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Thursday, May 1, 2003

—
**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

Thursday, May 1, 2003

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

Prayers.

[*Translation*]

SENATORS' STATEMENTS

THÉRÈSE CASGRAIN VOLUNTEER AWARD 2003

Hon. Lucie Pépin: Honourable senators, last Tuesday, April 29, I had the privilege of presiding over the Thérèse Casgrain Volunteer Awards ceremony for 2003. This award honours the memory of the Honourable Thérèse Casgrain and her accomplishments and is a worthy tribute to our former colleague. Her entire lifetime was devoted to speaking out against social injustice. She worked constantly to have the necessary reforms carried out. Still today, her achievements are a source of inspiration. This year her family was represented at the awards ceremony by her daughter and by her grandsons, Jacques and Charles Nadeau, their spouses and children.

This year's recipients are Margaret MacGee of London, Ontario, and Desmond Dillon of Gander, Newfoundland and Labrador.

I will give a quick overview, if I may, of the contributions of these two Canadians, who are committed to working to enhance the well-being of their fellow citizens. Desmond Dillon, a volunteer for the Canadian Red Cross, has served in a variety of capacities within that organization for more than 35 years. In particular, he was involved in teaching water safety to children and adults, and also made a contribution to disaster preparedness and a broad range of other Red Cross programs. Mr. Dillon has volunteered his time to disaster relief on countless occasions, including the 1997 Manitoba flood, the 1998 Swissair crash off Nova Scotia, and recently, the September 11, 2001 attacks on New York.

In addition to his work with the Canadian Red Cross, Mr. Dillon has an important role on the Health and Community Services Board, which he chairs. Desmond Dillon's efforts and his volunteer work have won him numerous other awards, including the Certificate of Appreciation from the American Red Cross. Furthermore, the first Family Volunteer Award was presented to the Dillon family by the Community Services Council in Gander. This award recognizes the contribution of families that are committed to doing volunteer work together or separately.

The other recipient is Margaret MacGee, of London, Ontario. Mrs. MacGee has also spent more than 35 years helping our society's most vulnerable. Margaret MacGee is best known for her remarkable work as a founding member of Block Parents, a

pan-Canadian program recognized and officially supported by all levels of government. Margaret MacGee worked tirelessly to develop and implement this program. Thanks to her efforts, we now see Block Parents stickers on the windows of houses to make our children safer.

In addition to her work with Block Parents, Mrs. MacGee has also worked for various charitable organizations. First, she fought for prison reform and then for improvements to special needs housing, and then she defended the rights of young offenders. As a member of the International Council of Women, she worked with women around the world to find solutions to common social problems. Currently, she is helping young Canadian women become financially secure so that later in life they will not join the ranks of women living in poverty. Margaret MacGee has been recognized more than once for her volunteer work.

Without a doubt, Mr. Dillon and Mrs. MacGee are Canadians we can be proud of, as we are proud of everyone in this country who volunteers.

[*English*]

The Hon. the Speaker: Senator Pépin, I regret to advise you that your time has expired.

FISHERIES AND OCEANS

CLOSURE OF COD FISHERIES— GOVERNMENT SUPPORT

Hon. Ethel Cochrane: Honourable senators, I rise today to express my concern that the needs of those dependent on the cod fisheries — literally hundreds of my people — have been overlooked.

In the wake of the government's decision, a \$50-million action plan was announced. Six million dollars of this money will go to study seals to determine, among other things, whether or not seals eat cod.

For the people of my province who, according to one media report, represent 92 per cent of those impacted by the decision, compensation will include a \$25-million "relief package." This essentially translates into make-work projects. I just do not believe in make-work projects. They are merely a quick fix to a much deeper problem.

Honourable senators, surely we can agree that make-work projects are not only a waste of public dollars, but an insult to hard-working people like mine, who find themselves in need. It is the equivalent of kicking a strong and proud worker when he is already down.

• (1340)

I am appalled by the relief package proposed by this government. There has been no talk of future employment or of any economic development. There has been no mention of what will happen to these people when this relief expires in two seasons.

What surprises me most of all is that there has been no talk of retraining or education. According to a recent study by the Canadian Federation of Independent Businesses — and I am sure you have all heard about this — 39 per cent of respondents are concerned about the shortage of qualified labour in every province. That 39 per cent is in my province. The same survey showed that 38 per cent of small businesses in Newfoundland and Labrador expect to increase their employment in the next three years. Why not train these fishery workers and give them the skills and the opportunities to fill these sorts of vacancies in the job market?

Senator Rompkey: That includes Voisey's Bay.

Senator Cochrane: The option is there. Here we have able-bodied people with a rich history and an unparalleled work ethic. They are retrainable. Why not encourage them to train to become carpenters, electricians, pipefitters, et cetera? In my view, this is an option that would provide real opportunities for interested people. Government is adding to the tragedy by providing nothing more than a band-aid solution.

The Hon. the Speaker: I regret to advise you, Senator Cochrane, that your three minutes have expired.

[Translation]

ONTARIO

OTTAWA—LA CITÉ COLLÉGIALE—ANNOUNCEMENT OF FRENCH COURSE IN SHORTHAND REPORTING

Hon. Jean-Robert Gauthier: Honourable senators, yesterday in the Senate, I had the honour of announcing, along with La Cité collégiale, a postsecondary institution in Ottawa, that as of the fall of 2003, they will be offering a course in computer-assisted real-time shorthand reporting in French. La Cité collégiale will be the only postsecondary institution in Canada offering this training in French.

[English]

The Northern Alberta Institute of Technology will continue to offer the program in English at Edmonton. Unfortunately, Langara College in Vancouver will discontinue its program this spring because of budgetary cuts.

[Translation]

Having La Cité collégiale offer this program means greater access to high-quality, specialized training and is aimed at meeting the needs of the labour market for real-time captioning, whether for government, for the legal community or for the communications industry. This new program fills a gap in the market by offering potential employers the specialized staff they require.

The Senate, which is at the leading edge of legislatures in this regard, will be one of the institutions that will benefit from the expertise of future graduates for the reporting of debates in this house and in committee.

In Canada, the captioning of television programs in French lags considerably behind captioning in English. This announcement is excellent news, not only for La Cité collégiale, but especially for the betterment of Canada's French-speaking deaf and hard-of-hearing population, for immigrants, people learning French, and the aging population.

A captionist or reporter is a person who transcribes sounds in real time using phonetic codes that are automatically translated by the computer into readable text on-screen. This three-year program in computer-assisted real-time reporting will train future graduates with theoretical and practical knowledge relating to shorthand reporting in the courts or captioning on television. Training periods will introduce students to the requirements of the job market. This very specialized training requires a mastery of French and the ability to read very quickly.

According to the Job Futures Program of Human Resources Development Canada, captioning of television programs in French is the area where job prospects are the best.

[Later]

[English]

ROUTINE PROCEEDINGS

YUKON ENVIRONMENTAL AND SOCIO-ECONOMIC ASSESSMENT BILL

REPORT OF COMMITTEE

Leave having been given to Presentation of Reports of Standing or Special Committees:

Hon. Tommy Banks, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, May 1, 2003

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

SEVENTH REPORT

Your Committee, to which was referred Bill C-2, *An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon* has, in obedience to the Order of Reference of Thursday, April 3, 2003, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

TOMMY BANKS
Chair

The Hon. the Speaker: When shall this bill be read the third time?

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

QUESTION PERIOD

HEALTH

INFECTION CONTROL

Hon. Wilbert J. Keon: Honourable senators, I have a question for the Leader of the Government. The health emergency surrounding severe acute respiratory syndrome, or SARS, will result in separate reviews of how both the Ontario provincial government and Health Canada responded to the crisis. Those reviews, no doubt, will consider the role that infection control procedures played, and if they could be improved upon in case a similar emergency occurs again.

Infection control, a cornerstone of our health care system, has not been the focus of much government attention or spending in recent years. The SARS situation has brought to light the coordination that is needed by all levels of government when dealing with this particular area.

My question to the Leader of the Government is this: Could she tell us what the federal government is considering in this area?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for his question. As he knows, a colloquium was held just yesterday. It was an international colloquium, bringing together individuals from across the world with specialty in infectious diseases, particularly SARS.

As the honourable senator is also aware, an advisory committee led by the Dean of the University of Toronto Medical School has been established. The dean has, I think, put his finger on the most critical problem: We had, regrettably, believed that diseases like SARS would no longer happen. At one point, outbreaks of tuberculosis and smallpox were common, so we put into place programs and initiatives to deal with them. We have become all too complacent now. We must realize that such complacency can no longer exist and that the three levels of government must work together in order to ensure that we have the right national programs in place.

I stress "national" but I do not stress "federal" because there are distinct differences. The delivery will always be provincial. The federal government can certainly provide advice and monies. The municipal governments, because of their public service and public health responsibilities, will have to be on-line workers, but we need to work on this initiative together.

• (1350)

SEVERE ACUTE RESPIRATORY SYNDROME— EFFORTS TO COMBAT DISEASE

Hon. Wilbert J. Keon: Honourable senators, in addition to a national program, we must make a much stronger contribution to the global safety net in this whole area. We have one particular area of concern at the present time, and that is travel. Could the Leader of the Government update me on what is happening at Pearson airport? Have there been any new initiatives there or just the previous ones?

Hon. Sharon Carstairs (Leader of the Government): I can tell the honourable senator that some changes have been made. As he knows, there has been a travel advisory. There will now be an additional screening procedure. Effective yesterday, passengers will be required to answer questions on an amended Health Canada alert notice. Those who reply yes to any question will be immediately referred to Health Canada assessment personnel and, if necessary, referred to local medical staff. A SARS information video will be produced and made available on all international flights coming into and leaving the country. Health Canada will develop a training package for the airline industry to support airline personnel in responding to questions from passengers on SARS. Finally, experimental temperature monitoring equipment will be installed as quickly as possible on a pilot basis both at Pearson and the Vancouver International Airport.

Senator Stratton: Why not three weeks ago?

WEST NILE VIRUS—CANADA BLOOD SERVICE— SCREENING TEST FOR BLOOD DONORS

Hon. Marjory LeBreton: Honourable senators, my question is for the Leader of the Government in the Senate. In the midst of our ongoing concerns with the SARS outbreak in Toronto, it is important to remember that we will soon have to deal with the West Nile virus, perhaps earlier this year than originally thought. Last year, a cancer patient died after receiving a blood transfusion infected with West Nile. Health Canada is waiting on the development of a screening test for blood donors, which is expected to be in place by July 1, if all goes well of course, as was stated on the Health Canada Web site.

In light of the unexpected discovery of a dead crow north of Toronto that tested positive for the West Nile virus, July 1 may not be soon enough to have a test in place to protect our blood supply.

Is Health Canada pushing for the West Nile screening test for blood donors to be in place much earlier than initially proposed?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for her question because, obviously, there are great concerns about West Nile disease. That is exactly why tests on animals were put into place earlier this year than in previous years.

Health Canada is also very concerned about the risk of serious illness, although I think we must stress that the danger to the general population remains very low. However, if you happen to be the individual who is suffering from the disease, it is not low for you; therefore, it is imperative that we put into place everything we can.

There is, unfortunately, no test available at the present time to screen for West Nile virus in donated blood. However, we are looking at tests that can be made available to provide direction to Canadian blood operators, and we are working on it as quickly as we can.

Senator LeBreton: Honourable senators, Canadian Blood Services and Héma-Québec have stockpiled frozen blood products for use this spring and summer in case the West Nile virus hits earlier than expected. In December, however, Canadian Blood Services asked hospitals to remove frozen blood products collected in Ontario from June to October 2002. The inability to screen these products for the West Nile virus was given as the reason. Did the removal of this stockpile upset the blood supply required for this coming summer? In other words, do we have enough blood supply in our system to meet the need?

Senator Carstairs: I can only assume, since Canadian Blood Services has not made any emergency requests for blood, that they feel confident they have adequate supplies into the months that lay ahead.

The honourable senator has asked a very important question, one that must be taken seriously. I will relay her concerns to the Minister of Health because they are concerns of importance to all Canadians, particularly in Ontario, where SARS seems to be more virulent than in other places.

FISHERIES AND OCEANS

CLOSURE OF COD FISHERIES— GROUNDFISH QUOTAS IN MINISTER'S RIDING

Hon. Ethel Cochrane: Honourable senators, clearly the closure of cod fisheries is devastating many communities in Eastern Canada, but nowhere as significantly as in my province. What is mind-boggling to me, however, is that communities in Minister Thibault's riding of West Nova will not be suffering as a result of his recent announcements. In a press release on April 17, 2003, Minister Thibault announced the total allowable catches for groundfish stocks off Nova Scotia and the Bay of Fundy. In that part of the region, most of the total allowable catches for groundfish stocks will remain the same this year.

We know, of course, that fish swim oblivious to man-made zones or imaginary borderlines. Can the honourable senator tell me why the cod fishery was closed in much of Atlantic Canada in DFO's Gulf and Newfoundland regions, but not in the area that includes the minister's own riding?

Senator Lynch-Staunton: Interesting fish.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I hope the honourable senator is not suggesting that we should not use the best science available. The decision should be made on the basis of scientists evaluating how much cod stock is in a particular area and then determining whether fishing should or should not be allowed in that area.

In the particular area to which the honourable senator refers, which includes, I agree, the Minister of Fisheries' political riding, fishing for cod appears to be average. Therefore, the resource is viable and, therefore, fishers are allowed to continue in their occupation. I can assure the honourable senator that if science shows otherwise, then the fishery will not be allowed to continue.

CANADA-UNITED STATES RELATIONS

PROPOSAL TO DECRIMINALIZE MARIJUANA

Hon. Gerry St. Germain: My question is to the Leader of the Government in the Senate, honourable senators. It relates to the announcement that the Prime Minister made the other night at a Liberal fundraising dinner that he would decriminalize marijuana.

I understand there has already been a reaction from our neighbours, friends and greatest trading partner to the south. Could the minister comment on that, please?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, let us be clear. First of all, the Prime Minister announced that very small amounts of marijuana would be decriminalized. He has not, for example, indicated in any way, shape or form that those trafficking in marijuana would not be guilty of criminal offences. He has not, for example, indicated that possession of large quantities of marijuana would be decriminalized. Individuals in possession of large amounts of marijuana would still be subject to prosecution.

We are talking about small amounts of cannabis, and we know, unfortunately, particularly from the excellent work done by Senator Nolin on the other side, that there is an unfair rate of prosecution in this country. In large urban centres, the use of cannabis is virtually ignored by the police authorities. In small rural communities, it is unfortunately all too often a situation in which the full force of the law is imposed upon young people. Those young people end up with criminal records that prevent them from obtaining employment and from going south of the border.

As the honourable senator suggests, there has been a reaction south of the border, but, interestingly enough, what the Prime Minister is suggesting is exactly the policy in place in 12 states in the United States.

Senator St. Germain: Honourable senators, I am more concerned about our future relationship with the United States and how the decision to decriminalize could impact on negotiations, for example, in the softwood lumber industry. We do not need any more pressure or strain on the relationship between the two countries.

What is the cabinet's version of a "small amount"? Amounts of 32 grams, 2 grams, 20 grams and others have been bandied about, and I believe this is significant in the overall picture of things.

• (1400)

Inasmuch as I am on the opposite side of this issue as my good friend Senator Nolin, I still think that if the government wishes to decriminalize marijuana, we should know exactly what we are talking about. We should not make random statements that will trigger an unnecessary reaction south of the border. I believe the amount of marijuana is key in this regard.

Senator Carstairs: I, too, agree with the honourable senator, which is an unusual thing in this chamber, that the amount should be clearly identified. That is why any change would have to come by way of legislation, and the amount itself will be in the legislation. I anticipate that legislation will come forward very quickly.

Hon. David Tkachuk: Honourable senators, in response to the first question asked on this subject, the minister mentioned first-time users or users of small amounts of marijuana being given criminal records. I would be interested if the minister could obtain information in that regard. My knowledge is that charges are stayed for most first-time users; they do not face criminal charges. It is only on rare occasions that a first-time user would be given a criminal record. Judges, at least now, have the ability to impose a criminal record if they wish. In changing the law, that would be changed. It would be helpful if the minister could obtain that information from the Department of Justice.

Senator Carstairs: The honourable senator has that information in his office, if he would just look at Senator Nolin's very excellent report on behalf of that special committee. He details at length the number of prosecutions. I do not wish to be in error, but it seems there are 40,000 charges each year for marijuana possession. I will check his report myself, but I think that is the figure.

Senator Tkachuk: To clarify, there may be charges, but they are usually stayed, meaning there is no criminal record.

