio and Kyoto, and justify why today provincial and territorial consensus seems more distant than ever?

Even if only in passing, I want to record the apprehensions of the Canadian Manufacturers and Exporters, which has 3,000 members claiming to account for 75 per cent of Canada's industrial production and 90 per cent of its exports. It deplores the fact that there is no agreement on how to reach Kyoto's objectives, which has the support of neither large nor small business, nor of the provinces and territories.

What about oil and gas producers in Alberta? Obviously, there is a lot of self-interest in their objections, but whatever their motives, their absence from any consensus can only be deplored.

Let me quote from last Saturday's *Globe and Mail*:

Petro-Canada says it could freeze — or even cancel — nearly half a billion dollars in new investment in the oil sands next year if the federal government does not spell out the rules and costs of complying with the Kyoto Protocol's targets for reducing greenhouse gas emissions.

Remember that the Government of Canada is the largest single shareholder in Petro-Canada, and its own directors obviously approved this statement.

What a contrast, this lack of consultation or the lack of serious sitting down with the provinces and territories and industry. What a contrast with the process leading to the signing of the Agreement on Air Quality, often referred to as the acid rain treaty, in March of 1991. When Prime Minister Mulroney and President Reagan signed the treaty together, Mr. Mulroney was in the position to tell the President that every province and territory supported it.

Some Hon. Senators: Hear, hear!

Senator Kinsella: That is how you do it.

Senator Lynch-Staunton: This only came about after long and often arduous consultation and discussion. Consultation was actually built right into the agreement with the paragraph that reads:

The Parties shall seek the cooperation of Provincial and State Governments as necessary to implement this Agreement.

Another paragraph reads:

In implementing this agreement, the Parties shall, as appropriate, consult with Provincial or State Governments, interested organizations, and the public.

The FTA and NAFTA similarly followed years of constant discussion between the provinces and the federal government. In addition, every sector of the economy had input in the free trade features peculiar to it. While the final agreements did not lead to unanimity, there was no justification for any party, either public or private, to complain of not being privy to the process right from the beginning.

[Senator Lynch-Staunton]

Had the federal government adopted the same approach on Kyoto, we would certainly not be in the unpleasant situation we are in now, one of acrimony and suspicion. It reminds me too much of Prime Minister Trudeau's decision to unilaterally patriate the constitution in 1980. At that time, a number of provinces individually initiated legal action in their respective Courts of Appeal, with Nova Scotia, British Columbia, Prince Edward Island, Saskatchewan, Alberta and the Four Nations Confederacy Inc. joining with those provinces, which were Manitoba, Newfoundland and Quebec, in support of the subsequent appeals to the Supreme Court of Canada, all arguing that the consent of the provinces was required.

The Supreme Court of Canada opinion included a careful and detailed review of precedents affecting provincial powers and the views expressed in the different Courts of Appeal. In the words of the majority, words which are as pertinent today as they were then, the Supreme Court of Canada said:

We have reached the conclusion that the agreement of the provinces of Canada, no views being expressed as to its quantification, is constitutionally required for the passing of the "Proposed Resolution for a Joint Address to Her Majesty, the Queen respecting the Constitution of Canada" and that the passing of this Resolution without such agreement would be unconstitutional in the conventional sense.

• (1610)

Whether it is provincial powers themselves that are affected, or whether it is an intrusion on powers that are in a shared jurisdiction, it is my view that Parliament, and more particularly the Senate of Canada, has an obligation to seek the views of the provinces. Correspondingly, the government ought not to proceed in the absence of substantial agreement of the provinces.

In support of the former proposition, let me remind you, colleagues, of the words of Sir John A. Macdonald from the confederation debates in Quebec City in 1865, which led to the creation of the upper chamber. He said:

In order to protect local interests and to prevent sectional jealousies, it was found requisite that the great divisions into which British North America is separated should be represented in the Upper House on the principle of equality.

He went on to say:

To the Upper House is to be confided the protection of sectional interests; therefore it is that the three great divisions are there equally represented, for the purpose of defending such interests against the combinations of majorities in the Assembly.

How are we to protect local interests if we do not hear from provincial governments? How can the Senate of Canada support a motion that may serve to create sectional jealousies or dissension among the regions without even inviting the provincial governments within those regions to express their views?

There is no obligation in this accord, unlike what is found in many treaties, for so many signatories to ratify by a certain date for it to come into effect. It comes into force when 55 countries, identified as industrialized, accounting for 55 per cent of 1990 CO₂ emissions, ratify. To date, nearly 100 countries have approved it, but they represent only about 37 per cent of the required emission total. Canada's ratification would raise the figure to 41 per cent, or thereabouts. In addition, industrialized countries must reduce their collective emission of a basket of six greenhouse gases by a little over 5 per cent by the period 2008-12, while Canada's target is 6 per cent.

In view of these timelines, why the need for Parliament to commit itself by the end of 2002? We have very little information on which to base a well-informed judgment. The Leader of the Government may well suggest that this debate is similar to a second and third reading, but the fact is that, unlike that for a bill, the only information given to the Senate are documents tabled last Thursday, and then only after insistence from this side. There were no copies provided to senators. There were no briefing books. The tabled documents do not include any comments on discussions with provincial and territorial governments or with sectors of the economy directly affected, yet we are being asked to support a treaty which requires provincial and territorial support before Canada's obligations under it can be carried out.

There is no federal state's clause here, meaning that the federal government's undertaking is affected should even one province refuse to go along, because when Canada signed the Kyoto Protocol, it made a commitment on behalf of all jurisdictions. It has yet to secure confirmation of this commitment.

In September's Speech from the Throne, the government announced a first ministers' meeting in January to discuss the recommendations of the Commission on the Future of Health Care in Canada made public last week, and the Prime Minister repeated this intention over the weekend. How is it that a meeting is called on an important matter of shared jurisdiction, namely health, even before the background documentation is completed, while calls for a similar meeting on an equally important matter directly linked to health, namely the environment, are rejected out of hand five years after a treaty significantly affecting provincial jurisdiction is signed?

Honourable senators, it would be a curious circumstance were this deliberative body, this chamber of sober second thought, to refuse to hear from representatives of those who the founders of this nation envisioned we would defend and, furthermore, that we would fail to insist that those views, however determined, be taken into account.

Let me remind you again, as I did last week, of what Appendix I in our rules reads. It states:

That, whenever a bill or the subject-matter of a bill is being considered by a committee of the Senate in which, in the opinion of the committee, a province or territory has a special interest, alone or with other provinces or territories, then, as a general policy, the government of that province or territory or such other provinces or territories should, where

practicable, be invited by the committee to make written or verbal representations to the committee, and any province or territory that replies in the affirmative should be given reasonable opportunity to do so.

Although the motion before us today is not a bill, nor is it the subject-matter of a bill *per se*, it does represent at least a feeble attempt by the government to obtain a level of concurrence by Parliament, the consequences of which have yet to be determined, on a matter which clearly affects the nations and the provinces within an area that is at least partly within provincial jurisdiction. Parliament should not give that concurrence without first consulting the partners in confederation.

Since the Prime Minister has made it clear that the present intention of the government is to proceed to ratify the Kyoto Protocol with or without the approval or consent of Parliament, this entire process is, to put it generously, suspect.

However, be that as it may, we cannot make assumptions about what the government will or will not do in response to the views expressed during the course of debate or in the conclusions we reach. We must do our job, and it ought to be done properly, insofar as it is possible to do so within the limits implied or imposed.

MOTION IN AMENDMENT

Hon. John Lynch-Staunton (Leader of the Opposition): With the history and purpose of this institution clearly in mind, together with the expressed opinion of the Supreme Court of Canada and our own rules, I move, seconded by the Honourable Senator Murray:

That the motion be amended by substituting for the period after the word "Change" the following:

, but only if, after the Senate has heard in Committee of the Whole from all federal, provincial and territorial government representatives who wish to appear, the Senate determines that there is a substantial measure of federal-provincial agreement on an implementation plan.

In other words, honourable senators, let us hear, from those representatives of provincial and territorial governments who want to appear before us, their views, suggestions and whatever else they may have to say. Let us try to contribute to an implementation plan so that, when the true moment of ratification comes, we will have not only the support of the provinces, but also a plan that the provinces support which will allow our obligation under the Kyoto Protocol to be satisfied for the benefit of all of us.

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

• (1620)

Hon. Yves Morin: Honourable senators, I am pleased to rise today to speak in support of the motion proposed by my colleague Senator Carstairs that "the Senate call on the government to ratify the Kyoto Protocol on Climate Change."

Climate change has been called one of the most pressing issues facing the world.

The world's best climate scientists, working together through the Intergovernmental Panel on Climate Change, have forecast after much careful study of the issue that global average temperatures could rise by anywhere from 1.4 to 5.8 degrees over the next century. They have also said that Canada, as a northern country, could see even greater increases. It is very tempting, particularly today, for many Canadians to wonder what could possibly be so bad about warmer temperatures. The answer is a lot.

The environmental consequences of climate change will be significant, but more significant in my mind are the impacts that climate change is likely to have on human health, now and in the future, in Canada and in the developing countries.

[Translation]

The increase in greenhouse gas emissions into the atmosphere will have dramatic consequences on human health. In the debate in which the Canadian public and parliamentarians are engaged on ratification of the Kyoto Protocol, the equation seems not to take into consideration anything but economic and environmental impacts. In my opinion, however, the health advantages for ourselves, our children and our grandchildren, and for the developing countries, strike me as far more important.

This crucial dimension of the problem is the one I wanted to address today.

[English]

Honourable senators, the health effects of climate change on Canadians will be different depending on where you live. One impact upon our health will come from hotter temperatures, particularly during the summer. Much of Canada sweltered through day after day of hot weather this past summer. Scientists tell us that over the next century we can expect more of this. Specifically, we can expect summer heat waves that are more frequent than we now experience, that are hotter, last longer and have higher levels of humidity.

These heat waves could cause an increase in heat-related illnesses, such as heat stroke and dehydration. We will see an increase in heat-related deaths, particularly among our more vulnerable populations. As the weather warms, insects and other pests will extend their reach farther north, bringing with them diseases we have not experienced before. Canadians were dismayed to see West Nile virus enter Canada this summer. Others will follow its path.

The heat is not the only danger. Climate change and air pollution have the same origin and one exacerbates the other. Fossil fuel combustion and warmer temperatures bring an increase in toxic air pollutants, such as mercury, sulphur and other toxic metals; dioxins; and particulate matter; all of which go to form smog and acid rain.

[Senator Morin]

For instance, every year in Canada, it has been estimated from the excellent studies of the Ontario Medical Association that air pollution will be responsible for 6,000 deaths from respiratory and cardiac disease, as well as from cancer. It will also be responsible annually for 30,000 hospital admissions.

The direct health costs for the people of Canada are now over \$3 billion a year.

A few weeks ago, an American study published by Fuchs and Frank showed a significant increase in medical care in areas where air pollution is higher. In certain regions such as Mexico, infant mortality is doubled when pollution levels are highest. We have all read about asthma and how it is reaching epidemic proportions. With more air pollution, asthma and other respiratory conditions will become even more prevalent.

What is more disconcerting is that children are especially vulnerable to the effects of air pollution. Sadly, soccer and baseball fields, playgrounds and swimming pools could be emptied as worried parents decide it is better to keep their children inside, where the air quality is better. This, in turn, could contribute to the increasing incidence of obesity among children that I have referred to in the past in this chamber.

[Translation]

It is mostly in the countries of the Third World that the impact of climate change will be felt.

[English]

Countries such as those in Africa will be severely hit by global warming. For example, malaria will increase by 20 per cent. The prevalence of schistosomiasis will double, as will dengue haemorrhagic fever.

According to the World Health Organization, the human impact of these and other vector-borne infectious diseases is enormous. Climate change in Africa would entail the emergence of these infectious diseases in new areas as well as the extension of the transmission season in areas where it is present.

Lack of fresh water, desertification and alteration in marine ecosystems will lead to a doubling of the number of hungry people, with a proportionate increase in infant mortality. Again, according to the World Health Organization, it is in Africa that changes in food production will especially affect human health.

[Translation]

Honourable senators, as the Prime Minister has said on a number of occasions, particularly in the Throne Speech, Canada has assumed a lead role among the G8 member nations in a new world plan to assist the African countries, and will devote \$6 billion to it.

This is truly admirable, and this project has rightfully received enthusiastic support from the Canadian public.

What strikes me as less admirable is that our indifference in allowing greenhouse gas emissions to increase has made us directly responsible for the deteriorating health of Africans, for the famines and epidemics affecting the most vulnerable of populations, the very populations we have set ourselves a mission of aiding.

[English]

Honourable senators, the advent of global environmental health hazards will increase the vulnerability of poorer, underdeveloped populations of Africa.

Canadians are compassionate and generous. I am sure they are prepared to consent to certain sacrifices to prevent epidemics and other calamities in the developing world, especially in Africa. As Canadians, we can do something about future greenhouse gas emissions. Indeed, we have done something. Canada was one of the nations that negotiated the Kyoto Protocol five years ago. We played a leading role in subsequent negotiations to ensure that countries would have maximum flexibility to implement the protocol in a way that recognizes each country's unique situation.

Now we are urging the Government of Canada to take the next step and ratify the protocol and to take on the target of reducing our greenhouse gas emissions to 6 per cent below 1990 levels by 2010.

Many people have questioned whether we can afford to ratify Kyoto. From the perspective of the health of Canadians, from the perspective of the health of developing countries, I would say to them, we cannot afford to leave the Kyoto Protocol unratified.

Hon. Gerry St. Germain: Honourable senators, I am pleased to once again rise in this place and place on the record the views of the people in my region. At the outset of the Senate's debate on the Kyoto accord, it must be said that the majority of Canadians do not know what ratifying this treaty really means to their families, their communities and the nation's economic well being.

It can also be said that not all the facts are on the table. Since this is, at its base level, a science issue, it can also be said that the scientific community is divided over the accuracy of the scientific models and the interpretation of research results.

After reviewing available information, I find that I cannot support the motion before us today, and it should come as no surprise that those provinces that have a real stake in the ramifications of Kyoto do not support the government's motion. The government's motion, as put by the Minister of the Environment in the other place, reads that this house call upon the government to ratify the Kyoto Protocol on Climate Change. In this place, it reads that the Senate call upon the government to ratify the Kyoto Protocol on Climate Change.

The Senate has not been asked to pre-study or examine a policy or legislation. Nothing has been procedurally laid before us on which to comment. Yet, honourable senators, are we to send a message to the other place calling on the government to commit Canada to a quasi-international treaty? It appears that the Senate is being asked to subscribe to government actions without first effecting due diligence.

• (1630)

Only a few weeks ago, I believe, the government's minister in this place assured honourable senators that there would be a detailed examination of this treaty by a Senate committee. Prior to that, Canadians were assured that there would be no legislation before the spring of next year. Once again, honourable senators are being subjected to a government's unreasonable timeline and well-established parliamentary procedures are being abused.

Canadians can only conclude that the Senate is being used as a rubber stamp to do this government's version of democracy. I have a great deal to say about the Kyoto Protocol, but because Canada's political minorities are subjected to a system with inequitable rules, time permits me to raise only some of the concerns, not all of the concerns, expressed in the province and the western region I serve.

The government has dictated that this ratification resolution be passed before the Senate rises in December. Government is trying to say that we all have a responsibility to protect our environment for future generations. However, the issue is not the lack of will but rather that Canadians are entitled to a credible, workable plan before ratification by Parliament.

Honourable senators, the government is trying to pull the wool over the eyes of Canadians. It is trying to say that this is about air pollution, and it is not. It is about trying to address climate change, but the science is not there yet.

Canadians want to know what change it will have on their lives. The answer to that is clear. The government's plan will cost every Canadian family money. The government's own calculations show the new additional costs for the average family to be \$1,500 to \$3,600 annually — in perpetuity.

The drop in real income for a family will have one result: They will draw down on their savings, and subsequently their personal debt load will be simply unmanageable. This will have long-term economic consequences as it retards investment and capital formation.

The costs to business and our economy are really unknown. Kyoto will mean a fundamental restructuring of our economy. If ratified, the Kyoto Protocol will require Canada to cap greenhouse gases — largely carbon dioxide emissions — at 6 per cent, which is below 1990 levels, by the years 2008 to 2012. The government signed the Kyoto Protocol in 1997 and has still not given Canadians a scientific rationale and no detailed plan or cost estimates.

Honourable senators, the Kyoto accord is an issue on the level of the Meech Lake and Charlottetown debates. It will have pervasive economic ramifications as great as the free trade deal. In each of these examples, there was a national debate. In fact, referenda and general elections were held to obtain the consensus of Canadians. The Kyoto debate deserves no less. The federal plan must clearly set out the costs as well as the benefits for our economy, for employment and for the personal lives of Canadians.

In 1997, the federal government committed to the provinces that no region would be asked to bear an unreasonable burden. British Columbia has the third lowest emissions per capita in the country, yet we are given the greatest burden under the current plan. In every scenario, B.C. will realize the worst GDP and employment loss of any province or territory, and that is patently unreasonable and inequitable.

The intent is global environmental protection. This plan was seemingly devised by political policy wonks who do not live in the real world.

No one can stand up and state that British Columbians are not environmentally conscious. We have walked the walk. The B.C. forest industry is already reducing its greenhouse gas emissions. Some of our pulp mills have already exceeded Kyoto reduction targets — eight years ahead of schedule. Under the federal plan, we will not receive any credit for this foresight. Further, we will not receive due credit for the effort put into the stewardship of our forests.

Honourable senators, our forests absorb millions of tonnes of carbon dioxide each year. The government has devalued the credits for our carbon sinks. Clearly, the government wants to punish us for being excellent stewards of our forests.

The federal plan calls for job losses in B.C. ranging from 11,000 to 37,000. We cannot afford to lose any more jobs. The government has just finished decimating our softwood lumber industry because of its incredulous inability to negotiate with some modicum of respect with our largest trading partner.

The B.C. cement industry currently employs hundreds of people, and the government's plan will effectively close it down. The government proposes to import cement from the United States and China instead of supporting B.C., where we export more than 60 per cent of our product. Does that benefit our environment? No, but it does force those families to turn their thermostats down.

The government's complete disdain for the consequences of poorly thought out government policy and its impact on the Canadian family reminds me of the inflation debate of the early 1970s. In response to Prime Minister Trudeau's comment of "Let them eat peanut butter," Robert Stanfield said, "They," meaning the taxpayer, "would if they could afford it."

The B.C. industries at greatest risk are electric and gas utilities, forestry, petroleum and coal, and transportation. Revenues from electricity could drop 13 per cent; gas and electric revenues could drop 27 per cent.