Senator Carstairs: Honourable senators, it is also clear from the statistics that a great number of Canadians end up with criminal records, and I would ask my honourable friend to check the statistics. One statistic I learned yesterday, which astounded me, is that 100,000 Canadians use marijuana each day.

Senator Tkachuk: That statistic should frighten the Canadian people. Perhaps there should be more measures to prevent the use of marijuana, not a lessening of charges to allow the further use of marijuana.

UNITED NATIONS

GLOBAL FUND FOR FIGHTING HIV/AIDS— CALL FOR INCREASED FUNDING

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate. It is about HIV/AIDS.

The United Nations global fund to fight AIDS, malaria and tuberculosis is almost bankrupt due to the lack of support within the developed world. Mr. Stephen Lewis, the United Nations Special Envoy on HIV/AIDS in Africa, has said that Canada should triple its contribution to fighting AIDS, which is currently \$150 million over four years.

[Senator St. Germain]

Honourable senators, it is logical that we should presently be preoccupied with fighting the outbreak of a deadly disease at home, but I would suggest that the situation involving SARS in Toronto should make us even more sympathetic to the plight of Africa, as it shoulders a much heavier burden in trying to deal with the AIDS pandemic.

Could the Leader of the Government in the Senate tell us what the federal government's response is to Mr. Lewis' call for increased funding for the global fund?

Hon. Sharon Carstairs (Leader of the Government): I can tell the honourable senator that the request of Mr. Lewis will be taken seriously. As the honourable senator knows, the Prime Minister announced the \$500-million Africa Fund, from which HIV/AIDS is a potential candidate for funding. However, I would remind the honourable senator, as I would remind all honourable senators, that while HIV/AIDS is a very serious problem and one that we must deal with, it is not the only serious disease impacting Africans. Malaria is, in fact, a greater killer than HIV/AIDS. We must move forward to ensure that not just one disease is funded, but others are as well.

GLOBAL FUND FOR FIGHTING HIV/AIDS—GLAXOSMITHKLINE REDUCTION IN HIV/AIDS DRUG PRICE

Hon. Donald H. Oliver: Honourable senators, on Monday, GlaxoSmithKline, the world's largest manufacturer of AIDS drugs, announced that it would cut in half the price of Combivir, its leading AIDS drug, in 63 poor countries, including all of sub-Saharan Africa. The company cited more efficient manufacturing and economies of scale as the reasons it was able to do this. Although lowering the cost of AIDS drugs is just one element of fighting this disease in the developing world, it is a most welcome announcement and one that was badly needed.

Could the Leader of the Government in the Senate tell us if the Canadian government intends to call on other multinational pharmaceutical companies to follow this lead and reduce the cost of AIDS drugs for poorer countries?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for recognizing the contribution of GlaxoSmithKline. It is interesting that this is not the first time that this particular corporation has acted in a truly humanitarian way. GlaxoSmithKline, for the honourable senator's information, is the one company of which I am aware that gives 13 weeks paid leave to any one of its employees who takes time off to look after a dying family member. This company has a very good corporate record. I am hopeful that other pharmaceutical companies will take heart in its example and make a similar contribution to the worldwide fight on AIDS.

I will mention the honourable senator's question to the Minister of Health and request that, in meeting with other pharmaceutical companies, she raise this example in the hope that similar results can be achieved.

CITIZENSHIP AND IMMIGRATION

REFUGEE CLAIM OF MR. ERNST ZUNDEL— MINISTER'S DISCRETIONARY POWER TO DISMISS CLAIM

Hon. David Tkachuk: Honourable senators, on February 19, Holocaust denier Ernst Zundel was deported to Canada from the United States and promptly made an application for refugee status. As I have said before in this chamber, Minister of Citizenship and Immigration Denis Coderre said at that time:

Those who would abuse the system should watch out for the consequences. And if that occurs, I will make the decisions necessary to ensure the system is not abused.

That statement was made over two months ago. Mr. Zundel is not a refugee; he is a security threat. Could the Leader of the Government in the Senate tell us the status of discussions between Canada and Germany regarding Mr. Zundel's removal to that country to face hate crime charges, and has the German government requested his extradition?

Hon. Sharon Carstairs (Leader of the Government): As the honourable senator knows, there is a refugee process in Canada. Applications can be made. While we were not sitting, I am sure he read that Mr. Zundel had, through his lawyer, requested that he be released to the general public. He was not. He has been kept in detention, where he will remain through the discovery process.

As far as Germany's application to have him brought there, as far as I know, no extradition request has been made.

Senator Tkachuk: Honourable senators, Mr. Zundel could be removed quickly. Just three weeks ago, Mr. Coderre exercised his ministerial discretion and reversed his office's initial refusal to overrule a department decision to force Helen Ann Dougherty, a 75-year-old Holocaust survivor with Alzheimer's disease, to return to the U.S. Pressure from the media, advocacy groups and from within his own party led the minister to make that change. For some reason, the same type of pressure has not sparked similar proactive decision-making in the case of Mr. Zundel.

Why is the minister reluctant to use his discretionary powers to issue a national security certificate in order to expel this individual from our country?

Senator Carstairs: With the greatest respect, the honourable senator compares a case of apples and oranges. In the case to which he refers, the individual had gone through all of the processes and the only thing left was the use of ministerial discretion. It is critical that ministers do not jump the queue and that they ensure that Canadian processes, which have been put in place through legislation passed in this chamber and the other place, are respected. When we come to the very end of the line, yes, there is ministerial discretion. That is part of the legislation. However, it cannot be activated until all the other processes have been agreed to.

• (1410)

Senator Tkachuk: Just so I have this clear, honourable senators, is the Leader of the Government in the Senate saying that ministerial discretion can only be used to overrule a

decision after the whole process is completed by the department; that the minister does not have the right to use it at any other time?

Senator Carstairs: It is my understanding, honourable senators, that ministerial discretion is used in very rare cases, and can only be used when there is a humanitarian reason to initiate the process. Again, all of the other procedures leave the individual in the country while those processes are being fulfilled. Only when the stage is reached where that individual could be forced to leave the country does the minister have the legal authority to examine the situation and to decide if there is a humanitarian reason why ministerial discretion could be used. Only then may he or she choose to use that discretion.

Senator Tkachuk: In the case of a terrorist, the whole process would have to be gone through before the minister would issue a certificate. I am a little confused. Why do we have this certificate, then?

Senator Carstairs: Honourable senators, what Mr. Zundel has applied for is refugee status. There is a process in place. We have statutes. I hope that we have respect in this chamber and throughout the nation for the rule of law. If the minister were to act precipitously, I would suggest to the honourable senator that someone on the other side — perhaps not him — would be standing in their place and arguing vigorously for the protection of the rule of law.

Senator Tkachuk: Honourable senators, I would be doing that if Mr. Zundel were coming from Somalia or some other place that is a human rights abuser. However, he is coming from the United States. There is a huge difference there. Will all United States citizens who come in here go through the same process?

Senator Carstairs: Honourable senators, we have laws. Please, we need to respect the laws. Sometimes respecting the law is inconvenient and unpleasant. It may annoy or disturb us. There is no person in this chamber, I suspect, who would like this individual to remain in this country. We would like to see him leave this country, with the greatest despatch possible. However, we have rules, and those rules must be followed.

Senator Lynch-Staunton: You spent too much time going after Mulroney, and you forgot about Zundel.

FOREIGN AFFAIRS

NORTH ATLANTIC TREATY ORGANIZATION— PROPOSAL TO CREATE SEPARATE EUROPEAN MILITARY FORCE

Hon. Norman K. Atkins: Honourable senators, my question is for the Leader of the Government in the Senate. On Tuesday, April 29, France, Germany, Belgium and Luxembourg agreed to establish a European armed force with headquarters in Belgium. The proposal includes a multinational military force separate from NATO. Many have speculated that the move towards a European military force would greatly reduce the effectiveness of NATO, and may lead to its dissolution.

Would the Leader of the Government in the Senate inform this chamber what the position of the Canadian government is with regard to the information on this new military force and its potential for destabilizing the power of Canada's two greatest historical allies, the United States and Britain, as well as NATO? Where do Canada's ties lie?

Hon. Sharon Carstairs (Leader of the Government): As the honourable senator knows, Canada has been a strong supporter of NATO since the time it came into force and effect. We believe that what should occur is a continuous strengthening of that alliance.

The decision by several European countries to combine their forces does not fly in the face of any NATO agreement. They are well within their authority to do so, in the same way as they have created common currencies and a common economic system. One should not assume that such an action would destabilize NATO. One may look at these developments positively: It may even enhance the NATO alliance.

Senator Atkins: Honourable senators, it may or it may not. It has been suggested by former U.S. Ambassador Gordon Giffin that Canada could act as a broker between these countries to tighten the organization and, indeed, play down any alienation felt by NATO's members after the war in Iraq. In doing so, Canada might be able to rebuild its reputation as a facilitator and peacekeeper on the world stage.

Would the Leader of the Government tell us if Canada has been asked to participate in such a capacity, or if it intends to proactively offer its services to such an effect?

Senator Carstairs: Honourable senators, the premise of the honourable senator's question is that Canada needs to rebuild its role as a facilitator. On the contrary, I do not think Canada needs to rebuild its role as a facilitator. Indeed, Canada is a well-recognized international facilitator on a number of fronts. In terms of whether Canada has been asked the question, the answer, to the best of my knowledge, is no, they have not.

Senator Atkins: Canada has a stake in NATO. I think it would be in our interest to know exactly how this situation will play out and what part Canada may play.

Senator Carstairs: Honourable senators, Canada clearly does have a stake in NATO. However, it does not have a stake in the individual decisions made by members of European communities to come together, any more than we had a decision to make in whether or not they would go to a common currency. They, too, are sovereign nations, and they have a right, under certain circumstances, to make sovereign decisions.

It is important for NATO to be aware of what these nations are doing, and in particular, to see if it can enhance the relationship that they have with NATO, but there is a limit to what NATO can do to interfere with their individual activities.

Senator Atkins: Honourable senators, in regard to membership in NATO, it is important that there not be some impact from these activities on the interests of the United States and Britain, in terms of affiliation with NATO.

[Senator Atkins]

Senator Carstairs: Honourable senators, because individual countries make decisions that are sometimes different from those made by the United States does not make us any less a player in NATO, the United Nations, NORAD or any other agreement that we might have. That not only applies to our relationship with the United States but also to the relationship of other nations, in particular the European nations, to the United States.

All of the member states in NATO have certain obligations. They can only remain part of NATO provided they adhere to those obligations. There is nothing in this agreement — at least to anyone's knowledge at this point — that would indicate that those nations involved will be less than supportive in their NATO commitment.

[Translation]

ANSWERS TO ORDER PAPER QUESTIONS TABLED

WESTERN ECONOMIC DIVERSIFICATION— ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 14, 15 and 16 on the Order Paper—by Senator Kenny.

HERITAGE—ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 41, 42 and 43 on the Order Paper—by Senator Kenny.

ATLANTIC CANADA OPPORTUNITIES AGENCY— ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answer to Question No. 50 on the Order Paper—by Senator Kenny.

COMMUNICATION CANADA—PUBLIC WORKS AND GOVERNMENT SERVICES CANADA— ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 56, 57 and 58 on the Order Paper—by Senator Kenny.

ECONOMIC DEVELOPMENT AGENCY— ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 59 and 60 on the Order Paper—by Senator Kenny.

NATIONAL PAROLE BOARD— ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 62, 63 and 64 on the Order Paper—by Senator Kenny.

SOLICITOR GENERAL—ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 67, 68 and 69 on the Order Paper—by Senator Kenny.

FISHERIES AND OCEANS—ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 73, 74 and 75 on the Order Paper—by Senator Kenny.

CORRECTIONAL SERVICE—ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 81, 82 and 83 on the Order Paper—by Senator Kenny.

PARKS CANADA—ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 90 and 91 on the Order Paper—by Senator Kenny.

CITIZENSHIP AND IMMIGRATION—
ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 92, 93 and 94 on the Order Paper—by Senator Kenny.

ROYAL CANADIAN MOUNTED POLICE—
ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answers to Questions Nos. 98, 99 and 100 on the Order Paper—by Senator Kenny.

NATIONAL BATTLEFIELDS COMMISSION—
ALTERNATIVE FUELS ACT

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answer to Question No. 102 on the Order Paper—by Senator Kenny.

• (1420)

[English]

ORDERS OF THE DAY

CODE OF CONDUCT AND ETHICS GUIDELINES

INTERIM REPORT OF RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the eighth report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament entitled: *Government Ethics Initiative*, deposited with the Clerk of the Senate on April 10, 2003.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, it is a pleasure for me to join the debate this afternoon on this important issue, an ethics package for parliamentarians.

I would like, first, to commend and thank Senator Milne as Chair, Senator Andreychuk as Deputy Chair, and the other members of the Standing Committee on Rules, Procedures and the Rights of Parliament for their hard work on this package and the comments set out in their interim report.

Once again, the members of this chamber have demonstrated the value of their study and insight into government initiatives. The government has now tabled its bill in the other place and we can see clearly the impact of the concerns expressed by honourable senators. A number of significant changes have been made to the draft bill originally tabled; changes made specifically in response to concerns expressed by our committee, and I will elaborate on these shortly.

Honourable senators, I want to speak briefly about the background of this bill. This is an issue that touches each and every one of us directly. I understand that it is a sensitive matter for some. The Senate has had rules governing the conduct of senators for, in some cases, many years. A number of senators point to these rules and question the need for more. They point out that this chamber — happily, I think — has been relatively free of allegations that individual senators used their position to advance their private interests. Those unfortunate incidents that have arisen were addressed under the existing laws and rules, including the Criminal Code. Those senators argue, essentially, if it ain't broke why fix it?

Honourable senators, I do not believe that that is good enough. Canadians expect better of us, and they deserve better from us. We all know that the rules that exist now are in some cases woefully out of date and in other cases woefully inadequate. For example, section 14 of the Parliament of Canada Act prohibits senators from being a party to a government contract. The purpose, as honourable senators know, is to ensure the constitutional separation of the Senate from executive control. The basic prohibition reads:

No person who is a member of the Senate shall, directly or indirectly, knowingly and wilfully be a party to or be concerned in any contract under which the public money of Canada is to be paid.

However, the section goes on to set out exceptions to this rule. In particular, a member need only set up a private corporation to shield himself or herself almost completely from the prohibition. The only time this would not work is in the case of a contract to build a public work. That, no doubt, made good sense 100 years ago when the section was drafted and the government's big contract, or the ones of particular concern, were to build public works. Today, with government involved in so many areas, I do not believe it makes sense.

The procedure set out in this section in the event that a senator breaches it is also quite antiquated; a historical curiosity, if you will, but one which, alas, is still the procedure we would have to follow today. Someone would have to sue the senator in court and then recover the fixed sum of \$200 for each day the contravention continued. That is one example of where our rules and laws simply do not reflect current realities.

Some senators have pointed to rule 94 of the *Rules of the Senate of Canada* as an example of the high standards to which we hold ourselves in this chamber. Indeed, that rule does permit disclosure of certain private financial interests held by senators. However, whether or not a committee orders its members to make that disclosure is completely discretionary. Rule 94(3) is the relevant provision. It reads:

Where a select committee considers that it would be in the public interest in respect of its consideration of an order of reference, the committee may order its members to disclose the existence of their private financial interests, whether held directly or indirectly, in respect of the matter.

In other words, honourable senators, even if the committee decides that disclosure would be in the public interest, the committee is still not required to order disclosure, and that rule contains the full breadth of our current disclosure obligations.

Currently, there is no requirement to disclose private interests that one has in any matter before the Senate. One may speak in this chamber on a matter or may speak in a private meeting without ever disclosing one's personal interest.

A number of senators have pointed out that cabinet ministers make decisions that can affect private interests while senators do not. I believe that honourable senators are being much too modest when they take that position. Certainly, from the public's perspective, senators enjoy a level of access and a potential to exercise quiet influence that is vastly beyond that of ordinary citizens, and nothing in the current rules or legislation addresses this. Unless the actions rise to the level of being criminal under the Criminal Code, no rule or statute addresses the use of influence to further private interests.

These are just a few of the numerous inadequacies that I believe exist in the current regime.

In their interim report, the Standing Committee on Rules, Procedures and the Rights of Parliament agreed that a new approach could be beneficial to individual senators and to the Senate as a whole. The report concludes that the current rules regarding conduct should be "consolidated, modernized, clarified and expanded." These are the words of the honourable senators who are members of this committee. I look forward to seeing the results of the committee's further study, and the rules that they recommend for adoption by the Senate to govern the conduct of us all.