The U.S. has the foresight to see no rationale in this plan. They are not part of it. In order to survive, B.C. industries will simply move to the U.S. Pulp mills will ship wood chips to the U.S. for processing rather than run mills in B.C. Pulp mills in Alberta, Ontario, Quebec, New Brunswick and Nova Scotia will do the same.

Alberta Premier Ralph Klein has taken to comparing the Kyoto Protocol to the National Energy Program, but Ottawa officials

prefer a comparison to the free trade agreement. Like the Kyoto Protocol, the FTA was a step into the unknown, but the FTA had a better-detailed plan.

Honourable senators, the Kyoto Protocol binds Canada to a specific obligation, and there will be consequences — economic penalties — if it is not met.

The egregious thing about Canada's part in Kyoto is that since Canada produces more greenhouse gas emissions per capita than any other country, we may face the largest impact from the accord. That is a result of unbelievably poor negotiating skills when it was signed. There needs to be more informed debate.

Honourable senators, four major oil sands companies have sounded the alarm about the danger this poses to future development plans of the massive resources in Western Canada. Husky Energy, Nexen Inc., Western Oil Sands and the Canadian Oil Sands Trust joined by Petro-Canada and Suncor Energy, two of the country's largest oil firms, have expressed concerns. The uncertain impact is creating questions in the capital markets. The government has a duty to understand these impacts on the oil and gas business.

It should be noted that the greenhouse gas issue is largely a consumer issue given that 80 per cent of emissions are created by consumption and not by production. The only way to reduce emissions is to reduce fuel use or switch to fuel types with less carbon dioxide waste products. Long experience with failed energy efficiency policies in the 1970s and the 1980s and the futile demand-side management policy on the part of the public utilities in the 1990s has shown that the only way to make this happen is to substantially and permanently increase the price of fuels paid by business and consumers. However, government does not have the fortitude to tell the individual consumers that they will have to foot the whole bill for this one.

The government believes the measures of the Kyoto Protocol will add little to the cost of using fuels. However, the history of conservation policies shows that without price incentives, consumption will not change much at all. If the government goal is to devalue the dollar even more, go back to being a resources exporter, exacerbate the brain drain and create a real socialist society, then their plan will work.

B.C. has been a world leader in developing clean, renewable hydroelectric power, but our population growth requires that we look at alternative clean energy sources such as natural gas and coalbed methane development.

Sources like wind power cannot meet our energy needs, nor will British Columbians accept building nuclear plants just so the Prime Minister can look good on the international stage.

British Columbians had hoped to develop their huge reserves of natural gas, but this opportunity has been quashed with the government imposing two other initiatives on the hard-working people of B.C. — marine parks and national parks. I believe B.C. has more protected parkland than the rest of Canada combined. Binding the economic future for our children by building a Yellowhead to Yellowstone Park system is not the way to go.

Honourable senators, the Kyoto Proposal must also be looked at in the global context. The U.S. has rejected Kyoto. They are not signing. Mexico is exempt from emission reduction requirements because it is a developing nation. This means that our NAFTA partners, representing over 90 per cent of our international trade, will have no Kyoto accord cost burden. Australia is not signing; they have pulled out. Japan has ratified the accord but it will not impose any emission reduction requirements on its industries. India and China, which will be the major sources of emissions growth over the next century, are exempt because they are developing countries. Thus far, the Europeans are still in, but their target is only one third the percentage of Canada's.

To sum up the international situation, given that so few countries are participating, the global environmental benefits of the treaty are non-existent.

• (1640)

The proposed scheme for carbon credits will result in billions of dollars transferred out of Canada. The government does not own these billions of dollars. The taxpayers own this money, and they want it to be spent on health, security and education needs. When there are no public benefits, not even global benefits, the people lose. The government must do the right thing and must not force the country into an inappropriate action by an artificial deadline. Canadians demand a democratic, multilateral approach, not a dictatorial, unilateral approach. I urge all honourable senators to join with the provinces, with business communities, with scientists and with most concerned Canadians to vote against this motion.

The intent to protect our planet is the right thing to pursue but, as all honourable senators know, there are several answers to every problem; it is just that some answers are better than other answers. Such is the case with reducing greenhouse gas emissions. There is a better plan, a different answer — a Canadian plan and a Canadian answer, better than the Kyoto Protocol — to realize and achieve the intent of reducing greenhouse gas emissions. This motion is not in Canada's interest. It is incumbent upon all honourable senators to exercise their good judgment and not be the lapdogs of a political master. They must show their support for a better Canadian answer.

Honourable senators, Prime Minister Chrétien has just issued an edict that this motion will be designated a motion of confidence. The 1985 McGrath committee studied the confidence convention and concluded that only explicit motions of confidence or matters central to the government's platform should be treated as confidence. The result was that all references to confidence were expunged from the Standing Orders, to regulate the functioning of Parliament. Canadian Chambers of Commerce have written in with their express direction that all votes on the Kyoto Protocol in the Senate and in the House of Commons be free votes. Once again, I repeat that the Senate has expressed its position that we are the masters of our own house, that we set our own rules and that each senator is equal in every respect.

If that is the case, each senator must vote according to the wishes of his or her province and not according to the views of political masters. I urge all honourable senators to reject this motion, to send a clear message back to the other place and to the executive branch of government.

Hon. Mira Spivak: Honourable senators, Senator St. Germain had a much different attitude when he was a member of the Progressive Conservative Party on the issues of climate change and the convention on biodiversity, because it is obvious that he must have voted in favour of it.

What is the honourable senator's evidence that energy efficiency did not work and will not work? Can Senator St. Germain point to any literature that states that energy efficiency does not work? It is my understanding that if the United States were to introduce a regulation requiring SUVs to get three more miles to the gallon, it would not need to import oil from Saudi Arabia.

What does the honourable senator mean by a "made-in-Canada solution" that is different from the Kyoto Protocol? The Kyoto Protocol, Article 2, states, in part:

Implement and/or further elaborate policies and measures in accordance with its national circumstances...

In other words, under the Kyoto Protocol, Canada has to introduce a made-in-Canada solution.

The Hon. the Speaker: With apologies for the interruption, Senator Spivak, Senator St. Germain's 15 minutes have expired.

Senator St. Germain: With leave of the Senate, I will answer the honourable senator's questions.

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

Some Hon. Senators: No.

On motion of Senator Robichaud, debate adjourned.

CRIMINAL CODE FIREARMS ACT

BILL TO AMEND—THIRD READING— SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, as requested, I will make the ruling that arises out of the point of order brought forward by Senator Lynch-Staunton with respect to Bill C-10A.

I will begin by reading the relevant authority, which is found in Erskine May's *Parliamentary Practice*, page 532, under the heading "Division of bills."

When an instruction has been given to the committee that a bill may be divided into two or more bills, those clauses which are to form a separate bill have been postponed or considered in the position assigned to them by the bill. When they have been considered, preambles (if necessary), enacting words and titles have been annexed to them, and the separate bills have then been separately reported.

That, I believe, is the operative authority. Hence, I rule that it is not necessary to proceed in two steps. In fact, on November 28, as recorded on page 228 of the *Journals of the Senate*, the Standing Senate Committee on Legal and Constitutional Affairs reported back to the Senate its second report, as follows:

Your committee, to which was referred Bill C-10, an Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act, and to which instructions were given to divide Bill C-10 into two bills, has, in obedience to both orders of reference, examined the said bills and now reports that it has divided the bill into two bills, Bill C-10A, an Act to amend the Criminal Code (firearms) and the Firearms Act, and Bill C-10B, an Act to amend the Criminal Code (cruelty to animals), both of which are set out in Appendices A and B respectively to this report.

Your committee has agreed to report Bill C-10A without amendment, and further reports that it is continuing its examination of Bill C-10B.

Respectively submitted,

Further, in the *Journals of the Senate*, at the bottom of page 228 and at the top of page 229, it is noted:

After debate,

The question being put on the motion, it was adopted on division.

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Rompkey, P.C., that Bill C-10A, an Act to amend the Criminal Code (firearms) and the Firearms Act, be placed on the Orders of the Day for third reading at the next sitting.

The question being put on the motion, it was adopted.

Honourable senators, that is how this matter came before us earlier today. The committee reported a bill back to the house, not a draft of a bill or a document. The Senate took it as such — a bill. It was the subject of a motion that gave rise to the order to vote today, as recorded on page 230 of the *Journals of the Senate*.

• (1650)

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Kinsella:

That, pursuant to Rule 38, in relation to Bill C-10A, An Act to amend the Criminal Code (firearms) and the Firearms Act, no later than 5:30 p.m. on Tuesday, December 3, 2002, any proceedings before the Senate shall be interrupted and all questions necessary to dispose of third reading of the Bill shall be put forthwith without further debate or amendment, and that any votes on any of those questions not be further deferred; and

That, if a standing vote is requested, the bells to call in the Senators be sounded for thirty minutes, so that the vote takes place at 6 p.m.

The question being put on the motion, it was adopted.

In conclusion, the way in which the committee dealt with the order of the Senate is in order. Bill C-10 has not disappeared and the committee to which it was referred has properly carried out the order of the Senate. Accordingly, it is in order to proceed.

BILL TO AMEND—THIRD READING

Hon. Mobina S. B. Jaffer moved the third reading of Bill C-10A, to amend the Criminal Code (firearms) and the Firearms Act.

She said: Honourable senator, Bill C-10A has had a long and interesting journey in arriving before us today for third reading. This journey began on December 1, 1999, when Bill C-17, a complex bill filled with Criminal Code amendments in many different areas, was read the first time in the other place. That bill was interrupted when the last election was called.

The bill was streamlined and reintroduced as Bill C-15 in the previous session of Parliament, but it underwent a further change when the House of Commons Committee on Justice and Human Rights split it into two parts, Bill C-15A and the bill that contains the amendments before us today, Bill C-15B.

Bill C-15B first came to this chamber on June 4, 2002, but the prorogation of Parliament meant that it would need to be reintroduced again, although this time it came to us much more quickly as Bill C-10.

On October 22, I moved second reading of Bill C-10, to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act. Numerous senators joined the debate with their own legitimate concerns at second reading, and on November 20 the bill was referred to the Standing Senate Committee on Legal and Constitutional Affairs. At that time, a motion put forward by Senator Adams was adopted. This motion instructed the committee to split Bill C-10 into two specific sections with the ultimate goal of creating two separate bills.

One of the new bills, Bill C-10B, would deal only with provisions relating to cruelty to animals and the other, Bill C-10A, which is before us today, would deal specifically with provisions relating to firearms.

The committee heard from the Minister of Justice on the same day as the order of reference was received. The minister outlined his position on both halves of Bill C-10, and the committee opted to proceed with a discussion on splitting the bill rather than questioning the minister at that time. In this way, it would focus on the provisions dealing with firearms before moving on to those dealing with cruelty to animals.

[Translation]

After lengthy deliberations, the committee adopted a motion to split the bill into two working documents, in order to address the provisions relating to firearms, before reporting the bill to the Senate and asking the upper chamber for authorization to continue to study the provisions relating to cruelty to animals.

[English]

A notable effort has been made to ensure that the proper procedure was followed throughout this process. The committee worked hard on many of the issues that had been raised in the Senate chamber during the debate at second reading and heard from witnesses from the Canadian Firearms Centre, the Canadian Police Association, the Canadian Federation for Gun Control, the Minister of Justice's User Group on Firearms, the Canadian Shooting Sports Association and the Canadian Firearms Association.

A number of senators were concerned about the date of January 2003 with regard to the possibility of some people then becoming criminals. I believe it is largely due to the conviction of those senators that the Minister of Justice has announced a grace period of six months for the registration of firearms in order to give those who have attempted to comply with the law freedom from criminal prosecution.

The Canadian Police Association appeared before the committee to reiterate their support for the firearms program. Mr. David Griffin, a former police officer and resident of the CPA, noted that licensing and registration are important in reducing misuse and illegal trade in firearms.

The program is already achieving higher levels of public safety for all Canadians. Since December 1, 1998, more than 7,000 licences have been refused or revoked by public safety authorities. The number of revocations is over 50 times higher than the total in the last five years under the previous program.

The amendments to the Firearms Act included in Bill C-10A will help ensure that the key public safety goals of the Firearms Act are met. At the same time, they will ensure that the administration of the program is made more efficient, effective and friendly to firearm owners.

Wendy Cukier, a volunteer with the Canadian Federation for Gun Control, went as far as to tell the committee:

It is important to understand that this bill is actually not directed at satisfying anything that we have asked for; it is intended to make things easier for gun owners in this country.

The goals of the amendments contained in Bill C-10A are to streamline the Canadian firearms program and to reduce costs by improving service and continuing to ensure public safety.

The firearm licensing and licence renewal process, as well as the registration system, will be simplified. The process at the border will also become more efficient with the introduction of pre-processing for visitors bringing guns into Canada.

Provisions to streamline the firearms program included in Bill C-10 will also help us to avoid a repeat of the problem of overloads in the system that we are now experiencing. Gun owners can be assured a more timely response to licensing requests through the staggering of licence renewals to make the system more consistent and manageable.

Bill C-10 will also extend the grandfathering period for restricted handguns, allowing businesses and individuals to keep

handguns that they acquired legally in the period between the time when the Firearms Act was passed and when it took effect.

The licensing program has achieved a 90 per cent compliance rate so far, and about 70 per cent of licensed firearms owners have acted to register their firearms.

David Griffin of the CPA noted the following in his submission to the committee:

Illegal guns start off as legal guns. Registration helps to prevent the transition from legal to illegal ownership, and helps to identify where the transition to illegal ownership occurs. We have been encouraged by the steps proposed by the Canadian Firearms Centre leadership and adopted by the Minister of Justice to streamline the licensing and registration process in order to achieve greater compliance by law-abiding Canadians.

Over the past decade, poll after poll has shown that the overwhelming majority of Canadians support gun control and the important public safety framework of the Firearms Act. Bill C-10A presents an opportunity to build on this framework in a way that is responsive to gun owners and will serve to reduce costs.

Although some amendments were proposed — and it is my understanding that they will be brought before the chamber shortly — the committee has considered this bill and reported it back to us without amendment.

Hon. Gerry St. Germain: Will the honourable senator accept a question?

The Hon. the Speaker: Will you take a question, Senator Jaffer?

Senator Jaffer: Yes.

Senator St. Germain: In the city of Toronto we have had a rash of murders committed with handguns. Handguns have been effectively registered in this country for decades. How does the honourable senator rationalize the reduction of crime when we have had this horrific outbreak? I believe there were 30 young people murdered with handguns.

• (1700)

Senator Cools: I think it is 39.

Senator St. Germain: Is it 39? Many people have been killed with handguns that have been registered for decades. How does the honourable senator rationalize that this registration process will slow things down?

My other question is one I also asked of the Leader of the Government in the Senate. Of the 7,000 people who have been refused licences, how many are Aboriginal people — people who have, unfortunately, a high level of criminal charges against them as a race? How many of those 7,000 were Aboriginals?

Those are my two questions, one concerning the Toronto situation and the other concerning Aboriginals.

Senator Jaffer: Honourable senators, I will start with Senator St. Germain's second question. I do not have an answer. As the Leader of the Government in the Senate said, she will provide an answer.

As for the first question, honourable senators, the best way I can answer is to repeat what was said in the committee. The police witnesses stated that the registration helps them to track the owners of the guns. It helps them to see where the guns are, and it helps them to do their job better. It is like saying that by having good legislation on the issue of drunk driving, we should therefore not have offences concerning drinking and driving. That does not mean we should not have good legislation. We should have good legislation and good gun control as a preventive measure. Having good legislation does not mean we will completely avoid every gun crime in this country. That can never happen. However, we must still try and control guns, the same way we try and reduce the number of people who drive cars when they are drunk. Having that legislation does not prevent people from driving cars when they are drunk, but it does help most people to see that it is not a good way of doing things.

Some Hon. Senators: Hear, hear!

Hon. Charlie Watt: Honourable senators, I am quite sensitive to the time that is being allowed to debate this bill, and I do not think it is fair. I might be the only one speaking. If I can only speak for half an hour, then there will not be any time for other senators to speak. I do not think that is fair. Therefore, I am making a motion to extend the time.

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

Senator Carstairs: No.

Some Hon. Senators: No.

Senator Cools: Yes.

The Hon. the Speaker: Leave is not granted.

Senator Watt: Honourable senators, on the basis that our leader quite loudly said no, I will speak without any comfort whatsoever.

Hon. Terry Stratton: Honourable senators, on a point of order, Senator Watt put a motion forward and asked for an extension of time. Is that not debatable?

Senator Cools: I think so.

The Hon. the Speaker: If notice is given, then it comes up the next day.

Senator Robichaud: No.

Senator Stratton: In this particular instance, we are dealing with time. The specific issue is with respect to time, which has been complicated by His Honour having to deal with a ruling. That has delayed debate and has compacted debate virtually into less than 30 minutes. I know of at least four or five senators who wish to speak. Surely we can ask for a credible extension of time.

Honourable senators, if this matter is not debatable, then we should have a vote on whether it is allowable to extend the time.

Senator Robichaud: We should let him speak.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, with the greatest respect, there is a house order that the bells will ring at 5:30 p.m.. Let Honourable Senator Watt speak. If he wants to use all the time until 5:30, so be it.

Hon. Anne C. Cools: Honourable senators, what about the rest of us who wish to speak?

Senator Andreychuk: What about the rest of us?

Senator Cools: I appreciate that the leadership makes agreements and then they get up and say there is an order, but when these orders are created, certainly we should be mindful of the fact that senators need to speak. What is magical about six o'clock tonight? Certainly the time for debate could be extended. When this amount of time was allocated, one could have allocated more. No one explains.

As far as I am concerned, it is a perfectly legitimate suggestion or motion that Senator Watt has proposed. It seems to me that the government had said to us that a reason for the rush of the bill and the need for closure was that the December 31 date was critical. The minister has now removed that stipulation.

The debate should be slowed right down to allow senators to speak properly.

Senator Robichaud: It is not closure.

Senator Lynch-Staunton: Let Senator Watt speak.

Senator Cools: It is agreed that there be closure. As far as I am concerned, it is closure.

Senator Robichaud: It is not closure.

The Hon. the Speaker: A couple of points have been raised. I draw to the attention of honourable senators where we are at the present moment.

Senator Lynch-Staunton: We are in the Liberal caucus.

The Hon. the Speaker: We are at the third reading stage of Bill C-10A and Honourable Senator Watt has the floor. The question of order has been raised that if Senator Watt moved a motion, or gave notice of a motion, why was that not dealt with as a motion? That is because we are at third reading stage of Bill C-10A. We have other proceedings in our rules for notices of motions and debating those motions and dealing with those notices of motions. That is why I asked the house if leave was granted to accede to Senator Watt's request for additional time to speak beyond his 15 minutes. I asked that question, leave was not granted, and I returned to Senator Watt, as I do now.