Some honourable senators have questioned the government's timing in introducing this package. They ask: "Why now? There have not been any allegations of problems among senators or back-bench members of the other place." I would ask honourable senators, in these days following the Jewish holiday of Passover,

to answer that question in the words of the great sage Hillel, who said: "If not now, when?" Do we want to wait until there is a problem and we are forced to react? Is it not better to consider the matter now, without the pressure of a scandal, and together arrive at a good and just resolution?

This is not a new issue, honourable senators. It has been studied for at least 30 years. In 1973, the Honourable Allan J. MacEachen, then President of the Privy Council, presented a green paper on members of Parliament and conflict of interest. That green paper, interestingly, proposed enactment in statute of an independence of Parliament act.

Many of the ideas and principles in the draft package before you today, honourable senators, including that of an independent ethics adviser and that of public disclosure of senators' private interests, were set out more than 10 years ago in the 1992 report of the special joint committee of the Senate and the House of Commons, prepared under the co-chairmanship of our former colleague the Honourable Senator Richard Stanbury and Don Blenkarn, then member of Parliament for Mississauga South. That all-party committee, with strong representation from both houses, including Senator Oliver, Senator De Bané, Senator Callbeck and Senator Prud'homme — although Senators Prud'homme and Callbeck were not senators in those days but members of the other place — was unanimous in its recommendations.

The excellent joint committee co-chaired by Senator Oliver and the current Speaker of the House of Commons, Mr. Milliken, built upon that foundation when it issued its report and recommendations in 1997. As you know, the proposed code of conduct in the package before you now essentially implements the recommendations of the Oliver-Milliken report.

• (1430)

Parliamentarians from both the Senate and the other place have been recommending this kind of regime to apply to all parliamentarians, including senators and backbench members of the other place, for over a decade. Almost every province and territory in this country has a similar regime in place governing the conduct of representatives.

Honourable senators, it is time. We here in this chamber may be absolutely confident in our individual and collective ethical standards. However, we were each summoned here to represent the interests and concerns of Canadians, and we cannot ignore the fact that Canadians do not share our high level of confidence.

Professor Maureen Mancuso, one of the leading experts in Canada on ethics in public life, testified before the Standing Committee on Rules, Procedures and the Rights of Parliament. She produced results from an extensive study that she conducted in 1999, to gauge the state of political ethics and people's attitudes towards questions of corruption. Her results should concern us all. For example, only 34 per cent of the public said that they have some or a great deal of confidence in the Senate. This may be

contrasted with corresponding levels for the courts at 70 per cent, the civil service at 61 per cent, the media at 51 per cent, and Parliament as a whole at 46 per cent. Meanwhile, her research showed that our self-perception, unfortunately, is not in line with the public's perception.

Politicians were surveyed, and only 49 per cent of politicians had some or a great deal of confidence in the Senate. Meanwhile, fully 90 per cent of the politicians have confidence in Parliament as a whole. This is almost twice the percentage of the public who share this confidence at 46 per cent.

Professor Mancuso testified, and I quote:

Basically, when you look at the data, you see that fully two out of every five Canadians have no confidence at all in the Senate as an institution, and twice as many share a similarly dismal opinion of Parliament as a whole. I feel that that is an issue that needs to be addressed. Again, cautioning whether it is realistic or not, I still think that there is work to do to get at that.

The Code is a good first step. This is a Code that really does establish some important standards that would apply universally to all parliamentarians, emphasizing the requirement for parliamentarians to avoid not only real but even apparent conflicts of interest. It enshrines in the Code the principles of disclosure and transparency, at least with respect to the office of the Ethics Commissioner, if not the public. It recognizes the importance of providing ethical guidance and advice to parliamentarians, most of whom we know are willing to do the right thing but are often confronted with confusing and conflicting obligations.

Most importantly, it finally puts the Ethics Commissioner on a sound institutional footing by making it a position of parliamentary scope and accountability rather than an arm of the Prime Minister's office. That is an important development.

Honourable senators, the position of an independent ethics officer or commissioner, whatever one chooses to call him or her, is central to the proposed regime. This person would both advise senators on their obligations under the code to help senators prevent any problems arising, and he or she would be the one to investigate alleged breaches of the code and then report to the Senate.

Interestingly, Professor Mancuso testified that when her researchers asked the public what kind of reform measures they thought would reduce corruption, fully 61 per cent, the largest percentage of responses received, said, to create an independent ethics commissioner to investigate complaints. The proposed ethics package would do this.

The office of the ethics commissioner is probably the single most difficult issue with which the Standing Committee on Rules, Procedures and the Rights of Parliament has grappled to date on this package. Nearly the entire interim report deals with one or another aspect of this position. In particular, senators both on

and off the committee have expressed concern that, constitutionally, the Senate, the House of Commons and the executive are each separate entities, and the Senate ethics officer, or any other name for an ethics commissioner, should be separate as well to reflect this division.

I am happy to tell honourable senators, or those who have not yet had time to read the bill, that the bill introduced in the other place by the government reflects this separation. It would authorize the appointment of a separate Senate ethics officer. As recommended in the interim report of the Standing Committee on Rules, Procedures and the Rights of Parliament, the Senate ethics officer would be appointed only after consultation with the leader of every recognized party in the Senate, and only after the approval of the appointment by resolution of this chamber. The term of office has been extended, as recommended by the committee, from five years to seven years. He or she may be reappointed for one or more terms. Of course, a reappointment would again require consultation with the leadership of the recognized parties in the Senate, and again, a resolution in this chamber.

Notably, the bill does not seek to define the duties and functions of the Senate ethics officer. These will be defined by this chamber in our rules. This is made very clear in subsection 20.5(1) of the bill:

The Senate Ethics Officer shall perform the duties and functions assigned by the Senate for governing the conduct of members of the Senate when carrying out the duties and functions of their office as members of the Senate.

I would also draw to the attention of honourable senators the next subsection, 20.5(2), which states:

The duties and functions of the Senate Ethics Officer are carried out within the institution of the Senate. The Senate Ethics Officer enjoys the privileges and immunities of the Senate and its members when carrying out those duties and functions.

I will return to this subsection later in my remarks, but I want to point out that this subsection is included with this wording in direct response to concerns raised in the Standing Committee on Rules.

Once again, honourable senators, the members of this chamber have been able, by timely intervention, to significantly alter draft legislation before it is introduced in the other place. When I first spoke in this chamber about the ethics package that had been tabled here, and then when I appeared before the Standing Committee on Rules, Procedures and the Rights of Parliament, I noted that the Prime Minister had stated very clearly that the government would be open to changes recommended by the Senate committee and the committee in the other place. Indeed, those points relevant to the bill on which members of the Senate committee were in agreement are all reflected in the bill that has been tabled in the other place. This chamber has made a difference once again, and I thank and congratulate you.

Honourable senators, I want to address one matter that has been an issue for many honourable senators. That is, whether the Senate ethics officer should be appointed pursuant to statute or under the *Rules of the Senate*. The government believes that the Senate ethics officer should be appointed pursuant to the Parliament of Canada Act, and this is the proposal set out in the bill tabled in the other place. Let me take a few moments to address the concerns that have been raised to this approach, and explain why the government is maintaining its original position on this issue.

Some senators are concerned that using a statute would create a significant risk of judicial intervention in the actions of the Senate ethics officer that would directly conflict with the constitutional independence of the Senate and the rights and obligations of senators. In effect, they are concerned that to appoint a Senate ethics officer pursuant to statute would undermine parliamentary privilege.

These are serious concerns, honourable senators. Parliamentary privilege is a fundamental pillar of our democratic institutions. However, it is a pillar to support democracy; it is not there to hide behind. We must look carefully and seriously at the claims and then use our best judgment to assess their merits.

• (1440)

First, honourable senators, we should be very clear: There have been cases brought before the courts related to the activities of provincial and territorial ethics commissioners. These courts have uniformly upheld the principle that privilege attaches to their activities, and held that ethics commissioners' activities are not subject to review by the courts. These are not merely trial court decisions, honourable senators. The leading case, *Tafler v. Hughes*, is from the British Columbia Court of Appeal. The court was very clear:

In my opinion, the privileges of the Legislative Assembly extend to the Commissioner who is expressly made an officer of the Assembly by subsection 10(1) of the *Member's Conflict of Interest Act*. In my opinion, decisions made by the Commissioner in the carrying out of the Commissioner's powers under the Act are decisions made within, and with respect to, the privileges of the Legislative Assembly and are not reviewable in the courts.

This case has already been applied by other Canadian courts; it is not a "one-off," nor has it been, in any way, criticized or even questioned. For example, the Northwest Territories Supreme Court applied *Tafler* directly in 1999 in the case of *Morin v. Northwest Territories*. Donald Morin brought the case arguing that there had been a denial of natural justice in the inquiry by the Northwest Territories Conflict of Interest Commissioner. The court held that the facts were indistinguishable from those in *Tafler*. It found the role of the conflicts commissioner to be an extension of the legislature's inherent right to discipline its members and therefore immune from judicial review. The judge said:

In my opinion, the case before me is indistinguishable from the one in *Tafler*. The Commissioner is required to carry out an inquiry into alleged violations of conflict of interest rules that the members, as a collective body, enacted to govern themselves. The Commissioner reports to the Assembly through the Speaker. The ultimate decision on discipline is then taken by the members collectively. Since the discipline of members is an inherent privilege of the Legislature, and since the Commissioner is engaged in an investigation on behalf of the Legislature, then her actions are an extension of the exercise of that privilege. Thus they are not subject to judicial review.

Some senators point, with concern, to a more recent decision by the same Supreme Court judge from the Northwest Territories in *Roberts v. Northwest Territories (Commissioner)*. That case, however, was very different — although I agree that it is important for us to consider. Consequently, I would like to provide honourable senators with some detail about that decision.

The case arose out of the very early revocation of the appointment of the Conflict of Interest Commissioner, contrary to the provisions of the statute. The act provided that the commissioner could be removed from office by the Commissioner of the Northwest Territories, on the recommendation of the legislative assembly, for cause or incapacity. Following a series of events that, by the way, saw the resignation from office of a territorial cabinet minister and two senior aides to the premier, the assembly resolved that it had "lost confidence" in the Conflict of Interest Commissioner. Notably, there was no performance review and, especially, no finding of either cause or incapacity — just a resolution of loss of confidence. Based on that resolution, the conflicts commissioner was removed from office. She then sought judicial review of that action.

The court — interestingly enough, exactly the same judge who decided *Morin* a few years earlier — held that privilege did not operate here to shield the actions from review. The issue in *Roberts* was emphatically not concerned with the actions or functions of the Conflict of Interest Commissioner. The judge in *Roberts* reiterated her holding from *Morin* that the functions of the conflict of interest are encompassed by privilege. She said:

I have no argument, obviously, with the proposition that the regulation of the conduct of its members, and the imposition of disciplinary measures, is an elemental exercise of the legislature's privilege.

However, the issue in *Roberts*, as the judge correctly noted, was very different. Here, it was a matter of upholding and securing the critical independence of the Conflict of Interest Commissioner. The judge said:

The Conflict Commissioner therefore serves not just the legislature and its members but the public as well in making sure that members comply with their obligations. There is therefore a need for the Conflict Commissioner to maintain a somewhat arms-length relationship with the Legislative Assembly.

[Senator Carstairs]

All this is simply to say that there is a need to secure the independence of the Conflict Commissioner. The elected members, and more important the public, must have confidence that the Conflict Commissioner will, and is able to, carry out his or her duties impartially and effectively. No one disputed this proposition.

Had the court refused to review the decision, it would have allowed the legislative assembly to in effect use privilege as a shield to protect itself from complying with its own contractual obligations to the Conflict of Interest Commissioner and its statutory undertaking that the conflict commissioner would be independent and removable only for cause or incapacity. The court later went on to note:

The argument that the Assembly's actions in recommending removal from office are covered by privilege is simply another way of saying that the Conflict Commissioner serves at pleasure.

Honourable senators, I have no difficulty accepting the *Roberts* decision, and it, in no way, casts any doubt, in my view, upon the line of cases holding that the actions of provincial and territorial ethics commissioners — appointed by statute — are protected by privilege and the courts cannot review them. The court in *Roberts* was very clear on this. *Tafler* is very much Canadian law.

We should be very clear. The concern expressed by some honourable senators is not that the Canadian courts now would intervene under existing case law; they would not. Rather, the concern is that, at some point in the future, the courts could reverse their current position and then seek to intervene.

Honourable senators, in all of our actions in this place, whenever we are considering a public bill that will impact millions of Canadians, we exercise our best judgment based on Canadian law as it exists currently. It is not our constitutional role to second-guess whether the courts will reverse themselves at some time in the future. We pass laws regularly, that we assess on the basis of the law as it is now. I would be deeply concerned if we allowed ourselves to apply a different standard when a bill relates to ourselves than when one relates to Canadians generally.

In fact, the *Tafler* decision makes eminent sense and there is no objective reason to believe that a court will overrule it in the future. The matters at issue fall squarely within the ambit of traditional parliamentary privilege.

Honourable senators, why do we have privilege? It is to protect the independence of the institution and the dignity of the institution. Erskine May defines Parliamentary privilege as follows:

Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the

general law. Certain rights and immunities such as freedom from arrest or freedom of speech belong primarily to individual Members of each House and exist because the House cannot perform its functions without unimpeded use of the services of its Members. Other such rights and immunities such as the power to punish for contempt and the power to regulate its own constitution belong primarily to each House as a collective body, for the protection of its Members and the vindication of its own authority and dignity. Fundamentally, however, it is only as a means to the effective discharge of the collective functions of the House that the individual privileges are enjoyed by Members.

Beauchesne, after quoting this same section, later goes on:

The most fundamental privilege of the House as a whole is to establish rules of procedure for itself and to enforce them. A few rules are laid down in the *Constitution Act*, but the vast majority are resolutions of the House which may be added to, amended, or repealed at the discretion of the House.

Maingot, in his treatise *Parliamentary Privilege in Canada*, notes that Parliament's jurisdiction over its members is "absolute and exclusive." He cites several prominent British decisions from the 19th century, relevant to us as they predate Confederation and therefore define the scope of our parliamentary privilege as well — *Bradlaugh v. Gossett*, *Burdett v. Abbott*, *Stockdale v. Hansard* — saying that they "are emphatic that 'the jurisdiction of the Houses over their own Members, their right to impose discipline within their walls, is absolute and exclusive'." On such matters, the courts decline jurisdiction.

• (1450)

Indeed, our own Supreme Court has uniformly agreed. Chief Justice McLachlin — now chief, but not at the time of her writing this decision — wrote in the leading case, *Harvey v. New Brunswick*:

The history of the prerogative of Parliament and legislative assemblies to maintain the integrity of their processes by disciplining, purging and disqualifying those who abuse them is as old as Parliament itself.

She later elaborated and said:

The right of expulsion on these two grounds — discipline and unfit behaviour — is a matter of parliamentary privilege and is not subject to judicial review....

The absence of judicial review where a legitimate ground of expulsion is established may be interpreted as a recognition that a broad and unfettered right to expel members, free from judicial interference and the uncertainty, conflict and delay that such interference might engender, is necessary to the proper functioning of democracy. Indeed, the need for dignity and efficiency in the House has long been accepted as requiring nothing less. The history of the struggle for parliamentary privilege supports this conclusion.

Interestingly, for purposes of our issue, Chief Justice McLachlin observed:

The history of the power of a legislative body to make *statutory rules of disqualification* for candidature goes back at least two centuries. Convictions for corrupt and illegal election practices have been automatic disqualifications for many years both in Great Britain and in Canada. It may be concluded therefore, as does [Andrew] Heard that “[t]he setting of disqualifications of statute...seem[s] logically to belong to [the] ancient privilege to determine matters relating to the election of members.”

Finally, Chief Justice McLachlin concluded as follows:

I conclude that the power to disqualify members for corruption is necessary to the dignity, integrity and efficient functioning of a legislature. As such, it is protected by parliamentary privilege and falls outside the ambit of s. 3 of the *Charter*. It is a matter for the legislature, not the courts, to determine.

I note that the fact of setting out even the qualifying principles and rules themselves in statute did not disqualify them from falling within privilege, nor did the fact of their enactment in statute allow the court to review their exercise. Of course, that is not what is proposed, here. The code of conduct, as envisaged in this ethics proposal, would be set out in Senate rules; only the Senate ethics officer's appointment is provided for in the statute.