Senator Lynch-Staunton: Hear, hear!

Senator Watt: Honourable senators, I will get right to the point, as much as possible, because I do not want to see this matter get off track.

I will focus, honourable senators, on the fact that a deadline is coming up — January 1, 2003. Many people will be affected by this deadline. It is for that reason that I should like to get right to the point.

MOTION IN AMENDMENT

Hon. Charlie Watt: Honourable senators, I move, seconded by Senator Adams:

That subsection 98(3) of the Criminal Code, Part III, be amended to provide for reasonable time available to those law-abiding Inuit and other law-abiding Canadians to conform with the requirement to obtain a registration certificate for the purposes of possession of firearms other than prohibited or restricted firearms and as follows:

“Any person who, at any particular time between the coming into force of subsection 91(1), 92(1), 94(1) and the later of January 1, 1998, and such other date as is prescribed, possesses a firearm that, as of that particular time, is not a prohibited firearm or a restricted firearm shall be deemed for the purposes of that subsection to be, until January 1, 2004, the holder of a registration certificate for that firearm”.

• (1710)

The Hon. the Speaker: Honourable senators, before the motion is brought forward, I should inform you that I misstated the situation when I said that Senator Watt had 15 minutes. In fact, as the second speaker, he has 45 minutes.

Senator Stratton: That is what I thought.

The Hon. the Speaker: I gather it is the position of the opposition that Senator Watt has 45 minutes.

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, with all due respect for the Chair, I understand that Senator Watt is not limited to a 15-minute speech. However, I do not think that he has 45 minutes, because we must interrupt the proceedings of the Senate at 5:30 p.m.

[English]

Senator Lynch-Staunton: The Speaker has ruled.

Senator Stratton: These are the rulings. The Speaker has ruled.

The Hon. the Speaker: No. I am referring Honourable Senator Robichaud to the rule. The first mandate to this chamber is to adhere to its order to have a vote at 6 o'clock with bells at 5:30 p.m. I did not mean that.

However, in my response to Senator Watt, I was under the impression that he wanted to extend his time for speaking beyond

15 minutes. It was explained to me that, as the second speaker, our rules provide that he may speak for 45 minutes.

It is moved by the Honourable Senator Watt, seconded by the Honourable Senator Adams, that Bill C-10A —

Senator Stratton: Dispense.

Senator Carstairs: No.

The Hon. the Speaker: — be not now read the third time but that it be amended as follows:

That subsection 98(3) of the Criminal Code, Part III, be amended to provide for reasonable time available to those law-abiding Inuit and other law-abiding Canadians to conform with the requirement to obtain a registration certificate for purposes of possession of firearms other than prohibited or restricted firearms and as follows:

Any person who, at any particular time between the coming into force of subsections 91(1), 92(1) and 94(1) and the later of January 1, 1998, and such other date as is prescribed, possesses a firearm that, as of that particular time, is not a prohibited firearm or a restricted firearm shall be deemed for the purposes of that subsection to be, until January 1, 2004, the holder of a registration certificate for that firearm.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

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

Senator Carstairs: No.

Senator Kinsella: Agreed.

The Hon. the Speaker: If we are agreed, we will have to wait until six o'clock, in accordance with the order of the house, before we vote on it.

Senator Robichaud: We can vote on the amendment now.

The Hon. the Speaker: Is it the will of the house to vote on the amendment now?

Senator Stratton: No.

Senator St. Germain: Yes.

The Hon. the Speaker: The order of the house is that all matters shall be disposed of at six o'clock. I believe, honourable senators, that we should adhere to the strict letter of the order, which is that all matters shall be disposed of in accordance with that order.

Senator Watt, are you finished speaking?

Senator Watt: No.

It is not my intention to preclude any other senator from speaking to this matter, but there is one area on which I should like to elaborate, and that relates to the comment from our leadership today that owning a rifle is a privilege.

Senator St. Germain: Shame!

Senator Watt: Honourable senators, if that were the case, then do you think I would be here today? I do not think so.

Over time, Canadians have evolved and have found new ways of providing for their families. Unfortunately, Aboriginal people have not had the same access to jobs as have other Canadians and still rely on what they harvest to feed their families.

Honourable senators, the other day in committee I was struck by a question posed to me by another senator. He asked me, "Why do you need more than one rifle?"

Senator Cools: That is none of his business.

Senator Watt: As a hunter, I found it difficult to give an instant response, but it did cause me to question just how much he understands about the utilization of rifles. In the North, honourable senators, rifles are considered to be tools. Aboriginal people consider rifles to have value just as non-Aboriginals recognize the value of \$10, \$25, \$50 and \$100 at the grocery store. Money is a necessity. As I indicated, rifles are tools that Aboriginals use. In order not to waste what is harvested, Aboriginals must be selective in terms of what rifle is used. One rifle is not adequate.

The senator who asked me that question the other day probably saw the article in the newspaper stating that Aboriginals have many rifles. The implication was, if we do not have the money to register our firearms, how can we afford to have so many rifles?

Do not forget, honourable senators, that Bill C-68 prohibits us now from being able to pass our rifles down to other generations. Many of us inherited our rifles from our ancestors. There is a reason we have many of them.

Honourable senators, those are all the points I want to make. I must admit that I am actually frustrated. Seldom do I use words that are not acceptable in the Senate chamber. However, in this case, I am frustrated as hell in dealing with this issue. I think that we are bullying our elderly people and our kids. I hear senators speaking about sexual abuse, and about the terrible things that are happening to kids. However, I am sorry to say, honourable senators, that when it comes down to dealing with the lives of our people, you come up short. Do what you say you will do.

Some Hon. Senators: Hear, hear!

Hon. Herbert O. Sparrow: Honourable senators, would the Honourable Senator Watt entertain a question?

Senator Watt: Certainly.

Senator Sparrow: Senator Watt referred to the Leader of the Government in the Senate saying that owning a gun is a privilege. Perhaps he would give me his thoughts on that. I thought that everything that is not covered by law is a right; that people may do as they please unless the law prohibits it. Therefore, if anyone is entitled to have a gun, that is a right. If we were to take away that right by law, then it might very well become a privilege. However, the law does not prohibit the possession of the firearms the honourable senator is talking about, so possession of rifles is not a privilege. It is a right. Does the honourable senator believe that Canadians, and in particular Aboriginal people, have a right to own guns?

Senator Watt: Honourable senators, it is categorically a right, not a privilege. As I said, honourable senators, if it were not a right, I do not think I would be here.

In addition, the Constitution that applies to all Canadian citizens talks about the right to life. I am talking about the right to life, honourable senators, and nothing more. I am not asking for anything above and beyond the right to life. That is what I am asking for on behalf of the people of Canada — not only the Aboriginal people.

• (1720)

Some Hon. Senators: Hear, hear!

Hon. A. Raynell Andreychuk: Honourable senators, I want to express my dissatisfaction with this whole process that started with Bill C-68. We have expended, as the Auditor General has said and as was abundantly pointed out in our committee, almost \$1 billion attempting to register those citizens who have been acting in good faith with weapons that they have used. It is not a question of the criminal element. It is a question of saying: "You have a firearm. You have a right to use it, or a privilege, whichever category you come into. What we as the Canadian government will make you do is register, and to register here is a process."

Well, the process has ultimately failed. It has cost \$1 billion, and there are still citizens who will be put in jeopardy, into a criminal category, simply because of a bureaucracy and a process that have failed. I cannot believe that, when we talk about management and good governance around the world as Canadians, we could spend \$1 billion in a process that has failed to accomplish what the government set out to do. It is not a question of liking the bill, or not; it is that there has been a misapplication of that objective in a way that has resulted in, in my opinion, the use of money unwisely.

Honourable senators, think about what \$1 billion could have done if we were talking, as we did in Bill C-68, about stopping wife abuse. What if we had put that money toward education and to really going after the problem? What if we had used \$1 billion to close our borders to illegal guns, and a whole host of other things that have been pointed out?

Honourable senators, in the very few seconds that I have — and I express deep regret that we would shove into less than half an hour a debate that is so fundamental to the Aboriginal people — I wish to point out that in our study of Bill C-68 it was pointed out that the government had a duty to consult with Aboriginals

pursuant to section 35 of the Constitution. Section 35 is in our Constitution because the citizens of Canada acknowledge the rights of Aboriginal peoples. When Bill C-68 was in committee, Mr. Justice Binnie, who is now in the Supreme Court of Canada, and Professor Hogg both pointed out that there was no consultation, a consultation that should have taken place with Aboriginal people. At that time, the government, through the minister and bureaucrats, indicated that it would attempt to consult after the fact. Although it was not in full compliance with the Constitution, it would consult.

Honourable senators, we heard in committee that the government has attempted in its process to be culturally sensitive but that it has not adhered to the Constitution nor set up a special process to consult with Aboriginals. What has happened? The majority of Aboriginals have been frustrated because of the process, because there is no understanding of Aboriginal people and because Aboriginals have not been afforded their rights. As a result, Aboriginals will be categorized as not abiding by the law; we will be criminalizing the Aboriginal people.

Is this in keeping with Canada's stated policy of a new framework with the Aboriginal people? I do not believe it is.

Senator St. Germain: Shame!

Senator Andreychuk: I do not believe that Bill C-10A goes anywhere near to acknowledging the rights of Aboriginals, nor did Bill C-68. Again, seven years later, we who profess that we will adhere by the Constitution are, again, in my opinion, violating it.