Honourable senators, it is clear from this review of the authorities on parliamentary privilege that the matters involved in this ethics package fall squarely within parliamentary privilege. They relate to the power of the Senate to control and regulate the conduct of its members. This is not a “borderline” issue. Nothing in any case — not even the Federal Court of Appeal judgment in *Vaid*, which I know is cause of concern for some senators — casts any doubt on this being full and foursquare protected by parliamentary privilege. That case may suggest a change in approach to questions of privilege. Specifically, it suggests courts should look both at the existence and exercise of privilege to ensure it in fact applies. However, even *Vaid* noted that “the power to disqualify members for corruption is necessary to the dignity, integrity and efficient functioning of a legislature.” That principle and Parliament's privilege “to maintain the integrity of their processes by disciplining, purging and disqualifying those who abuse them” has never been questioned or challenged.

The proposed package would establish a regime whereby the Senate ethics officer has an advisory role only. He or she would investigate alleged breaches of the rules, but then could only report to the Senate on the results. The Senate would retain control over its members and the disposition of any alleged breach. Again, this is squarely the regime that was considered by the British Columbia Court of Appeal in *Tafler* and found to extend privilege to the ethics commissioner's activities. It is, of

course, open to this chamber to draft the rules it chooses, and I would expect honourable senators to ensure that the elements found important in *Tafler* are incorporated into our rules.

We should also be very clear as to what exactly is being proposed and what is not. It is not being proposed that the rules of conduct for senators be set out in statute. Some senators have discussed using a statute-based system or a rules-based system. I believe that language is confusing and potentially misleading. As proposed, the rules governing senators' conduct would be set out in the *Rules of the Senate*. All that would be in statute would be the provisions authorizing the appointment of the Senate ethics officer.

This is not unprecedented, honourable senators. Our own Clerk of the Senate is appointed pursuant to statute, the Public Service Employment Act. No one has ever suggested that, by virtue of this, a court could review the activities of the clerk.

It also bears noting that the statute that would be amended to provide for the appointment of the Senate ethics officer is the Parliament of Canada Act. That statute itself is cited as one of the sources of parliamentary privilege in Canada.

I will confess, honourable senators, that I have difficulty with the argument that an amendment to the Parliament of Canada Act, a critical source of parliamentary privilege in this country, could somehow undermine parliamentary privilege.

Indeed, we should not forget that right now many of the substantive rules of conduct are set out in the Parliament of Canada Act itself. The proposal is to remove them from the statute, replace them with rules set out in the *Rules of the Senate*, and simply have the Senate ethics officer appointed pursuant to the Parliament of Canada Act.

Finally, much has been made of the fact that the Oliver-Milliken committee recommended that the rules and the independent ethics officer — called then, by Senator Oliver, a juriconsult — all be contained and appointed pursuant to the Senate rules. However, the previous all-party special joint committee, the Stanbury-Blenkarn committee, which issued a unanimous report and whose members included a number of our colleagues, had recommended placing everything, rules of conduct as well as the appointment of the juriconsult, in the Parliament of Canada Act. The idea is certainly not unprecedented. The current proposal would, I think, be seen reasonably as an amalgam of the two.

Indeed, the committee in the other place that studied the ethics package and the draft bill concluded that it is critical that legislation be used to appoint an ethics commissioner. In their final report tabled in the other place on April 10, 2003, they said:

In order to implement such a —

— conflict of interest —

— Code, however, it is essential that an Ethics Commissioner be appointed. This can only be done through legislation.

The bill that has been tabled in the other place itself contains additional provisions designed specifically to ensure that the activities of the Senate ethics officer are protected by parliamentary privilege. As I mentioned earlier, subsection 20.5(2) provides explicitly, and let me repeat:

The duties and functions of the Senate Ethics Officer are carried out within the institution of the Senate. The Senate Ethics Officer enjoys the privileges and immunities of the Senate and its members when carrying out those duties and functions.

This wording is directly responsive to concerns expressed by the Senate Law Clerk and Parliamentary Counsel when he appeared before the Standing Committee on Rules, Procedures and the Rights of Parliament.

The bill includes additional safeguard provisions. For example, subsection 20.5 (5) states:

For greater certainty, this section shall not be construed as limiting in any way the powers, privileges, rights and immunities of the Senate or its members.

Further, section 20.6(1) provides:

The Senate Ethics Officer, or any person acting on behalf or under the direction of the Senate Ethics Officer, is not a competent or compellable witness in respect of any matter coming to his or her knowledge as a result of exercising any powers or performing any duties or functions of the Senate Ethics Officer under this act.

Section 20.6(2) states:

No criminal or civil proceedings lie against the Senate Ethics Officer, or any person acting on behalf or under the direction of the Senate Ethics Officer, for anything done, reported or said in good faith in the exercise or purported exercise of any power, or the performance or purported performance of any duty or function, of the Senate Ethics Officer under this Act.

• (1500)

The proposed section 20.6(3) states:

The protection provided under subsections (1) and (2) does not limit any powers, privileges, rights and immunities that the Senate Ethics Officer may otherwise enjoy.

I will depart from my text to say that I think the drafters of the bill were reading the report of this committee, line by line, as they wrote this particular piece of legislation.

I have tried to explain why the government believes that we can proceed by way of amending the Parliament of Canada Act without seriously risking our privilege as a chamber. Let me now explain why the government believes that we should proceed in this way.

Honourable senators, the government believes that we should have a Senate ethics officer who is, and is seen to be, both by us and by the Canadian public, independent. The government believes that we should be able to attract the very best candidates to fill this critical position; someone who could command our respect as an individual, and our acceptance of his or her advice, and who could satisfy the Canadian public that our activities are being conducted to a very high standard of ethical behaviour.

The government understands that some senators sincerely believe that this can be achieved by someone who is appointed under the Senate rules. The government disagrees. It believes that we risk having someone who is perceived to be our employee, and therefore lacking the crucial independence needed for this position.

Earlier, I quoted from the Northwest Territories Supreme Court's decision in *Roberts*. The court noted that the conflict of interest provisions, while dealing with the internal regulation of elected members, also served the public interest by ensuring that members will work solely in the public interest, and not in their own interest. The court noted that:

...there is a need to secure the independence of the Conflict Commissioner. The elected members, and more important the public, must have confidence that the Conflict Commissioner will, and is able to, carry out his or her duties impartially and effectively.

In that case, the court suggested that this independence, this ability to carry out the duties impartially and effectively, would be undermined if the assembly were simply able to remove the conflict commissioner at will. The purpose of the statutory provision on term and tenure was precisely to avoid that situation; it was to provide the critical independence by statutory security of tenure and statutory restrictions on the grounds for which the commissioner could be removed. The government agrees.

Enshrining the position in the Parliament of Canada Act provides an important measure of permanence and stability. Not only will this reassure the Canadian public that the officer cannot simply be removed by this chamber on a whim or because senators do not like the advice they are given, but this will also help us to attract the very best candidates for the job. It is clear that the other place will have their ethics commissioner appointed pursuant to the Parliament of Canada Act.

I would not want to suggest that the Senate ethics officer is, in any way, on a lesser plane or enjoying a lesser degree of independence, permanence or stability. That is not anyone's intention, I am sure, but it should not be the inadvertent result.

Some senators have pointed to the model in the British House of Lords as an example of what could, and perhaps should, be adopted in this chamber. Pursuant to their rules — not a statute — the Lords have appointed a Registrar of Interests. This individual has a relatively limited role in overseeing the Lords' disclosures obligations.

Honourable senators, the Senate of Canada is a very different body with vastly different responsibilities from those of the British House of Lords. We are both upper houses in a British constitutional system, but the resemblance arguably ends there. Our political culture is very different. The British Registrar of Interests himself told the Senate Rules Committee of some of those differences.

The House of Lords is essentially a part-time body. It is not a house of professional politicians. They do not receive a salary for their membership. Those facts distinguish the House of Lords sufficiently from the House of Commons that it was considered unnecessary to impose the same stringent rules of conduct on the Lords as are imposed on members of their other place. Members of the House of Lords not only can pursue outside activities for financial gain but they must, since the House of Lords provides them with none.

Honourable senators, the Canadian public justifiably has different expectations of members of the Senate of Canada. We are required to attend whenever the Senate sits and we are paid well for our service. I believe we must be held to at least as high a standard of conduct as members of the other place. Indeed, one could argue that we should be held to an even higher standard of conduct than members of the other place because, unlike members of the other place, we do not return to the electorate every few years for a renewed mandate. We, ourselves, must be vigilant in upholding the public trust invested in us. Accordingly, I would argue that there is, if anything, a more pressing need to ensure that our ethics officer is independent, as compared to the need for independence that exists in the other place.

In conclusion, the existing regime is simply no longer adequate. The rules are terribly out of date in some cases; in other cases, the rules simply fail to address the reality of our situation as senators in the 21st century.

I know that some honourable senators question the government's timing in introducing this package, suggesting that there is no pressing need now to address these issues, as there is no issue involving questionable activities of anyone in our chamber. My answer, quite simply, is that this is the best time to address such an issue — before there is a problem.

Moreover, this is not a new issue. The history of trying to modernize the conflict of interest rules for parliamentarians goes back more than 30 years. Parliamentarians from both chambers have been proposing a structure very much like the one proposed in the present ethics package, for over a decade. It is definitely not too early to act on this important issue.

[Senator Carstairs]

We are confident in our ethical standards. I believe we are justified in that view. Unfortunately, the Canadian public does not share that high opinion. Fully two out of every five Canadians have no confidence at all in the Senate as an institution. When asked what kind of reform measures members of the public thought would reduce corruption, fully 61 per cent — the largest percentage of responses received — said an independent ethics commissioner role should be created to investigate complaints.

That is precisely what this proposed ethics package would do. However, honourable senators, the government believes the way to ensure that the Senate ethics officer is truly independent is to enshrine the position in legislation, not simply in our own Senate rules which can be easily changed. The Senate ethics officer must be, and must be seen to be, much more than a Senate employee. Putting the position into the Parliament of Canada Act, our most fundamental statute governing our activities, and legislating the position with a term and with clear conditions for removal ensures that this person will be independent and will have the necessary stability and permanence of tenure to do the job which we deserve and expect, and which Canadians deserve and expect.

Some senators have raised questions concerning whether we would somehow be inviting the courts to review our activities by establishing this position in legislation. For the many reasons I have elaborated in this speech, I am satisfied that we would not. We would not be undermining parliamentary privilege. Indeed, the statute in question, the Parliament of Canada Act, is itself one of our most fundamental sources of parliamentary privilege. Canadian courts have uniformly upheld that the activities of ethics commissioners are indeed protected by privilege. I believe we can put those fears to rest.

Honourable senators, we in this chamber hold a sacred trust from the Canadian public. I believe all of us work every day to fulfil that trust, but it is no longer sufficient for us as individuals to know that we act ethically and, to the best of our ability, always in the public interest. We must change public perceptions and convince the public that we always act ethically. To this end, we need a strong, modern set of rules of conduct and we need an excellent independent ethics officer for the Senate to work with us in upholding those rules.

I thank honourable senators for their attention.

Some Hon. Senators: Hear, hear.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I want to commend the minister for a very learned presentation. I look forward to reading it, and certainly to reading some of her references. She made mention of a poll, which troubles me somewhat; I hope that she can eliminate my anxiety over it. I am paraphrasing, but the poll asked, I believe, about the best way to reduce corruption, and I think 61 per cent indicated the appointing of an ethics commissioner. Could the minister re-read that part of her presentation? If my paraphrasing is accurate, it seems to assume that there is already corruption in this place. That is the impression that I want her to dispel.

• (1510)

Senator Carstairs: The honourable senator is referring to the issue of the testimony of Professor Mancuso. Professor Mancuso testified that when her researchers asked the public what kind of reform measures they thought would reduce corruption, fully 61 per cent, the largest percentage of responses received, responded that what was needed was an independent ethics commissioner to investigate complaints.

Senator Lynch-Staunton: I should like to ask the minister why she would quote that. By quoting the question, she is a party to it, in the sense that the question indicates that there is corruption in Parliament. I find it very offensive that that should be quoted here. What was the point of the quotation? I will not get into it. I did not intend to participate in the debate, so I will limit myself to comments and questions. However, after hearing that, among other things, I intend to participate in the debate once the bill comes.

Meanwhile, I should like the minister to explain why she felt it necessary to quote Professor Mancuso's question, which was an implication that there is corruption in Parliament.

Senator Carstairs: Honourable senators, I quoted her because it is important for us to separate in, our own mind, the views that we know to be fact from the views that are held in the public. That is why, later on in my speech, I said the following: "We are confident in our ethical standards. I believe we are justified in that view; unfortunately the Canadian public does not share that high opinion."

Unfortunately, we have to deal with that reality. We cannot exist as a chamber, unaware of what the public thinks of us. If we are to be responsive to the needs of the public — and I think that is our fundamental role, that we be responsive — it is important for us to understand what the public thinks of us.

Senator Lynch-Staunton: Is the honourable senator saying that the public thinks of us as being corrupt, unable to perform our functions honourably? The public may think of the institution as being passé, archaic, and a source of jokes and fun — that is one thing. However, does the public also believe that those individuals who make up this institution deserve the kind of characterization that the honourable senator is making, that is, that there is an element of corruption here, misbehaviour, poor conduct? Is that what the honourable senator is telling us?

Senator Cools: That is right.

Senator Carstairs: No, honourable senators, I am not telling you anything. I am certainly of that nature. I am simply quoting a witness who appeared before the committee.

Senator Lynch-Staunton: If the honourable senator does not believe what the witness said, why quote her?

Senator Carstairs: I went further; I indicated very clearly in two or three places that I did not agree with what Professor Mancuso

had to say. Having said that I do not agree with what she said, she is the one who conducted the study. She is the one who has the evidence. I do not have the evidence to the contrary of what the public thinks. It is important for us to understand that there is a perception out there that I think we must do everything possible to change because it is not true. The perception is not accurate.

Senator Lynch-Staunton: A perception of what? A perception of what Professor Mancuso suggests, of corruption? If it is a perception of not doing our job properly, of being indolent, of being normal human beings, that is one thing. However, I have heard the word "corruption." I have heard it confirmed through a certain survey done by a witness worthy of being quoted here by the minister, and I am offended and insulted by that. The minister says, "Well, I am quoting this witness, but you know I do not agree with her." I say, why distort the whole debate by bringing this disturbing conclusion before us?

Senator Carstairs: Honourable senators, I think it is important that we not live like ostriches, with our heads in the sand. If it is the choice of honourable senators that they do not want to know what has been done in a legitimate survey and they do not want the information —

Senator Lynch-Staunton: It is legitimate now?

Senator Carstairs: — so they can have an understanding of what the perception is, so be it. It does not suit me, frankly.

Hon. Herbert O. Sparrow: Honourable senators, I am concerned about this whole discussion. The honourable senator has described the survey as being "legitimate." I am not too sure we have the facts here to indicate that it was such. To quote to this chamber a survey that asked a question about corruption in Parliament and, as such, what the respondent would do about it indicates that the person doing the survey told the respondents there was corruption in Parliament. That is very wrong. The message, as I see it, did not come — and I heard the witness give that testimony — from the people. The suggestion of corruption came from the interviewer, which is an entirely different story.

As I listened to the speech of the Leader of the Government in the Senate, it seemed clear to me, as the Honourable Senator Lynch-Staunton said, that the honourable leader believes there is corruption. I think that is so dangerous and so upsetting. Not only did she bring it up once — and I will not ask her to review it — but twice in her speech the Leader of the Government talked about people who talked about corruption. I take extreme exception to that. I think that there is some correction to be made, that if the honourable leader does not believe there is corruption then she should condemn the report, not repeat it.

Senator Carstairs: Honourable senators, with the greatest of respect, this witness was heard by our committee. To the best of my knowledge, no one on the committee condemned the evidence of this particular individual when she made that representation. The witness presented the facts about a study that she had conducted. The information that she gave was accepted by the committee. I simply repeated that.

I also said on a number of occasions that I did not accept that evidence.

Senator Lynch-Staunton: Why quote it?

Senator Carstairs: The quote is there in the testimony, senator, and I think it is an appropriate quote to make.

Senator Lynch-Staunton: There are many other quotes the honourable leader could have made.

Senator Carstairs: I was very careful to say that my perception of this chamber is not as perceived by the good professor. Having said that, however, one cannot completely state that, because she has done this independent survey, her survey is invalid.

Senator Lynch-Staunton: She asked a loaded question. What does the honourable senator expect?

Senator Sparrow: Would the minister suggest to this chamber, then, that she knows of no corruption taking place in this chamber, nor does she have historically any indication of that? Would the honourable leader tell that to the Senate, rather than just repeating the survey? By repeating the survey, the public is led to believe that there must be corruption, because the Leader of the Government in the Senate did not deny it. Merely repeating the survey will lead to headlines of agreement that there is corruption in the Senate. I take great exception to that, on behalf of all members of the Senate.