It is one simple fact that we could and can give to Aboriginals the rights they deserve — not those things that are beyond their rights, because certainly Aboriginal people have asked for things that are, perhaps, beyond their rights. Honourable senators, the gun registry process has been a frustrating seven-year process. Aboriginal people are being marginalized and criminalized by a process that makes no sense, not only to them but to all of us. The process of a registry not only does not fit the Aboriginal people, it does not fit others. It is a process that is fraught with bureaucracy and unfairness. It is a process that has been used, perhaps, to justify what the government did in the first place rather than being a realistic application system built on what hunters and trappers would say is appropriate.

Senator Robichaud: Your Honour, on a point of order —

Senator Stratton: Why?

Senator Robichaud: Honourable senators, we have just received a copy of the honourable senator's amendment.

Senator Andreychuk: It is only in English.

Senator Robichaud: I am questioning the receivability of the amendment.

Senator Lynch-Staunton: Come on. Give us a break!

Senator Robichaud: This amendment opens a section that is not now before us.

Senator Kinsella: The bill is before us, is it not?

Senator Robichaud: We have been discussing precedents and proper conduct, and I would not want, in this case, to be going where we should not be going.

Senator Lynch-Staunton: You already have!

Senator Robichaud: I am asking the Chair for guidance in this matter.

Senator Andreychuk: I should like to speak to the honourable senator's point of order. This amendment was in fact discussed, or a similar one, in our committee. While it refers to sections that the honourable senator believes are not in Bill C-10, it is the way that officials told us we could accomplish the aim within Bill C-10A.

Senator Cools: That is right.

Senator Lynch-Staunton: It is not a bill.

Senator Cools: Honourable senators, I should like to confirm that exactly. I put the question as to what sections should be amended to the Justice officials. I asked them directly about the proper way to approach it. I was not involved in the drafting of this, but clearly the Justice Department people pointed the committee directly to section 98(3) of the Criminal Code.

I do not know how we proceed from here. It does not matter anyway because it is all over. How do we use these last three minutes? That is the major thing.

I should like to say that I was very unhappy several years ago when we passed Bill C-68 in the way that it was passed. I had hoped that this time around perhaps the government would have learned something. I have discovered that the government has learned nothing. I had hoped that somehow or the other, in this go around, the government may have been open to learning a little bit more about how Bill C-68, the Firearms Act, was operating on the ground and how it was hurting and damaging ordinary people and poor people, the majority of whom have no resources.

It seems to me that a vote is coming on. It seems to be clear that I am not happy with the whole process.

The Hon. the Speaker: Honourable Senator Cools, I am rising because it is almost 5:30 and the Deputy Leader of the Government has raised a question as to the orderliness of the amendment before us. It puts me in a very difficult position, but I think I must make a decision before 5:30. I have approximately one minute to do so.

In the time that I have had to look at this, I have tried to find in Bill C-10A the sections of the Criminal Code that Senator Watt's amendments refer to, and I am unable to find them.

An amendment, to be proper, must amend something that is before the Senate. If these sections are not before the Senate, then these amendments are not within the scope of Bill C-10A, and I must rule them out of order.

Senator Robichaud: Question!

Senator Watt: Honourable senators, as to whether this was done in an orderly fashion, this was recommended by the Department of Justice. I did not take that out of the blue. It came from the Department of Justice.

Senator Andreychuk: And there is reason.

Senator Kinsella: They are cop supporters.

The Hon. the Speaker: Honourable Senator Watt, I am sorry, but I did make a ruling, and it is not debatable. It can be challenged.

Senator Stratton: Your Honour, that is a lousy ruling, and you know it.

Senator Lynch-Staunton: We can appeal the ruling.

• (1730)

The Hon. the Speaker: It now being 5:30, pursuant to the order of this house adopted by the Senate on Thursday, November 28, 2002, it is my duty to interrupt the proceedings for the purpose of disposing of all questions necessary in connection with third reading of Bill C-10A.

I will proceed to put the question. It was moved by the Honourable Senator Jaffer, seconded by the Honourable Senator Furey, that the bill be read the third time now. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: For certainty, honourable senators, I will follow a formal means of putting the question to you.

Those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: I believe the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: Call in the senators. The vote will be at six o'clock.

[The Hon. the Speaker]

• (1800)

Motion agreed to and bill read third time and passed, on the following division:

YEAS THE HONOURABLE SENATORS

Bacon
Biron
Callbeck
Carstairs
Christensen
Cook
Corbin
Cordy
Day
De Bané
Fairbairn
Ferretti Barth
Finnerty
Fraser
Furey
Graham
Hervieux-Payette
Hubley
Jaffer

Kenny
Kroft
Lapointe
Losier-Cool
Maheu
Mahovlich
Milne
Morin
Pearson
Pépin
Phalen
Poy
Robichaud
Roche
Rompkey
Setlakwe
Smith
Stollery
Wiebe—38

NAYS THE HONOURABLE SENATORS

Adams
Andreychuk
Atkins
Bolduc
Buchanan
Cochrane
Comeau
Cools
Di Nino
Forrestall
Gustafson
Kelleher
Keon
Kinsella

LeBreton
Lynch-Staunton
Murray
Nolin
Oliver
Rivest
Rossiter
Sibbeston
Sparrow
Spivak
St. Germain
Stratton
Tkachuk
Watt—28

ABSTENTIONS THE HONOURABLE SENATORS

Beaudoin
Gauthier

Gill
Joyal—4

The Hon. the Speaker: Honourable senators, my first obligation is to draw your attention to the clock. It being six o'clock or later, is it your wish not to see the clock?

Hon. Senators: Agreed.

BUSINESS OF THE SENATE

COMMITTEES AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators might find agreement as well to allow those committees that wish to sit and have meetings at 5:30 or six o'clock to meet, notwithstanding that the Senate is sitting.

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

Hon. Senators: Agreed.

CRIMINAL CODE FIREARMS ACT

BILL TO AMEND—MESSAGE TO COMMONS— POINT OF ORDER

The Hon. the Speaker: Honourable senators, I must read the following message to the House of Commons:

Ordered,

That the Clerk do carry this Bill back to the House of Commons and acquaint that House that the Senate has divided the Bill into two Bills, Bill C-10A, An Act to amend the Criminal Code (firearms) and the Firearms Act, and Bill C-10B, An Act to amend the Criminal Code (cruelty to animals), both of which are attached to this Message as Appendices "A" and "B" respectively; and

That the Clerk further acquaint that House that: (a) the Senate desires the concurrence of the House of Commons in the division of Bill C-10; (b) the Senate has passed Bill C-10A without amendment; and (c) the Senate is further considering Bill C-10B.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I rise on a point regarding the message that His Honour has just read. I wish to draw the attention of the house to the *Debates of the Senate* of July 7, 1988, page 3887, when a similar message was prepared and sent to the House of Commons. The text of the message was debated by the Senate and amended in the Senate. Therefore, I wish to have clarification that this is the precedent we are following. We wish to debate the text of the message.

The Hon. the Speaker: Honourable senators, I will treat this as a point of order because I do not believe the order I have just read is debatable, unless leave is given to debate it.

Senator Robichaud: It is not debatable.

The Hon. the Speaker: Do any other senators wish to participate?

Hon. Anne C. Cools: Honourable senators, I am not sure that this is a point of order because it is not a matter that should be resolved by His Honour acting alone. If there is a question before us, we should resolve it in debate because, if I understand what Senator Kinsella has essentially read, the message itself is debatable and amendable. This is essentially, from what I can

see, Senator Kinsella bringing forward something for debate that perhaps senators have not chosen to exercise in the past. Perhaps honourable senators, now that they are relying on these precedents from other times, will learn better how to amend these messages.

As I indicated, I am not sure that this is a matter that is resolved by His Honour acting alone. I think it is a matter better resolved by all senators here. It is not a point of order.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I was under the impression we were voting on the third reading of something called Bill C-10A. I had assumed that once the vote was favourable, a message would be sent accordingly. I have now heard the text of a message that is brand new to me and, I imagine, to colleagues, giving all sorts of information of which I am not aware. I am not prepared to send a message unless we have that text before us and are in agreement that that is the message we want to send. I should like to know the origin of the message, the author of the message and why that message was not distributed to honourable senators before being read.

Senator Robichaud: It never is.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, with the greatest respect, messages following the passage of a bill are composed, written and sent by the Speaker of this chamber.

• (1810)

That is the way in which it should be done. In this chamber, we have agreed to split Bill C-10 into Bill C-10A and Bill C-10B. We have passed Bill C-10A. We are informing the House of Commons that we have done so, and we are seeking their concurrence. That is the message that His Honour has given us this evening.

Senator Lynch-Staunton: Honourable senators, that is not what the Speaker has said. In any event, since when does His Honour offer editorial comment on our behalf?

Senator Carstairs: Honourable senators, with the greatest respect, he did not offer editorial comment on our behalf. He did reflect on what had been the decision of this chamber. The decision of this chamber was to direct the committee to split the bill. The committee split the bill. It followed the instructions of this chamber. It reported the bill back. The committee reported Bill C-10A without amendment. We then proceeded to third reading. We passed Bill C-10A without amendment. His Honour is now sending a message to the House of Commons to the effect that we have split the bill, we are asking for their concurrence, and we have passed Bill C-10A.

Senator Tkachuk: That is that?

Senator Lynch-Staunton: I wish to speak on that. The point that Senator Kinsella is making is that this is a debatable motion based on the argument led in 1988. Therefore, with all respect, we would like His Honour to rule that this message is not only debatable, but also amendable, as it was in 1988.

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I do not think that we should debate this message. If, in 1988, we agreed to the suggestion of a senator to remove part of the message proposed by the Speaker, that was a mistake. It led to the rejection of that message by the Speaker of the House of Commons.

I believe that the message is perfectly correct, as the Leader of the Government just said. This is exactly what we did. We are sending them all the information. We just passed Bill C-10A at third reading. We are seeking the agreement of the House of Commons. We are continuing with consideration of Bill C-10B, as the committee report mentioned. All this is rather simple.

[English]

Senator Forrestall: Honourable senators, how can we do that without a Royal Recommendation?

The Hon. the Speaker: Do other honourable senators wish to comment?

Senator Kinsella: Honourable senators, rule 123 of the *Rules of the Senate* provides for the arranging of the transmission of messages. It provides that the Clerk of the Senate shall arrange for the transmission of the messages from the Senate. It does not say that the clerk will write the message, nor does it say that the Speaker of the Senate will write the message. Clearly, if it is a message from the Senate, the Senate will approve the text of any message that is sent.

That is exactly what was done by the Senate on July 7, 1988.

Senator LeBreton: That is when we worked.

Senator Kinsella: Then Senator MacEachen proposed, and he was supported by Senator Flynn, that a message of a certain text be sent. In the debate that ensued, honourable senators — and this is critical because this is our precedent — Senator Flynn did not want to have the concurrence sought by the Senate from the House of Commons. Senator MacEachen argued to ask for their concurrence. At the end of the day, Senator MacEachen lost the debate. Senator Flynn's proposition that the Senate amend the draft message was accepted. The request for concurrence was struck.

The point is that we can amend the draft message that is before the house. I do not know who drafted it, but His Honour has laid it before us.

Honourable senators, I think that the message should be amended. I remind honourable senators that the House of Lords companion to their standing orders provides at page 62 an interesting discussion on messages from the Lords to the Commons taken by the clerk. It is patently clear that it is for honourable members to determine the text of the message to be sent to the other place.

It is not a pro forma exercise. In this particular case, it is an exercise that speaks to content, because we have done something different. We are asking for concurrence on something that is quite atypical and extraordinary. That is the issue on orderliness.

I wish to move an amendment to the text of the message. I wish to have struck in line 2 the word "carry" to be replaced by the word "return."

The Hon. the Speaker: Honourable senators, we are now on a point of order.

Senator Carstairs: That is right.

Senator Robichaud: That is right.

Senator Cools: No.

The Hon. the Speaker: The point of order is whether the message that we send is debatable and votable, in which case it could be amended.

I am aware of the precedents that were referenced with respect to 1988. I have read the rulings of the Speaker of the Senate and the Speaker of the House. However, it would be a mistake for me to try to formulate a ruling off the cuff on what I consider to be the question. It is an important question. I do not remember debating these orders in the past or voting on them.

Therefore, I would like a little time to consider what I perceive to be the question, namely, is this a debatable matter and thereby a votable matter. That is a proper discussion as a point of order, but if we go to the next step and act as if it were debatable and votable, and having no recollection of voting on one of these before, I am a little troubled.

I do not want to prevent honourable senators from intervening on the point of order, but I require some time to formulate a ruling on what I consider to be the point of order.

Senator Cools is anxious to take the floor.

Senator Cools: Honourable senators, the matter is relatively clear: Messages are debatable. That the Senate may have chosen not to debate them in the past means absolutely nothing. All that means is that senators have not chosen to exercise that right.

Honourable senators, we must also be mindful that many messages have come here from the House of Commons and have been referred to committee and studied in committee. To my mind that sort of examination means that it is in debate. It is very clear.

We must be mindful that the *Rules of the Senate* do not speak to the business of the substance of the message. Rule 123(1) and (2) read as follows:

(1) The Clerk of the Senate shall arrange for the transmission of messages from the Senate to the House of Commons and for the reception by the Senate of messages from the House of Commons.

(2) Messages received from the House of Commons shall be read by the Speaker at the next opportunity.

It is a wide open question that obviously shows that the only role of the Clerk of the Senate is to act in a clerical way, which is to deliver the message. It also says that the task of the Speaker is to read the messages. As far as I am concerned, the task of the Speaker ends once he has done the reading job.

The question of the determination of the actual substance of the message is an entirely different matter. In an instance such as this, one cannot say that routinely, this is done in a certain way. There is nothing routine about this bill, and there is nothing routine about what has happened.

• (1820)

Some of us have been speaking so fervently on the grounds that the House of Commons should have been involved far earlier in the process, that we have a bounden duty as senators to examine carefully what this proposed message contains. We should express an opinion on it and vote on it, if necessary. It is pretty clear that the clerk acts in a clerical way.

Perhaps I have not been paying proper attention to these messages or perhaps the texts of the messages have changed, but for years and years I always thought that when the Speaker read the message, his words were: "That a message be sent to the House of Commons to acquaint that House with...." This particular message is somewhat different in that it states: "Ordered, That the Clerk do carry this Bill back to the House of Commons and acquaint that House that the Senate has divided the Bill into two Bills...."

Honourable senators, perhaps I never noticed it worded in this way before or it has never come to my attention before. I should pay a bit more attention to the way in which this chamber is writing these messages and their content within. It seems that one cannot nap for a moment — not even for a second.

It is crystal clear to me that the role of the Speaker in this place is different from the role of the Speaker in the House of Commons. In point of fact, this message is the Senate's message and the Senate, and senators as a whole, certainly have an interest in making their voices known and in expressing their opinions and their judgment on the actual wording of the message. It should be important that the message reflect the intentions and the wishes of the senators in content. This particular message has much more substance than a routine message would have.

Honourable senators, I submit that we should have a fulsome and rounded debate on this particular matter. Again and again throughout this entire debate, the issue of the relationship between the two Houses and whether agreement of the House

of Commons should have been solicited in advance of the decision to divide the bill has been raised.

Senator Robichaud: His Honour has ruled.

Senator Cools: It is an important, substantive issue that is before the Senate, and every senator here has the duty and the right to express an opinion on the substance, content and words contained in that message.

The Hon. the Speaker: I thank honourable senators for their input on what I am characterizing as a point of order on whether the message following the passage of a bill is a debatable, votable motion.

All honourable senators will appreciate that, never having done this before, I am a little troubled about ruling on my feet. I am aware that, having read the rulings of the Speaker of the Senate, of the Speaker of the House and of the proceedings that took place in 1988, that is, in fact, what happened. I am not certain if it happened with leave, but I should like an opportunity to look at the record and give a ruling at the first opportunity at tomorrow's sitting of the Senate.

In that respect, I have consulted with the Table and there is no particular problem with the message following third reading going a day late. There is also no particular problem with senators having complied with the order of this house to take and dispose of all matters with respect to third reading. That has been completed.

Senator Cools: Agreed. His Honour should take as much time as is needed.

[Translation]

BUSINESS OF THE SENATE

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, if there were consent, we could let all the items on the Orders of the Day that were not discussed today stand until the next sitting of the Senate. They would be listed on the Order Paper in the same order. This would allow honourable senators to go to their respective committees.

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the motion?

Motion agreed to.

The Senate adjourned until Wednesday, December 4, 2002, at 1:30 p.m.

APPENDIX A

Canadian citizenship grants to immigrants from United States & United Kingdom, from 1997 to 2001

* The United Kingdom is a country comprised of England, Wales, Scotland and Northern Ireland. The statistics are based upon country of birth. Clients may identify United Kingdom as the country of birth.

		Canada	United States	England	Wales	Scotland	Northern Ireland	United Kingdom	* Total United Kingdom	Total United Kingdom & United States	Total Top Ten Source Countries
2001	Landed Immigrants	250,630	5,894	4,757	62	455	67	7	5,348	11,242	140,653
	% Canada	100%	2.35%	1.90%	0.02%	0.18%	0.03%	0.003%	2.13%	4.49%	56.12%
	Citizenship Grants	167,353	2,943	2,430	86	361	87	118	3,082	6,025	87,584
	% Canada	100%	1.76%	1.45%	0.05%	0.22%	0.05%	0.07%	1.84%	3.60%	52.33%
2000	Landed Immigrants	227,384	5,814	4,032	109	420	90	1	4,652	10,466	127,579
	% Canada	100%	2.56%	1.77%	0.05%	0.18%	0.04%	0.0004%	2.05%	4.60%	56.11%
	Citizenship Grants	214,568	3,784	3,055	99	510	108	102	3,874	7,658	116,515
	% Canada	100%	1.76%	1.42%	0.05%	0.24%	0.05%	0.05%	1.81%	3.57%	54.30%
1999	Landed Immigrants	189,967	5,528	3,909	94	395	65	15	4,478	10,006	102,059
	% Canada	100%	2.91%	2.06%	0.05%	0.21%	0.03%	0.01%	2.36%	5.27%	53.72%
	Citizenship Grants	158,753	2,683	2,257	77	415	85	88	2,922	5,605	83,165
	% Canada	100%	1.69%	1.42%	0.05%	0.26%	0.05%	0.06%	1.84%	3.53%	52.39%
1998	Landed Immigrants	174,196	4,764	3,399	93	318	85	4	3,899	8,663	90,239
	% Canada	100%	2.73%	1.95%	0.05%	0.18%	0.05%	0.002%	2.24%	4.97%	51.80%
	Citizenship Grants	134,485	2,269	1,767	53	341	1	104	2,266	4,535	76,022
	% Canada	100%	1.69%	1.31%	0.04%	0.25%	0.00%	0.08%	1.68%	3.37%	56.53%
1997	Landed Immigrants	216,050	5,043	4,020	122	445	63	7	4,657	9,700	122,520
	% Canada	100%	2.33%	1.86%	0.06%	0.21%	0.03%	0.003%	2.16%	4.49%	56.71%
	Citizenship Grants	154,624	2,744	1,871	65	338	63	574	2,911	5,655	85,338
	% Canada	100%	1.77%	1.21%	0.04%	0.22%	0.04%	0.37%	1.88%	3.66%	55.19%
Total 1997-2001	Landed Immigrants	1,058,227	27,043	20,117	480	2,033	370	34	23,034	50,077	583,050
	% Canada	100%	2.56%	1.90%	0.05%	0.19%	0.03%	0.003%	2.18%	4.73%	55.10%
	Citizenship Grants	829,783	14,423	11,380	380	1,965	344	986	15,055	29,478	448,624
	% Canada	100%	1.74%	1.37%	0.05%	0.24%	0.04%	0.12%	1.81%	3.55%	54.07%