In the period of time that I have been here, I have not known nor has there been any indication of corruption of any senator. I am not talking about any other House of Parliament. I am talking about this one, which is what this issue is about.

I would appreciate if the minister would deny any indication of any corruption in this chamber.

Senator Carstairs: Honourable senators, let me be clear. To the best of my knowledge, and I sincerely believe it, there is no corruption in this chamber — absolutely none.

Senator Sparrow: Nor has there been.

Senator Carstairs: I do not know, senator. I can only indicate my knowledge of this Senate as it exists at the present time. I know of no corruption that has existed in this chamber in the term of office in which I have been here.

Hon. Anne C. Cools: Honourable senators, I must admit that I have found this part of the senator's presentation singularly disturbing and singularly offensive. I am searching to understand why it was that the Leader of the Government thought it so important to bring forward this particular set of polling results or survey results.

• (1520)

Normally, as one prepares a speech one brings forward quotations with an element to prove or disprove something. Perhaps the Leader of the Government could tell us what she was

trying to prove by citing the figure of 61 per cent of Canadians, or whatever the quotation was, or what it was that she was trying to disprove?

Senator Carstairs: Honourable senators, I was clearly trying to indicate why I believe the time is right to establish an independent ethics officer in the Senate of Canada and rules within the Senate of Canada's rules. There is no sense in the public that the professor's evidence is valid. The professor is an ethicist; she went to some length to conduct this work. I happen to think that the perception that exists in the public is wrong. I, for one, want to do everything I can to change that perception. I believe strongly that, in order to change that perception, we should have an independent ethics officer and that we should have a strong set of rules in the Senate of Canada rule book.

Senator Cools: The Leader of the Government is telling us that she has essentially brought forward this quotation from the professor with an eye to disprove and to discredit the professor and, if necessary, to expunge that sort of thinking from the evidence that was put before the committee. Am I correct in my understanding of what the honourable senator just said?

I do not think the honourable senator has to repeat what she has told us. We know she is committed to the proposals as they have been made. My questions are on the narrow point as to why she chose to bring forth this evidence regarding the figure of 61 per cent and a perception of corruption. If there is any danger or any real possibility of a perception of such corruption, we as senators have a duty to investigate it, to study it, to find out the nature of the corruption, to ascertain who are the corrupting individuals and to root out the corruption.

My understanding is that when a senator gives a speech in this chamber, that senator is usually trying to persuade senators on a point or dissuade them away from a point. When the honourable senator assembled her speaking notes, she would have had a clear intention of why she was bringing forth this body of evidence for our consideration. That is what I am trying to get at. I would like to know what the point was that the honourable senator was trying to make by marshalling this particular body of evidence before us. It is simply not satisfactory to say that some witness chose to put it on the record before the Senate committee. God knows that a lot of evidence is dismissed daily. I would like to know what it was that the honourable senator was trying to use that evidence to do here, today.

Senator Carstairs: I believe it is clear what I was trying to do, honourable senators. I was trying to indicate what I believe to be fact. I believe that senators act in a very reasonable way. I believe that they are above reproach. I think they work hard. I do not believe that, in any way, they are guilty of some of the perceptions, not facts, which seem to exist in the public body, those perceptions identified by the good professor. I am not discrediting what she got from her test results. I am, however, deeply disturbed that such a public perception should exist because it is unfair to this chamber. Therefore, we have a duty and a responsibility to do what we can to change that perception.

[Senator Carstairs]

Senator Cools: Honourable senators, the use of the word “corruption,” as I have made the point, is singularly disturbing. Since the honourable senator has put the discussion before us, perhaps she can tell us what the professor meant by “corruption.” Perhaps we could find out from the honourable senator exactly what the definition of “corruption” was and to what phenomenon the professor was speaking.

If the population has certain negative perceptions of the Senate, are they not possibly related to the fact that the nation, this country, quite often sees the Senate as nothing other than a lackey of the government, nothing other than a lapdog of the government, to be manipulated, to be ordered and to be subjugated as the government sees fit, and, finally, as a chamber where the government can put its friends? If there are negative perceptions in the public about the Senate, does not the government of this land shoulder a major responsibility for the major portion of those perceptions?

Senator Carstairs: To put this debate in context, I will quote from the opening remarks of the professor:

I think that, in some sense, these expectations are rather unrealistic. The public, after all, are political outsiders, and they do not have a familiarity with the day-to-day expectations or requirements of politics. They are quick to discount the demands of the job, and they are hypersensitive to the apparent benefits. No matter, those still are their perceptions, and even if they are unrealistic expectations, they need to be understood and addressed because it is those expectations on which any sense of public confidence in government is founded.

Senator Cools: I was hoping for an answer to my two questions. I wanted to know in a scientific way, since the honourable senator was referring to a study done by an academic. Any study done by an academic usually lays out its foundations with great clarity. That is what happens in research. I was trying to get a clearer picture of what this academic meant by corruption, and I also wanted an answer about the role of the government in the diminishing public opinion and the public view of this chamber.

I also want to tell honourable senators that I do a fair amount of public speaking, public appearances and television right across this land. I know what people tell me about the Senate. I have invested a lot of my personal energy in trying to reverse that public perception of the Senate. It seems to me that the best way to alter, to correct and to improve public perception of the Senate, frankly, is to do good work, to stand on firm ground and to move forward with conviction and with intelligence.

I want an answer from the Leader of the Government because I am appalled that the Leader of the Government in this place could bring forth such flawed and faulty statements before this chamber — ugly ones at best.

Hon. Tommy Banks: Honourable senators, I am less offended than others by the word because I think I understand what the leader was getting at, and I even think I understand what the professor was getting at.

Having been in that game, I want to remind all honourable senators of something that I know we all know. It is that any of us could write a survey with leading questions in it that could produce any result that we want. I believe that is what has been done here and we have to take it in that context.

I do not know about the methodology of the study undertaken and I do not know whether we know what it was either. If the leading question related to what we have to do to root out corruption, people will respond to that kind of question on the assumption that it is true. We all know that that is not the case. However, if we walked out on the street in my town and used that word, however ill-advised that might be, I think the average person would nod and say, “Yes, there is.” If I said, “Tell me what it is,” they would be able to name a certain person who once was a denizen of this place, in a manner of speaking, to which they would attach, improperly perhaps, that word. They would leap at that. It is a well-known name and a well-known case, with which we have dealt, and with which we propose to deal in a better way in the future. However, for us to deny that that perception exists, notwithstanding the, perhaps, impropriety of the methodology that was used in asking a leading question using that word, is not realistic. Whether or not that word is appropriate, that fact is in the minds of many Canadians to whom I speak. It is a word that they would, perhaps ill-advisedly, attach to us. I remind honourable senators that if the methodology was bad, it does not mean all that much, but the perception is there.

• (1530)

Hon. Serge Joyal: Honourable senators, I will take part in the debate later on when opportunities will be afforded us.

I want to draw to the attention of the Honourable Leader of the Government that I attended the committee meeting when Professor Mancuso testified. I was strongly opposed to her statistics. There are other senators in this room who attended at the same time. I remember very well that I used a word that I had to qualify. I said that she crucified us, but I withdrew that word and used the phrase “nailed to the wall.” I was emotional during a discussion with her.

I submit to the Honourable Leader of the Government in the Senate that the word “corruption” in the context of the Senate is a very important element; it is an element of disqualification. Section 31(4) of the Constitution of Canada provides that if any one of us is found guilty of treason, felony or any infamous crime, we will lose our seat.

Corruption is a criminal offence punishable by 14 years and qualifies as an infamous crime. It is not a misdemeanour, it is not two years or two years less one day, it is 14 years.

I said to Professor Mancuso that a professor in a university holds a position of trust. He or she is entrusted with the responsibility of enlightening young minds. The honourable leader was a teacher herself. She understands, more than I do, that very special responsibility that a professor has.

When a professor is leading an investigation with genuine and honest purpose and raises such an important issue in the minds of Canadians by addressing the fundamental issue of how people can trust the institution of the land, that is a little different than if you have an independent ethics commissioner to solve problems of corruption.

We all know that the problem of trust of Canadians in their institutions is multi-faceted. It includes the proper behaviour of the government, of the executive, of members of the House of Commons and of senators.

I said to Professor Mancuso that it is irresponsible, in my humble opinion, for a professor to cultivate bias. It is easy to cultivate bias. Any one of us who walks in the street in our own province and our own region knows that the Senate is in a difficult position.

We all work hard to try to improve the perception, the functioning, the trust that Canadians have in the Senate. We have achieved, honourable senators, a significant amount of progress recently — recently being a relative term — in the last few years or so, and we have all strived for that.

The initiative that the government has proposed is a very worthwhile initiative for our consideration, and needs to be put in the right perspective.

I was very offended when Professor Mancuso came forward with what I call cold, dry statistics, “You are corrupted, so you have to have an ethics commissioner and we will solve the problem.” If it were that easy, I am sure we would have done it before.

If we are to take the route of an ethics commissioner — and when I say “we,” I mean individually and collectively — and I am one of those who think we should go that route we should do so for the right reasons. I may have different means and ways, but the principle is sound. That is not to say that we accept corruption, but that we come up with the remedy that the potential for corruption seems to call for. If we commence an initiative, we should do so for good reasons, not the wrong reasons. I am convinced that we should try to improve the trust of people in this institution, but we should do so for the right reasons.

That is why I was offended when Professor Mancuso justified an ethics commissioner on the basis of corruption, knowing essentially what corruption means in position of a senator as a member of this place.

I will certainly take the opportunity to speak on this matter. I have listened carefully to the contribution of the honourable senator, which has raised important and emerging issues. Privilege issues are emerging issues. This is not an issue the courts have finally decided upon. There was a judgment a week ago in B.C.,

[Senator Joyal]

Ainsworth v. Canada (AG) and Paul Martin — the Paul Martin who is a member of Parliament — that raised the issue of privilege and questions about the definition of privilege.

It is important that we maintain the discussion at a level that will retain the credibility of this institution. The reaction of some of my colleagues, if I understand them, goes in that direction.

The Leader of the Government in the Senate will have other opportunities, particularly when the bill comes before us. That was my first reaction when comments were made in the context of the motion that we are discussing. Many of us will have an opportunity to speak. I hope honourable senators will speak for the right reasons, that we will avoid the biased perceptions that exist in some milieus, be they academic or journalistic, and the views of people who like too rehash and dissect and, in so doing, avoid asking the right questions. That is why it is so important that the issues raised should be addressed by each one of us.

Hon. Donald H. Oliver: Honourable senators, I wish to intervene only on one point, one issue and one word. The word is “corruption.” I, like many other senators, attended a number of the meetings of the Standing Committee on Rules, Procedures and the Rights of Parliament and I was in attendance when Professor Mancuso made her presentation. We heard Professor Mancuso by videoconference in room 257 of the East Block.

I do not have the transcript before me, but I do recall that a number of honourable senators took umbrage at the fact that she used the word “corruption” in the questionnaire.

If my recollection is correct, Senator Grafstein was one of the senators who actually asked her if the word and the question was being used in the way that lawyers use leading questions. As a result of that exchange, it was clear that she agreed that the question, “Do you believe that there is corruption out there,” will elicit from most people a “Yes,” in the way that Senator Banks said most people would respond to a leading question.

I would suggest that the Honourable Leader of the Government in the Senate review the portion of the transcript where a number of senators questioned the use of the word “corruption” in that survey, and table, at least that portion, in this house. That might answer many of the concerns expressed this afternoon by a number of the senators who responded to her remarks.

• (1540)

Hon. Marcel Prud'homme: I should like to thank the leader for having mentioned that some of us worked on this issue a long time ago, long before the Oliver-Milliken report. I was reminded of my youth, when Senator Callbeck and I were members of the House of Commons.

As you know, when I am given a responsibility, I take it seriously. I never missed a meeting, although that study went on for many months. I also never miss a meeting of the IPU, where we can hardly get a quorum, even though there are 20 people on the executive. I say that in passing, because the election is next week.

I will not respond to your speech today. I will not even say that I take strong objection to your reporting what Dr. Mancuso said. I have studied this issue for 25 years and I still believe strongly that you cannot legislate honesty.

I also know that when you ask Canadians questions about the Senate, very often they say that we are inefficient. Since they want us to be efficient, if we ask them whether we are, they will say we are inefficient. If we ask whether they think the Senate should be elected, they say "Of course." Public opinion polls always drive me up the wall.

Soon, I will have spent 40 years in public life. I believe that I am more respected across this land as a senator than I was as a member of the House of Commons, and I will not refrain from reporting that. I am pleased to follow the brilliant exposé of Senator Joyal, but I am not intimidated by him. I knew him in the House of Commons, and I see that he is still brilliant.

I am very honoured to participate today, following Senator Joyal, because he touched all the points in his usual brilliant and articulate way, much like Senator Cools. Even though she drives many people to the wall, she does her own work.

Senator Cools: Always.

Senator Prud'homme: I know that, because my office is on the same floor as hers. She is a hard-working person.

This debate has started and is in the public domain. Half of the current senators are new, and most of them do not know what this is all about because they were not members of the committee. Committee members do their duty, study very attentively, and come to their conclusions. As an old man, I am always skeptical of people who become great reformists towards the end of their career. That annoys me a little. When people who have been here a long time arrive with a most modern piece of legislation on the eve of their departure, I must bear that in mind.

You have seen examples of reformists here in the Senate, people who have sat here for 25, 30 or 40 years and suddenly, on the eve of their departure, become great reformists of the Senate. I wonder what they were while they sat here for so many years. I have the same skeptical approach to this legislation. Some people believe that once we have this, our problems will be solved. I do not believe that.

Throughout the years that I sat on that committee, people came forward with all kinds of weird ideas. If you have a commissioner, will there suddenly be honesty? Do they have a commissioner at the tax court? The court can render decisions that can make or break millionaires. Do they have a commissioner at the CRTC who, with one decision, can create a multi-billionaire? Do they have all of this annoyance, and do the people of Canada know about that?

In this sense, I am uneducated. I never defend the Senate when I go to schools, although I talk about the Senate. I do not defend parliamentary life, although I talk about it.

We have an excellent opportunity today, at the opening of this debate, to reassess our role of educators on public life. People are

totally frustrated and need to attack someone. The best people to attack are parliamentarians. It is our duty not to fall into the easy temptation of creating all kinds of commissioners or confessors.

The senator said that this report was arrived at after consultation with the opposition. I am very skeptical. I prefer to see consultation and acceptance. They never want to use the word "acceptance." By "consulting" they mean "informing," so you had better be careful. Since that person, whoever he or she may be, will be our private confessor, I think the independent senators should at least be consulted, although perhaps not to the point of our acceptance. We may have some opinions. It is regrettable that you have made a nice deal between the government and the official political parties. There are five people whose honesty has never been questioned who may have opinions on this matter.

I will tell you, in advance, that I will not be going to that person, whoever he or she may be, to explain what the law requires me to explain in any language but my first language.

As I said, I want to participate in this debate. I am happy that you have opened up the subject. You have received enough negative comments for now. I am sure that you will keep some of them for yourself, but you may decide that you should not have quoted Dr. Mancuso. I hope that is the last we will hear about that lady.

Hon. Gerald J. Comeau: Honourable senators, I have two very specific questions. The bill refers to the Prime Minister's consulting with the leaders in the House of Commons, if I understood correctly. As I recall, in the report presented by Senator Milne, the question was that there would be agreement with the leader in the Senate prior to ratification of the ethics commissioner. Will there be agreement with our leader before ratification?

Second, I am still not quite sure on the question of public disclosure. It was not discussed very much in the report. It is my understanding that the financial affairs of our companions will have to be divulged. Will there be a definition of "companion"? Will it be singular or plural? I am not suggesting that I have more than one companion. I may be charming, but not that charming.

• (1550)

However, suppose one were to have a married companion and, though intimate, might not be seen as a public companion, would a senator then have to divulge the assets and friends of that second person as well given the close relationship of the second person? Those are two very specific questions.

Senator Carstairs: Honourable senators, I will answer the honourable senator's first question by quoting from the bill that has been tabled in the other place. It states the following:

The Senate Ethics Officer holds office during good behaviour for a term of seven years and may be removed for cause by the Governor in Council on address of the Senate.

Proposed section 20.1 reads:

The Governor in Council shall, by commission under the Great Seal, appoint a Senate Ethics Officer after consultation with the leader of every recognized party in the Senate and after approval of the appointment by resolution of the Senate.

Regarding the second question asked, the honourable senator has done what we have not yet done. Any provisions with respect to disclosure would be in the rules. The rules have no part in the legislation. The rules are Senate rules. It would be up to the Senate to decide whether we will disclose assets. It will be up to the Senate to decide whether a senator will disclose the assets of wife number one, and potentially wife number two.

However, I will not go there, Senator Comeau. I will leave that between the honourable senator and wife number one.

Hon. Joan Fraser: Honourable senators, with bated breath I return to the question of Professor Mancuso. I would not wish this chamber to fall into the trap of shooting the messenger. I also attended the committee meeting at which she testified by teleconference. In my view, she was quite careful to not state that she believed in implying that senators were corrupt. She very carefully distinguished between reality, of which she has no knowledge as she has not studied us, and perception among Canadians at large, which she has spent many years studying.

It may be of some interest to honourable senators also to know that at least one of the questions did not use the word corruption at all. It asked about a range of activities and sectors — the courts, media, journalists, politicians, judges. It asked respondents whether in the respondent's view journalists — I chose that example, as I once was a journalist — are, in your view, more or less honest than ordinary average Canadians? This may be an odd question, but it did not talk about corruption. It did not start out by assuming that anyone was or was not corrupt.

You could tell from the range of responses that Canadians were not just saying, "They are all corrupt. Everyone about whom you are asking me is rotten and dishonest." It was not like that.

It remains true that the perceptions that she found through her very detailed, painstaking work, which she has conducted over a long period of time, were not good news for us. It is not good news to hear that such a large proportion of the population that we all came here to serve does not have the faith in us that we wish it had. However, in Parliament, as elsewhere, it is usually not a good idea to shoot the messenger. It is a good idea to look at the message, and if the message is important, then to resolve upon what action, if any, one wishes to take.

Honourable senators, we should not shoot the messenger. Professor Mancuso was the messenger. We did not enjoy what she had to say, but that is not her fault.

Hon. Francis William Mahovlich: Honourable senators, I would like to throw a little enlightenment on the subject. In the

Speaker's chamber is an inscription about public opinion by, I believe, Cicero, who was a senator of the Roman Empire. He said, "Let reason prevail with me more than popular opinion."

Hon. A. Raynell Andreychuk: Honourable senators, I do not know on which side of the issue stands Senator Mahovlich.

Senator Mahovlich: The side of reason.

Senator Andreychuk: The minister, in addressing the interim report of the Standing Committee on Rules, Procedures and the Rights of Parliament, also raised the legislation that has been tabled in the other House. At the end of the comments, it was indicated that a commissioner would be put in place by statute, and that the rules or the code would be determined by the Senate.

I have sat previously and sit currently on the Rules Committee and we have continually updated and changed the rules. If the honourable leader believes that some rules would need to be changed as a result of this legislation, would she tell us which ones because the Rules Committee should deal with them immediately? We do not need to wait for the legislation to do what the legislation appears to confirm that we are already doing.

Senator Carstairs: As the honourable senator knows, from my comments, and I know that she carefully listened because I watched her, the legislation before us now deals only with the ethics commissioner. It deals with the ethics commissioner for the Senate and the ethics commissioner for the House. There will be two ethics commissioners.

It is my understanding that the Rules Committee will now undertake an examination of the rules of conduct, which was also part of the original package that was sent to us. The committee will report back to the chamber as to what the members think should be in those rules of conduct. If the honourable senator is asking about those things that I think should be in the rules of conduct, I will mention two.

Honourable senators, I fully believe in disclosure. I had to provide that kind of disclosure when I was a provincial politician in Manitoba. It is rational and reasonable. When I arrived here, one of the first questions I asked of the clerk was for my disclosure forms because I assumed that the federal Parliament would have the same kind of disclosure provisions. I was quite shocked when they did not have those provisions.

As to whether spouses should be included, I think that is a decision for the chamber. In Manitoba, spouses do have to disclose, and that practice did not provide me with any discomfort. If that practice provides the majority of senators with discomfort, then I would suggest that we pass a provision that does not allow for spousal disclosure.

The second thing that I would like to see in the rules is a very clear definition of activities of senators, of a non-profit nature. A number of senators have been told that they should not participate in non-profit organizations if, by some remote connection, that non-profit organization may receive some funding from the federal government.

[Senator Carstairs]

• (1600)

Honourable senators, I think that is wrong. Our duties and obligations as senators mean that we should be part of the community in which we live and exist. I do not think that my work on behalf of the Prairie Action Foundation to raise, along with many others, \$5 million to sustain a family violence institute across the Prairies was in any way a conflict of interest for me. I know that some of those researchers receive grants from the Review Committee for the Humanities and Social Sciences. To me, it would be absolutely abhorrent if I could not participate in that kind of activity. Senators are being given that advice and I think that it is wrong. I would very much like the rules to address that aspect and lay it out clearly that senators should be encouraged to participate in activities for non-profit organizations.

Senator Andreychuk: Thank you for putting forward the two points, honourable senator. Certainly, on disclosure, we have wrestled with that many times in the Rules Committee and not just at one meeting.

My point was that we could do that today and we do not need to wait for any legislation. I felt a small amount of discomfort, if not umbrage, at the opinion that if this were legislated then we could do these things; and that we would be precluded from doing it or we have not done our duty. I believe that the Senate and the Rules Committee, in the past, have wrestled with the issues pointed out by the honourable senator and have had input to the rules to the extent that there was consensus and agreement in this place.

Not unlike the honourable senator, I have had many issues that I would have liked to have raised in the Rules Committee, and I have been outvoted. Therefore, those issues are not covered in the rules. To leave the impression that there are some rules that we could have and should have but cannot have because we do not have this legislation is misleading in the way that we operate today. I want it clearly on the record, with your concurrence, that there is nothing precluding our studying any part and putting forward any rule that we deem advisable today.

Senator Carstairs: Honourable senator, there is not, with one exception: In the current Parliament of Canada Act, sections 14 and 15 are being interpreted to say that we cannot undertake this kind of activity. At this time, as long as sections 14 and 15 remain in the Parliament of Canada Act, the Senate could not purport to develop rules that were in conflict with sections 14 and 15.

This proposed legislation would remove sections 14 and 15 from the Parliament of Canada Act and would replace them with the ethics officer. That would allow us to deal with an area that has not been accessible to us before.

Senator Andreychuk: Would you not agree that we could have either put in a bill ourselves or petitioned the government to make amendments to the Senate portion of the Parliament of Canada Act and that it does not need a replacement by an ethics commissioner? Rather, it means a reworking of those two sections to bring it into line with what the honourable senator and I think about not-for-profit activities.

Senator Carstairs: To some degree, that is what Speaker Milliken and Senator Oliver did when they wrote their report, which said that sections 14 and 15 should be removed, that a set of rules should be developed, that there should be an ethics commissioner to oversee those rules, and that the Senate would remain in absolute control. The only difference that exists between what they have recommended and what we will see, and have already seen in the other place, is a bill that will put the ethics commissioner in statute, whereas they would have put the appointment of such a person in the rules.

On the other hand, the Blenkarn committee report, on which Senator Prud'homme sat, would have recommended that everything be in statute — both the rules and the office of the ethics commissioner. I think it makes sense to have the ethics commissioner, and not the rules, in statute.

Senator Andreychuk: Honourable senator, I simply continue to make the point that we can move any rule changes, including those to the Parliament of Canada Act, without any specific legislation coming from the government. We could have taken the initiative, although I would not want to leave the impression that we have not taken initiatives in the past. I say that not on my personal behalf but on behalf of the many senators who are no longer in this place but who worked diligently on these issues.

On motion of Senator Andreychuk, debate adjourned.

NATIONAL SECURITY AND DEFENCE

BUDGET—REPORT OF COMMITTEE ON STUDY OF NEED FOR NATIONAL SECURITY POLICY ADOPTED

The Senate proceeded to consideration of the ninth report of the Standing Senate Committee on National Security and Defence (budget—study on the need for a national security policy for Canada), presented in the Senate on April 29, 2003.—(*Honourable Senator Kenny*).

Hon. Colin Kenny moved the adoption of the report.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I will continue along the same line of questioning that I followed for Senator Fraser's report on the study by the Transport and Communications Committee on Canadian media industries. I will try to reconcile the needs of the Standing Senate Committee on National Security and Defence which, according to that committee, are \$465,000, and the allocation before us of the Standing Committee on Internal Economy, Budgets and Administration of \$180,000, a substantial decrease in the requirements that the committee felt were necessary to carry out the mandate which had been given to it by this chamber.

Honourable senators, I am not questioning the work of the committee or the purpose of the study. However, I am questioning the process that we must go through in the allocation of funds. The first figure being \$465,000, which may have included an inflation factor, and the second figure being \$180,000 is, in effect, saying to the committee, "We are paralyzing you." That is the way I read it.

I can also understand the Internal Economy Committee's problem. In the Senate budget that we approved in the chamber, under \$2 million is available for committee work. The demands by all committees are substantially beyond that. Therefore, it had to go through a paring down process, which I think is the wrong way to approach the situation. I would have thought that each committee would have been asked before the budget was prepared: What are your needs and requirements for the following fiscal year, and we will try to accommodate you? If the total came to \$4 million, then let it be \$4 million, rather than going through this awkward, difficult and embarrassing process of doing it with an eye dropper. I hope to be contradicted on this one but, if past history is a guide, I know full well that in the fall there will be Supplementary Estimates, that needs that were felt essential today will be found in the fall and, in the long run, the original request will have been met.

That is not the way to run a committee — knowing that you only have so much money to do a job that requires much more, although, in the fall, you may receive the rest of the money. How can a committee schedule its work that way?

• (1610)

I will question Senator Kenny on this one, and then Senator Oliver, and then Senator Comeau, and others when the time comes, and I assume I will get the same answer. How can you operate this way? There must be a better way. I find this — I will not say bush league, but close to it. I am not faulting anyone. The Chair of Internal Economy and her colleagues have a difficult job to do here. I am faulting ourselves for not having a proper procedure for budget preparation, particularly for committees and for the allocation of funds, which should be done at one time, once and for all.

That generality behind me, with a decrease in the committee's request from \$465,000 to \$180,000-plus, is the Honourable Senator Kenny able to satisfy us that the committee will be able to complete the work that he has indicated the committee intends to do? If I read the Internal Economy Committee's recommendation correctly, the \$180,000 is intended for the entire fiscal year.

Senator Kenny: I thank the honourable senator for his question. I wish all the questions coming my way were so easy to answer.

There is not only no way that our committee can complete its work for the fiscal year with the funds provided, but we will have great difficulty functioning in a whole range of areas. It is starting now. I am spending far more time now on administrative matters than I am on substantive matters. My impression, when I was sent to the committee and when I was elected chair, was that I would have an opportunity to focus on substance. I am now focusing far more on how to work within the rules and how to work within a limited budget of this sort.

The honourable senator is quite right. To the best of my knowledge, there was no consultation with any of the committee chairs prior to the main budget being submitted, certainly not of me and not any of the committee chairs to whom I have spoken,

as to what might be appropriate to be included in the main budget.

The Clerk of the Senate, on the other hand, has quite an elaborate process with each department. To the best of my understanding, come September, he meets with all of his department heads. They prepare proposals that are debated internally. They are then brought forward for examination by Internal Economy, which will decide upon them. Each of the department heads is consulted about what they think is appropriate for their department. Committee chairs in the Senate do not get that at present.

Just to describe the process a little further, since I think that is what the honourable senator is asking about, committees such as ours sat down and spent a great deal of time going through a work plan and deciding exactly what needed to be accomplished, as best we could. It is a difficult job to do if you are looking 14 or 16 months ahead, because that is when you are planning your proposals.

We developed a work plan. We developed a budget. The committee then proceeded to cut the budget and to reduce it. It went through that process.

With that in hand, I then went with the clerk of my committee to meet Internal Economy, the steering committee thereof, three people and some staff, and I had 15 minutes to make a presentation. I made a presentation. Very few questions were asked of me. The first time I got an answer back as to what was in my budget was when the report was tabled here in this chamber. I did not have a chance to comment on the new budget.

Just so all honourable senators know, when the budget comes back, this is not a pot of money that the committee can then manage to the best of its ability. This is a pot of money that comes with strings attached, as well as conditions and requirements. One cannot simply say, "Well, I have this lump of money, and we will spend it in the most efficient and effective way." One is told, "No, this piece of money may only be used for travel and that piece of money may only be used for research." A committee can only travel under certain circumstances, with a certain number of people. If the committee travels to conduct a different kind of hearing, then it can travel with a different number of people.

The budget also has strings attached in terms of the staff. We put in an application for staff, and what came back was less than half of what we requested. I am referring to professional staff, not the interpreters or the reporters who keep a record of what is going on, but the professional staff who are used to advise us.

Our committee deals with intelligence and defence matters. There are no experts in the chamber. There are no veterans any more. There are no ex-CSIS members here. Excuse me. We have a veteran here, and I apologize. I spotted him. He is sitting almost behind the Honourable Senator Lynch-Staunton. There is one exception. He may not be a veteran; he may just have military service. However, we do not have that expertise, so we go to the Library of Parliament, the services of which are theoretically available for free, or at least at no charge to the Senate. Her

[Senator Lynch-Staunton]

Majesty pays for the library, and it does not come out of our budget. The library has no one with an understanding of intelligence or the military. It has no one with experience vis-à-vis the borders. We have to go out and hire people who can help us decode things.

It is a different committee in other respects as well. For example, if a senator on the Banking Committee is not getting satisfactory answers from the Department of Finance, the committee can go to Bay Street or Montreal and find people who know an awful lot about financial matters. They will come down and give the committee all sorts of good advice and lots of good information. If CSIS closes its doors to us, there are no intelligence people out there who can give us that information. If the Department of Defence decides to adopt a corporate position and say everything is fine, whether it is or is not, we cannot go to another military and find out what is going on. We need to have experts come and help us.

If we are left without experts, we have a real problem. If we have a budget that we are not consulted on, we have a real problem.

A procedure has been announced in this chamber that relates to clawback. I understand the purpose of clawback. If we look at the last decade of Senate funding, honourable senators will see when they compare the requests from committees to what was actually used that it averages out somewhere around 52 per cent. Someone looking at the numbers could say, "Well, why do we not manage this in a smarter way? If we know that over 10 years committees only used about 50 per cent of what they asked for, let us keep the money down, and then we can reallocate it from the people who are not using the money they asked for and ship it over to the people who are using it."

• (1620)

The difficulty with that approach, honourable senators, is that we do not know until it is too late. By the time Internal Economy can figure out that it has money to reallocate, there is no opportunity for a committee that receives the reallocation to plan a trip. In our planning, a committee trip requires a minimum two-month lead time. The work for our trip to Washington next year has already started. The kind of relationships we need with people down there requires a full year of work.

There is a disinclination — no, it is worse than a disinclination. We cannot go ahead with the trip because, under the rules, a clerk cannot book a hotel room if the committee does not have the money to pay for it.

Right now I cannot make a contract with our experts. At top pay, we have a general who has a contract for \$28,000. We cannot sign a contract with him that runs over the course of a full fiscal year because we do not have enough money to cover off all of our staff. If the experts can only get a commitment for part of a year, they need to start planning to do something after that. The likelihood of losing staff is high.

Senator Lynch-Staunton mentioned Supplementary Estimates. Our committee will have exhausted all the funds made available

to it by July 1 of this year when we take our trip to Quebec and Nova Scotia. We will go to Quebec City to see the naval reserve, to Valcartier to see the major French army base, and to Halifax. Those three stops will use up the vast majority of this committee's budget.

That trip is not due to take place when the Senate is sitting. For what it is worth, our committee is planning —

The Hon. the Speaker *pro tempore*: Senator Kenny, I regret to inform you that your time has expired. Are you asking for leave to continue?

Senator Kenny: May I please have leave to wrap this up?

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

Hon. Senators: Agreed.

Senator Kenny: I thank honourable senators for their consideration.

Just as an example, and to remind senators of the pace of things here, the Senate came back at the end of September, but it was December 10 before we received funding. That is how long it takes to go through the process, even though we were one of the first committees to jump through the hoops. If the Senate rises on December 14 and does not sit until the second week of February and rises for two weeks in March, that does not leave much time to get things done.

Prorogations do not come along all the time, but when we have one, we end up sitting for only 42 days on average in a year. In a regular year with no interruptions, no dissolutions, no prorogations, we get up into the high seventies in terms of sitting days, but they are few. Waiting for the motions to be moved makes things even more difficult.

My point is that since December 10, there have only been seven sitting weeks. Our committee has sat for 172.8 hours. We have to pay the staff for that. That is not an easy deal. Our committee sits on Mondays. We have two members from the West who leave on Sunday to come to Ottawa because they want to do the work. They come in on Monday to do the work. It is extraordinarily difficult for them, but they have still managed to attend the 172 hours of committee proceedings. That is not bad since December 10, given that we have had only seven sitting weeks. What about the staff who have to come and work? We have to spend throughout. It is a hugely difficult problem for us to address.