Source of statistics - Citizenship: Client Registration System. Immigration: Information Management Data Warehouse Services

Canadian Citizenship Grants - Top Ten Source Countries, by Birth, from 1997 to 2001

2001			2000			1999		
	#	% Total		#	% Total		#	% Total
1 China, People's Republic of	17,406	10.4%	1 China, People's Republic of	22,775	10.6%	1 Hong Kong	18,694	11.8%
2 India	14,029	8.4%	2 Hong Kong	21,274	9.9%	2 China, People's Republic of	16,946	10.7%
3 Hong Kong	12,869	7.7%	3 India	18,681	8.7%	3 Philippines	11,486	7.2%
4 Philippines	9,485	5.7%	4 Philippines	14,024	6.5%	4 India	10,963	6.9%
5 Pakistan	8,610	5.1%	5 Taiwan	8,943	4.2%	5 Sri Lanka	6,211	3.9%
6 Taiwan	6,754	4.0%	6 Pakistan	8,073	3.8%	6 Taiwan	4,829	3.0%
7 Iran	6,322	3.8%	7 Sri Lanka	6,603	3.1%	7 Yugoslavia	4,792	3.0%
8 Sri Lanka	4,376	2.6%	8 Iran	6,495	3.0%	8 Vietnam	4,102	2.6%
9 Yugoslavia	3,733	2.2%	9 Yugoslavia	5,998	2.8%	9 Romania	3,792	2.4%
10 Russia	3,417	2.0%	10 Romania	4,546	2.1%	10 Bosnia-Herzegovina	3,752	2.4%
Total Top Ten			Total Top Ten			Total Top Ten		
87,001			117,412			85,567		
52.0%			54.7%			53.9%		
Total Other Countries			Total Other Countries			Total Other Countries		
80,352			97,156			73,196		
48.0%			45.3%			46.1%		
Total			Total			Total		
167,353			214,568			158,763		
100%			100%			100%		

1998			1997			1997-2001		
	#	% Total		#	% Total		#	% Total
1 Hong Kong	18,338	13.6%	1 Hong Kong	18,668	12.1%	1 Hong Kong	89,843	10.8%
2 China, People's Republic of	14,140	10.5%	2 China, People's Republic of	14,225	9.2%	2 China, People's Republic of	85,492	10.3%
3 Philippines	11,071	8.2%	3 Philippines	12,695	8.2%	3 India	63,035	7.6%
4 India	8,570	6.4%	4 India	10,792	7.0%	4 Philippines	58,761	7.1%
5 Sri Lanka	6,050	4.5%	5 Vietnam	6,495	4.2%	5 Taiwan	29,810	3.6%
6 Vietnam	4,563	3.4%	6 Taiwan	4,898	3.2%	6 Sri Lanka	28,138	3.4%
7 Taiwan	4,386	3.3%	7 Sri Lanka	4,898	3.2%	7 Yugoslavia	21,636	2.6%
8 Poland	3,029	2.3%	8 Poland	4,822	3.1%	8 Pakistan	16,683	2.0%
9 Bosnia-Herzegovina	2,961	2.2%	9 Yugoslavia	4,199	2.7%	9 Vietnam	15,160	1.8%
10 Yugoslavia	2,914	2.2%	10 Lebanon	3,646	2.4%	10 Iran	12,817	1.5%
Total Top Ten			Total Top Ten			Total Top Ten		
76,022			85,338			421,375		
56.5%			55.2%			50.8%		
Total Other Countries			Total Other Countries			Total Other Countries		
58,463			69,286			408,408		
43.5%			44.8%			49.2%		
Total			Total			Total		
134,485			154,624			829,783		
100.0%			100.0%			100.0%		

Source of statistics: Client Registration System.

Permanent Residents, Top Ten Source Countries by Birth, from 1997 to 2001

2001			2000			1999		
	#	% Total		#	% Total		#	% Total
1 China, People's Republic of	42,333	16.9%	1 China, People's Republic of	38,865	17.1%	1 China, People's Republic of	31,079	16.4%
2 India	30,912	12.3%	2 India	28,191	12.4%	2 India	18,843	9.9%
3 Pakistan	16,042	6.4%	3 Pakistan	14,868	6.5%	3 Pakistan	9,587	5.0%
4 Philippines	13,628	5.4%	4 Philippines	10,633	4.7%	4 Philippines	9,536	5.0%
5 Korea, Republic of	9,544	3.8%	5 Korea, Republic of	7,612	3.3%	5 Korea, Republic of	7,209	3.8%
6 Iran	6,165	2.5%	6 Sri Lanka	6,063	2.7%	6 Iran	6,202	3.3%
7 Sri Lanka	5,847	2.3%	7 Iran	5,916	2.6%	7 Taiwan	5,327	2.8%
8 Romania	5,714	2.3%	8 Yugoslavia	5,423	2.4%	8 Sri Lanka	4,933	2.6%
9 United States	5,273	2.1%	9 United States	5,138	2.3%	9 United States	4,914	2.6%
10 Russia	5,195	2.1%	10 Russia	4,870	2.1%	10 Russia	4,429	2.3%
Total Top Ten			Total Top Ten			Total Top Ten		
140,653			127,579			102,059		
56.1%			56.1%			53.7%		
Total Other Countries			Total Other Countries			Total Other Countries		
109,977			99,805			87,908		
43.9%			43.9%			46.3%		
Total			Total			Total		
250,630			227,384			189,967		
100%			100%			100%		

1998			1997			1997-2001		
	#	% Total		#	% Total		#	% Total
1 China, People's Republic of	22,815	13.1%	1 China, People's Republic of	24,752	11.5%	1 China, People's Republic of	159,844	15.1%
2 India	16,990	9.8%	2 India	21,719	10.1%	2 India	116,655	11.0%
3 Philippines	8,632	5.0%	3 Hong Kong	17,768	8.2%	3 Pakistan	61,117	5.8%
4 Pakistan	8,442	4.8%	4 Taiwan	12,778	5.9%	4 Philippines	53,842	5.1%
5 Iran	7,006	4.0%	5 Pakistan	12,178	5.6%	5 Iran	33,180	3.1%
6 Taiwan	6,991	4.0%	6 Philippines	11,413	5.3%	6 Korea, Republic of	29,320	2.8%
7 Hong Kong	5,434	3.1%	7 Iran	7,891	3.7%	7 Taiwan	25,096	2.4%
8 Korea, Republic of	4,955	2.8%	8 Sri Lanka	5,346	2.5%	8 United States	23,897	2.3%
9 Russia	4,807	2.8%	9 United States	4,405	2.0%	9 Russia	23,571	2.2%
10 United States	4,167	2.4%	10 Russia	4,270	2.0%	10 Hong Kong	23,202	2.2%
Total Top Ten			Total Top Ten			Total Top Ten		
90,239			122,520			549,724		
51.8%			56.7%			51.9%		
Total Other Countries			Total Other Countries			Total Other Countries		
83,957			93,530			508,503		
48.2%			43.3%			48.1%		
Total			Total			Total		
174,196			216,050			1,058,227		
100.0%			100.0%			100.0%		

Source of statistics: Information Management Data Warehouse Services

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

(December 3, 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

(December 3, 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	Kuujuaq, 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.
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

(December 3, 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	Sauvel	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
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
(December 3, 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 Gérard-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 Thelma J. Chalifoux	Alberta	Morinville
4 Douglas James Roche	Edmonton	Edmonton
5 Tommy Banks	Alberta	Edmonton
6 . . . . .	. . . . .	. . . . .

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 December 3, 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,	Tkachuk.
Fitzpatrick,	Kroft,	Poulin,	

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,	Milne,
Banks,	Cochrane,	* Lynch-Staunton,	Spivak,
Buchanan,	Eyton,	(or Kinsella)	Watt.
* Carstairs,	Finnerty,		
(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)	Stratton.

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)	Comeau, Cools, Day, Doody,	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 Meighen****Deputy Chair: Honourable Senator Day****Honourable Senators:**

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

OFFICIAL LANGUAGES**Chair: Honourable Senator Losier-Cool****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

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

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

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: Honourable Senator Hervieux-Payette****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,	Kinsella,	* Lynch-Staunton,
* Carstairs,	Di Nino,	Kirby,	(or Kinsella)
(or Robichaud)	Fairbairn,	LeBreton,	Morin,
Cook,	Keon,	Léger,	Roche.

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

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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