I turn to the business of Supplementary Estimates coming forward. If the Supplementary Estimates (A) were to come forward at the end of September, as they do traditionally, we will not know and will not be in a position to spend that money until the Estimates have been tabled in the Commons. That will probably be at the beginning of November. Committee planning that starts at the beginning of November is difficult to complete before the December break.

Frankly, unless the leadership in this chamber can make a commitment to go back or to pass a resolution for Supplementary Estimates, I see great likelihood of this place grinding to a halt, at least as far as the committee work goes. I see our staff disappearing. I foresee an inability by committees to go out and meet Canadians in the regions.

If anyone thinks our reports have been worthwhile, if there has been any redeeming feature in our reports, it has come about because we have gone out and talked to people where they live and work. We heard from them firsthand. We have done our work on a fact-finding basis where people have been prepared to be candid and open with us.

The whole process invites dismay. There does not appear to be a dialogue going on. There does not appear to be an iterative process where people are consulted on their needs. There does not seem to be any clarity in terms of how one can plan for the course of the year and how one can give assurance to staff that they will continue to be on board, assuming they perform properly and do their job, for the duration of the fiscal year. This is no way to organize things. This is not the way the system should run.

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

Motion agreed to and report adopted.

BANKING, TRADE AND COMMERCE

BUDGET—REPORT OF COMMITTEE ON STUDY OF DOMESTIC AND INTERNATIONAL FINANCIAL SYSTEM ADOPTED

The Senate proceeded to consideration of the tenth report of the Standing Senate Committee on Banking, Trade and Commerce (*budget—release of additional funds (study on the domestic and international financial system)*), presented in the Senate on April 29, 2003.—(*Honourable Senator Kolber*).

Hon. Wilfred P. Moore, for Senator Kolber, moved the adoption of the report.

Motion agreed to and report adopted.

BUDGET—REPORT OF COMMITTEE ON STUDY OF THE ADMINISTRATION AND OPERATION OF THE BANKRUPTCY AND INSOLVENCY ACT AND THE COMPANIES' CREDITORS ARRANGEMENT ACT ADOPTED

The Senate proceeded to consideration of the eleventh report of the Standing Senate Committee on Banking, Trade and Commerce (*budget—study on bankruptcy and insolvency*), presented in the Senate on April 29, 2003.—(*Honourable Senator Kolber*).

Hon. Wilfred P. Moore, for Senator Kolber, moved the adoption of the report.

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

[Senator Kenny]

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I want to point out the requirements for this study. Although the figures are small, the result is the same. The request was for \$30,000 and the allowance is \$21,500. Is that enough?

The more I look into this, the more I look forward to September when I will object greatly. Supplementary Estimates traditionally are for unexpected expenditures during a fiscal year. Now, more and more, we are seeing Supplementary Estimates that include expenditures which are, for various reasons, delayed from the Main Estimates knowing they will go into the Supplementary Estimates. That is the part of the whole process that I do not like. I hope that we will not see \$500,000 or \$800,000 in the September Supplementary Estimates to cover requirements that we could have covered here under a more mature and objective budgetary process.

I raise this, Senator Moore, not to criticize you. I raise it to get rid of some frustrations that are growing in me regarding this whole process which faces us and which we could do without if we were more properly organized.

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

Motion agreed to and report adopted.

[*Translation*]

OFFICIAL LANGUAGES

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Committee on Official Languages (*budget—study on the operation of the Official Languages Act*) presented in the Senate on April 29, 2003.—(*Honourable Senator Losier-Cool*).

Hon. Rose-Marie Losier-Cool moved the adoption of the report.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, at the risk of repeating myself, I think that I have made my concerns pretty clear in recent speeches. The committee chaired by Senator Losier-Cool had requested \$211,000 and was allocated \$126,000, a pretty drastic cut. Is this enough for the current year or will she be forced to come back looking for more? If so, why pretend there is a cut when, eventually, all requests for funds will be honoured, more or less?

Senator Losier-Cool: Honourable senators, first, if I do come back for more it will not be this fiscal year. The first part of this report adopted by the Official Languages Committee, the one for our work plan, was adopted on March 4 and represented the bulk of the money. This was for two trips, one to Western Canada and one to Eastern Canada. When I submitted this budget request to the Standing Senate Committee on Internal Economy, adjustments and negotiations were required.

With regard to the negotiations with the members of the Internal Economy Committee, you will see from the budget they allocated to us that the portion for travel in Eastern Canada, in the amount of \$71,000, was put on hold. I will be proposing to the members of the Standing Senate Committee on Official Languages that this portion of the travel be deferred until the next fiscal year, in March 2004, so that we may thoroughly pursue the examination we wish to carry out on Part VII of the Official Languages Act. What was not allocated was just about promised for 2004.

The Hon. the Speaker *pro tempore*: Are the senators ready for the question?

Hon. Senators: Agreed.

Hon. Jean-Robert Gauthier: Honourable senators, if I understand correctly, the report is now under consideration.

Senator Losier-Cool: I have moved adoption of the report.

Senator Gauthier: Honourable senators, for many years, I have always objected to in camera meetings where decisions regarding a committee's commitments are made. In camera meetings are, in my opinion, for when a committee wants to discuss labour relations or draft a committee report.

However, if my memory serves me well, the committee discussed these planned trips when I was not present. I have no recollection of this. I questioned the clerk, and he told me that this matter was discussed in camera on March 24, after I had left. It was late in the evening, and Minister Dion had appeared before the committee with regard to his action plan. The committee decided to adjourn, and then there was an in camera meeting.

I did not attend in camera meetings when the committee's schedule was being discussed. I asked to see the transcript of this meeting, and I was told that there was none because it was an in camera meeting. Given that the meeting was held in camera and that there is no transcript, I was not informed. I am a member of this committee and I want to be informed.

The chair knows, because I asked her yesterday. She told me that the matter had been settled. That is all very well, but I am a member of this committee and I want to know what is going on. I want to know where we are going, why we are going there, and what we are going to do there! A few moments ago, Senator Kenny mentioned that the committee had discussed its objectives at length. I agree, but this should not be done in camera, and not on an issue as important as this one. On that basis, I oppose adoption of the report.

Senator Losier-Cool: Honourable senators, the decision on in camera meetings was made by the committee members in the first few meetings, namely, that there would be in camera meetings to discuss the future business of the committee. That was so that the members could discuss these matters freely. Most of the time, the committee holds public meetings or televised meetings, depending

on what has been asked for. I want to come back to the question of committee business. When we discussed this, Senators Keon, Chaput, Léger and Beaudoin were present. It is true that Senator Gauthier was not, but his assistant was. When senators cannot attend in camera meetings, we have agreed that a member of their staff in charge of the file should be present to keep them informed.

[*English*]

Hon. Colin Kenny: Honourable senators, I have a question for my friend and desk mate. Am I correct in my understanding that members of the committee wanted to go to Eastern Canada, wanted to do more work, and now find that they cannot do all the work that they were prepared to do because the funding is not being made available to them?

Senator Losier-Cool: Yes, the members of the committee wanted to go both ways, to Eastern Canada and to Western Canada, to complete this study. It will not be completed by the end of the fiscal year 2003. Then it was decided that we would go to Eastern Canada in the next fiscal year.

Senator Kenny: If the money were available, would the committee want to do the work and are the members prepared to make the trip? Would it be useful to have the study completed in a more timely fashion?

Senator Losier-Cool: To be very frank, the members of the Committee on Official Languages who are here know how limited we are with this committee. First of all, we are limited in human resources. We do not have that many members available. We must have our meetings every second Monday evening at four o'clock, and sometimes other senators are travelling. Therefore, many members were, I would say, reticent to a certain extent with respect to the availability of travelling to two different parts of the country in the same fall. I think, at the same time, some members of the committee will be happy to put it back to a later date to complete our study.

To the other members of the committee, I hope I am accurate in what I have said.

Hon. Terry Stratton: Honourable senators, I would like to ask a question. I was on the Standing Committee on Internal Economy, Budgets and Administration at that time, and believe me, if you have not served on the Internal Economy Committee, it is not a particularly delightful situation to be placed in to try to balance the money you have available with your committee's requests.

We made a distinction this year in that we requested committees to reduce their budgets on a voluntary basis and asked them specifically how they could do that, for example, spreading their study over more than one fiscal year. There were committees such as yours — and this is a question, because I want you to confirm that — that voluntarily said, "We will extend this study into the next fiscal year." As well, Transportation and Communications did the same thing. They voluntarily agreed to extend their study over several fiscal years.

• (1640)

The Agriculture Committee, in a similar fashion, came back and voluntarily reduced their budget. The Fisheries and Oceans Committee did the same thing. Senator Comeau came back and voluntarily reduced the budget of that committee because they realized that, by doing things a little differently, they could resolve and obtain what they needed to do to complete their study in a different fashion, because we were given only so many dollars.

On the other hand, some committees did not voluntarily reduce their budgets, so we had no choice. We only managed to make a few savings out of the voluntary reductions on the part of those committees that strived voluntarily to reduce their budgets, and we had to cut back on the budgets of other committees. We had no choice. There is a fixed sum of money available.

I agree with you, Senator Lynch-Staunton, the process is wrong, but no one in this chamber has come up with a solution. We all stand up and bleat about the lack of money, but no one has said, "This is how we should proceed in a realistic fashion." During all of the years I have been here, attempts have been made to correct, modify and move by supplements, or by this method or that, in order to finesse the system and get what is needed. Honourable senators, is it not time that we took a look at how we allocate these funds, and do it in a pragmatic fashion, realizing we would only have certain sums of money available? That is reality. This is public money that is being discussed. If a committee makes a request for \$4 million for its work and it only receives \$1.8 million, what is the committee expected to do? If the committee members say, "Well, let's go for the \$4 million," I think that is unrealistic because in my view committees will just inflate their budgets.

I would like some committee to take a look at this whole situation and consider how we can more properly address the problem, rather than standing up and complaining. Would you not agree, senator?

Senator Losier-Cool: Honourable senators, I am not influenced by my neighbour for my answer.

To your first question, yes, it was on a voluntary basis that we changed, and I would propose again a new plan of work to the committee in the coming meeting next Monday.

I then come to the second question, which is also the main problem that we have with the Committee on Official Languages, and it is a question of time, a question of frequency of meetings due to the lack of human resources and the number of senators that we have available to be on that committee, and also a question of the technical resources available.

In answer to your question, even if we had had \$1 million more, I think we would still have had to meet more times in order to do our work because our work is stretching and expanding.

[*Translation*]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, we should be careful not to give the impression that nothing was done in recent years to provide what

committees requested. I recall that, when I sat on the Standing Committee on Internal Economy, Budgets and Administration, we used to allocate certain amounts to committees and kept saying that there would be Supplementary Estimates in the fall and that we could then ask for the rest of the money necessary to carry on committee business.

At one point, a decision was made to try to include in the Main Estimates amounts based on previous year figures and to take both Main and Supplementary Estimates into consideration. The result was, honourable senators, that in spite of significant increases in the amounts allocated to committees, the committees' requirements grew faster than the funds allocated.

We must be careful not to give the impression that no efforts were made in this regard. I agree with Senator Stratton when he says that the Internal Economy Committee may not be the most appropriate one to make decisions on how funds should be allocated. I do not think that it is a popular committee, especially when it has to examine committee budgets and to cut the amounts requested.

I must say that we receive great cooperation from the majority of senators and committee chairs. I take this opportunity to point out that, when she presented her budgets, the Chair of the Standing Committee on Internal Economy, Budgets and Administration thanked the honourable senators for their cooperation.

I agree with the Leader of the Opposition that we must find a way to ensure we need not rely on Supplementary Estimates, on the possibility that funds might become available in the fall. When committee chairs appeared before the Internal Economy Committee, no commitment was made about the shortfall being made up in the fall. This is a decision that will be made by the Senate, on the recommendation of the committee when we examine whether or not Supplementary Estimates are necessary.

[*English*]

Hon. Tommy Banks: Honourable senators, I am concerned. We are doing the work of Parliament here. The deputy leader has referred to the fact that budgets in the last few years have improved. I understand that, a long time ago, those budgets used to be zero for committees, or close to it, by comparison. As well, the image of the Senate has improved. Those two things, I suggest, have an almost provable cause-and-effect relationship. I would not even begin to name the work that has been done because in doing so I might leave out a distinguished piece of work done by a distinguished committee.

I know that our first job is here. It is to debate legislation here and to debate legislation in committees. Often, that can be done in Ottawa, in committee rooms. Often, that can even be done better elsewhere. Certainly it is the case that, in respect of special studies, which have been undertaken by many different committees of the Senate, and there are more coming, that work has come, of late, to distinguish the Senate. It is that work that is garnering for the Senate editorials that might otherwise never have been written. They certainly have not appeared before, in my memory.

[Senator Stratton]

Nevertheless, there have been editorials in prominent national newspapers saying, “Gee, those people actually know what they are talking about. Gee, maybe we shouldn’t disband the other place. Gee, maybe that is where the work is being done.” I do not recall such things ever having been said before, and I think there is a relation between those two things. I came here to work. I believe all honourable senators did, and I believe strongly in “empowering” — if that is the word — by which I mean financing, but not in a profligate way, the committees of the Senate to do their job properly.

• (1650)

There is an anomaly here. Last year in the other place, the committee budgets went up. Last year in the other place, research budgets went up. Last year in the other place, office budgets went up.

Last year in this place, expenditures under our constitutional obligations went up. Expenditures under our contractual obligations went up.

One thing did not go up last year in the normal course of events, in the operation of Parliament and the expenditures which are taken to properly do the work of Parliament, one thing and one thing only, and that is the committee and research budgets of the Senate of Canada. That is inexplicable.

Our Senate budget went up because we have contractual obligations over which we have no influence; we have legislative expenditures over which we have no influence. They go up. When we added them up, they came to 6.8 per cent of our budget. Someone said, “We cannot ask for more than 6.8 per cent,” or whatever the number was. Pardon me, I do not know the number. Whatever the number was, someone said we cannot go beyond that.

If we are to change the way the Senate works from the way it used to, if we are to see senators go out and do the work in Canada for which the institution receives salutary notice, but, more important, which permits the Senate to properly do its job, then as the Leader of the Opposition said today, “We have to fix it.”

I was in the arts granting business for a long time. I know how horrible a job it is to see deserving applications to Canada Council. There are so many applications and there is so much money. You throw the applications into the room and say three days later which ones will live and which ones will die.

Our Internal Economy Committee is faced with the option of either doing that or spreading the butter so thin that no one can do the job that the committee itself determined, based upon its order of reference, that it would do.

Here is our order of reference, which the Senate approves. Here in the committee meeting is how the committee deliberates it will do its job.

Senator Fraser is about to embark on a study of the media in Canada. That committee decided how it would do its job and how much the study would cost. That is not to say that everyone in every undertaking gets all of the money they ask for, but as Senator Stratton has said, someone should ask in advance what we need to do the job properly. In that way the Internal Economy Committee would not have to do that extraordinarily difficult job.

I refer to the first page of the letter that I sent to Senator Stratton and others saying that I have no complaint about the fairness with which that committee has done its job. It has been eminently fair; but it should not have to do that kind of job. This has nothing to do with Supplementary Estimates. Supplementary Estimates are supposed to be for unforeseen expenditures.

I have foreseen expenditures in the committee of which I have the honour to be the chair, which involve travelling to a conference in Canada, to very good effect. We must reserve hotel rooms now for next March or there will not be any, and we must register members of the committee or there will not be any places left at the conference. I cannot do that. That is not an unforeseen expense. I should be able to do that. Senator Kenny referred to this earlier. That is less than a year away, but the committee cannot plan its work.

What I am asking of the ether, I suppose, is when will someone, whoever is in charge, say to the Senate and to its committees: “How much money do you need to do the job properly?” Satisfy whomever that is that the number in the answer to that question is right and is not inflated. We are not asking for six when we know that four will do because we know that two will be pared off, but if six is the number, justify the six. Then we have to go for it. Who asks us how much money we need for research and committee work and who gives the answer? Why is the answer that we do not need any more? We do need more.

[*Translation*]

Senator Gauthier: Honourable senators, I asked a question and was given an answer and a debate arose. I am happy about that. There needs to be a healthy debate here. I enjoy public debates. I loath in camera meetings. You will not find any special permission that allows a committee to meet in camera to discuss future business in the *Rules of the Senate*. There is no such thing. It is against the rules. If I am mistaken, please advise me right away.

Given that the discussions are underway and that the report was tabled on April 29 — I have not had the time to examine it all, it is quite lengthy — I move adjournment of the debate.

The Hon. the Speaker *pro tempore*: It has been moved by the Honourable Senator Gauthier, seconded by the Honourable Senator Fraser, that debate be adjourned until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

[English]

The Hon. the Speaker *pro tempore*: Will all those in favour of the motion please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: Will all those opposed to the motion please say “nay”?

Some Hon. Senators: Nay.

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

If no other senator wishes to speak, is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and report adopted.

NATIONAL SECURITY AND DEFENCE

BUDGET—REPORT OF COMMITTEE ON STUDY OF HEALTH CARE SERVICES AVAILABLE TO VETERANS ADOPTED

The Senate proceeded to consideration of the tenth report of the Standing Senate Committee on National Security and Defence (budget—study on the health care of veterans), presented in the Senate on April 29, 2003.—(*Honourable Senator Day*).

Hon. Joseph A. Day, for Senator Meighen, moved the adoption of the report.

The Hon. the Speaker *pro tempore*: It is your pleasure, honourable senators, to adopt the motion?

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I will not prolong all that has been pretty well said, except to point out that the subcommittee has asked for \$35,500, and they are being allocated half that amount. One wonders how they can do their job. Assuming the \$35,000 is a realistic request, will they be back in the fall for the balance, or can they struggle through with half of their request? If so, then there is something wrong somewhere.

Senator Day: Honourable senators, the committee will report before we adjourn at the end of June. We will not be back looking for Supplementary Estimates in the fall to continue this study.

Honourable senators, the fact that our budget has been reduced from \$35,000 to \$17,000, approximately half of our original request, means that you will get half the effort that you would have gotten otherwise. The committee believed that \$35,000 was reasonable and would properly reflect the mandate that the Senate gave us. The Internal Economy Committee dictated otherwise, and we will do the job that we can for \$17,000.

• (1700)

Hon. Tommy Banks: Do I understand that it will be about half the job?

Senator Day: That is correct.

Hon. Colin Kenny: I have a question for Senator Day. Is that the view of the steering committee of the Subcommittee on Veterans Affairs?

Senator Day: The steering committee, as I understand it, honourable senators, felt that the \$35,000 requested was reasonable and fair to properly do the job.

Senator Kenny: Therefore, this is the opinion of Senator Day, as opposed to that of the steering committee.

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

Motion agreed to and report adopted.

AGRICULTURE AND FORESTRY

BUDGET—REPORT OF COMMITTEE ON STUDY OF IMPACT OF CLIMATE CHANGE ADOPTED

The Senate proceeded to consideration of the third report of the Standing Senate Committee on Agriculture and Forestry (budget—study on the impact of climate change on agriculture and forestry), presented in the Senate on April 29, 2003.—(*Honourable Senator Oliver*).

Hon. Donald H. Oliver moved the adoption of the report.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I wish to point out that Senator Oliver got all that he asked for.

Hon. Eymard G. Corbin: Did Senator Oliver say that he got all that he asked for?

Senator Oliver: Yes.

Senator Corbin: To do what? We are entitled to be informed of your objective.

Senator Oliver: This report relates to a study that the committee has been working on in relation to adaptation to climate change. We have heard a number of witnesses and have only a few more days of hearing witnesses before beginning detailed work on the report. This budget, for which we have received approval from the Internal Economy Committee, is largely for postage, telecommunications and printing. The printing costs will be for the interim report that we hope will come out some time in June. We believe that the amounts we have sought will be sufficient to complete the work of the committee, and will complete the interim publication of the report on climate change.

Senator Corbin: Was there any travel involved in that study?

Senator Oliver: Yes, there was travel, but it was done through the previous budget.

Senator Corbin: Did the committee do all of the travel it wanted to do?

Senator Oliver: Yes, we did all of the travel we wanted to do for this study.

Senator Corbin: Why do you get everything you want?

Senator Oliver: The budget is modest. We are seeking about \$16,000. It is a modest amount for communication to help us publicize the report once it is completed.

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

Motion agreed to and report adopted.

BUDGET—REPORT OF COMMITTEE ON STUDY OF
DEVELOPMENT AND MARKETING OF VALUE-ADDED
AGRICULTURAL, AGRI-FOOD AND FOREST
PRODUCTS ADOPTED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Agriculture and Forestry (budget—study on issues related to agricultural, agri-food and forest products), presented in the Senate on April 29, 2003. —(*Honourable Senator Oliver*).

Hon. Donald H. Oliver moved the adoption of the report.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, before any committee chair is tempted to hire Senator Oliver as an advisor on approaching the Internal Economy Committee, I want to point out that in this case he falls back into the same category as those who have spoken before. He asked for \$515,000 and has been allocated \$222,000.

Senator Rompkey: He is batting .500.

Senator Lynch-Staunton: Can the objectives of the study be carried out with the same efficiency and following the same schedule as originally planned, or does the committee have to cut back and hope that, in the fall, they will be allowed supplementary funds?

Senator Oliver: Honourable senators, we have had to cut back and are not able to do what we had originally planned. However, in consultation with the Internal Economy Committee, we are getting ready to undertake a major study. In the previous major report of the Standing Senate Committee on Agriculture and Forestry, entitled “Farmers at Risk,” were recommendations to find ways whereby more money would be left at the farm gate. We were told that we ought to look at ways to add value to a number of farm products rather than just selling the raw wheat, grains, cereals, cheeses, grapes, et cetera. This is a study of value-added to determine whether more money can be left at the farm gate. This study cannot be done in a matter of weeks or months but will take an extended period of time.

In undertaking the study on climate change, which we are about to complete, we travelled to Saskatchewan, Alberta and British Columbia. In the study culminating in “Farmers at Risk,” we travelled to Atlantic Canada. The Internal Economy Committee suggested that we might do only half the travel in the next fiscal year and complete it in the following fiscal year. Therefore, the main cut in this budget is for travel. We would like to think that when we submit our next major budget for this study, the Internal Economy Committee will look favourably upon granting the rest of the money that we need to complete the report.

Hon. Colin Kenny: It is my understanding that the two trips the committee cut were those to Western Canada and Eastern Canada.

Senator Oliver: We will not do that travel at this time.

Senator Kenny: When the committee prepared its budget and work plan, was it prepared to make those trips?

Senator Oliver: Yes.

Senator Kenny: Would it have been beneficial to have made those trips?

Senator Oliver: It would have been, yes.

Senator Kenny: Is the reason for the delay simply that the funds are not available?

Senator Oliver: That is right.

Hon. Eymard G. Corbin: Could the honourable senator specify what he means by “the next fiscal year”?

Senator Oliver: The budget that has just been approved is for April 1, 2003 until March 31, 2004.

Senator Corbin: Did the Internal Economy Committee tell you that in 2004 you can apply for the other half of the money?

Senator Oliver: Yes.

Senator Corbin: Is that realistic? There will be a leadership change at the head of the government. The probability of there being an election next year is pretty well on the button, I would say. I am not running things, but I have 35 years of political experience. After an election, everything goes back to zero in this place. There will be a new Parliament, a new session, and everyone gets in line again to apply for funds. When Senator Oliver speaks of the next fiscal year, he is talking about an improbability. There will not be a next fiscal year in terms of the work of the committee. It will be brought back to zero. Who knows, Senator Oliver may not even be chair of that committee.

Hon. Tommy Banks: Honourable senators, putting aside the reality to which Senator Corbin has referred, and pretending that there will not be such an interruption, and given the fact that the larger part of the budget will come after April 1, 2004, is that for work that would otherwise have been completed by then?

Senator Oliver: That is correct.

Senator Banks: That means that the study will take much longer than it otherwise would have, and that work that you could otherwise undertake beginning in April 2004 will now be deferred for an unknown length of time, even if there were not an election, because the committee can only do a portion of the work in the present fiscal year for the simple reason that there is not enough money.

• (1710)

Senator Oliver: That is correct.

Senator Kenny: Honourable senators, if I may, it seems to me that this place often gets accused of not doing enough work. If there is one continuing criticism that comes back to us time after time, it is that we are not working hard enough.

Is the Honourable Senator Oliver content with that? Is he prepared for people to look at that committee and say, "Why are you not working harder? Why are you not putting in a full week's work?"

Can Eastern and Western Canada be disregarded? Is the honourable senator prepared to put up with that?

Senator Oliver: Honourable senators, We have no intention of disregarding Western Canada, nor have we any intention of disregarding Eastern Canada. We intend to start the study of value-added products in the province of Quebec, where the committee has not been in a very long time. From there, we will go to the province of Ontario. We will have a number of meetings here in Ottawa. By the time we complete the hearings in Quebec and in Ontario, we should be close to the beginning of the next fiscal year.

Notwithstanding the reality that Senator Corbin has warned us about, it would be our intention to put in another budget to try to get the balance that we need to do the western and the eastern trips and complete our study.

Senator Kenny: If I understood the answer of the honourable senator earlier to this chamber, a plan was already in place to do the east and west this year. It now sounds like the east and the west can wait until next year.

Senator Oliver: Perhaps the honourable senator heard Senator Stratton earlier saying that at the time that these applications went before the Internal Economy Committee, he was a member of the budget committee of the Internal Economy Committee. A letter was written to all committees by the Chair of the Internal Economy Committee asking that the committees review their budgets to find ways in which they could cut those budgets.

The requests for travel exceeded by more than \$1 million the money available in this year's budget. Therefore, we were asked to cut accordingly.

Senator Kenny: Honourable senators, if I understand correctly, the committee has not submitted a full budget or a request to travel to the east and the west. The committee voluntarily cut those trips before submitting their budget to the Internal Economy Committee.

Senator Oliver: No, no.

Senator Kenny: It was submitted, and then cut. Is that correct?

Senator Oliver: That is correct. We filed a budget for travel to all the regions of Canada where we will be doing a study of value-added products in relation to agriculture and forestry. After that initial application was made, we received a letter recommending that we make some cuts voluntarily.

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

Motion agreed to and report adopted.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

THIRTEENTH REPORT OF COMMITTEE— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Bacon, seconded by the Honourable Senator Maheu, for the adoption of the thirteenth report of the Standing Committee on Internal Economy, Budgets and Administration (*Policy on Equipment, Furniture and Furnishings*) presented in the Senate on April 2, 2003.—(*Honourable Senator Kenny*).

Hon. Colin Kenny: Honourable senators, this motion is adjourned in my name, as is the next one. My difficulty is that when the two reports were tabled, we were advised that they would be in our office the previous night. I took the adjournment because I did not have an opportunity to read them before I was being asked to approve them.

I have now had an opportunity to read them. They both seem pretty reasonable reports. Having said that, it would be much easier if we had someone who could speak to them, or if we had some comparison that would show how the policy on equipment, furniture and furnishings differs from the previous policy, and how the policy on telecommunications differs from the previous policy. I find myself working through the reports, and I am uncertain as to the changes and the impact on us as individual senators.

Honourable senators, these two reports directly affect how senators' offices function in a very direct way. It seems to me that it would be premature for us to vote on them until we had a better understanding of how things would be changed. It may well be a change for the better. I hope that it is. In fact, I am sure that it is. However, it would be nice if it were underlined.

Therefore, I would like to continue to have the adjournment stand in my name. I would like the Table to note that we should be provided with some demonstration of the changes from the previous status: In other words, what is new or different that we are being asked to approve. It would assist us greatly in forming a judgment about the value of these reports.

The Hon. the Speaker pro tempore: Is it agreed that the item stand?

Hon. Senators: Agreed.

Order stands.

FOURTEENTH REPORT OF COMMITTEE—
ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Bacon, seconded by the Honourable Senator Maheu, for the adoption of the fourteenth report of the Standing Committee on Internal Economy, Budgets and Administration (*Policy on Telecommunications*) presented in the Senate on April 2, 2003.—(*Honourable Senator Kenny*).

Hon. Colin Kenny: Honourable senators, the same comments apply to this item.

The Hon. the Speaker pro tempore: Honourable senators, is it agreed that the item stand?

Hon. Senators: Agreed.

Order stands.

STUDY ON MATTERS RELATING TO STRADDLING
STOCKS AND TO FISH HABITAT

REPORT OF FISHERIES AND OCEANS COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the third report of the Standing Senate Committee on Fisheries and Oceans (*study on matters relating to straddling stocks and to fish habitat*) presented in the Senate on March 27, 2003.—(*Honourable Senator Cook*).

Hon. Joan Cook: Honourable senators, for over 1,000 years, Europeans have been coming to the East Coast of North America to fish on what were the world's richest fishing grounds. From the Vikings to the Spaniards, every major oceanic power has made some claim to this fertile resource.

At one time, the most abundant fish inhabiting the East Coast of Canada was the Northern Atlantic cod. They were found in an area of approximately 400,000 square kilometres, stretching from the Grand Banks to the Hamilton Banks in the northwest Atlantic Ocean.

Our Northern Atlantic cod stocks are considered straddling stocks because they are found both inside and outside of Canada's exclusive economic zone. Fish do not recognize this 200-mile imaginary line, and the cod swim in and out of Canada's EEZ into the area commonly known as the high seas.

Straddling stocks pose a distinct management problem for Canada, because while the fish are outside the limit, vessels from any country are able to fish them. As a result, the Canadian government cannot effectively manage these stocks without the cooperation of all other nations whose fishers are active in the area, as well as the international organizations charged with governing and controlling fishing activities beyond the 200-mile limit.

The northern cod have supported our commercial fishery since the sixteenth century. Historical catches have been estimated to be between 150 and 300,000 tons per year. It is estimated that the size of the stock is now only one-third per cent of historic levels.

Honourable senators, the Northern Atlantic cod spends most of its life cycle on the Grand Banks. Its annual migration crosses over the 200-mile limit. Therefore, what happens outside the boundary has a direct impact on the stocks inside the boundary.

On December 18, 1989, the Standing Senate Committee on Fisheries recommended in their report, "The Marketing of Fish in Canada," that Canada take strong measures to put pressure on those countries who overfish the straddling stocks beyond Canada's 200-mile limit. The committee also recommended that the Prime Minister, the Secretary of State for External Affairs, and the Minister of Fisheries and Oceans develop a strategy to establish full Canadian fisheries jurisdiction over the entire continental shelf.

In response, the government of the day indicated that it would pursue a policy of allocating surplus fish inside the 200-mile limit in return for cooperation by the foreign fleets. This has not happened. Following this Senate report, the government reduced the catch limit for the northern cod within the 200-mile limit and established a new scientific task force.

On February 24, 1992, Canada's Minister of Fisheries and Oceans announced a moratorium on northern cod. This has effectively shut down the Canadian offshore fishery inside the 200-mile limit. However, it did little to save Canadian fish when they swam beyond the limit. Eleven years later, we see no improvement in stock size.

• (1720)

Honourable senators, I would like to bring to your attention the organizational factors that affect how our cod stocks are managed and by whom; Canada's role within the responsible international organizations; and what the Canadian government could do to strengthen policies and the governing agencies essential for the recovery of the northern Atlantic cod stocks.

On January 1, 1979, the Northwest Atlantic Fisheries Organization, NAFO, formally came into existence as a body to replace its precursor, the International Commission for the Northwest Atlantic Fisheries, which had been on the go for 30 years. Currently, NAFO is comprised of 18 parties. Canada signed on in October 1978 and ratified one week later. It is notable that Canada covers approximately 50 per cent of NAFO's costs.

The prime objective for NAFO has been the management and the conservation of the fisheries resource in its regulatory area. NAFO is also responsible for joint international inspection and surveillance. Currently, all vessels that are part of NAFO must carry an observer, have satellite-tracking devices and be subject to dockside inspections.

During the past two decades, Canada has worked within NAFO to manage the straddling stocks but with only limited success because of foreign overfishing and because of NAFO's perceived poor enforcement of their rules. There are underlying problems within the organization. One is that the NAFO convention allows any nation that does not like a conclusion from an annual meeting to object to the conclusion and opt out. This objection procedure has been frequently used over the years. There is also a long list of problems with non-compliance: use of illegal gear, high level of by-catches, harvesting an excess of quotas or harvesting species under moratorium, and the misreporting of catches, to name a few. NAFO attempted to fix this breakdown with the implementation of the observer program. This is where one individual maintains a 24-hour watch for weeks at a time on a vessel at sea to ensure that all others adhere to the rules.

Honourable senators, compliance enforcement is at the heart of the straddling stocks issue. It is necessary to resolve this problem with all parties involved. The European Union, for instance, is a powerful entity within oceanic affairs and must first be made aware of the problems within NAFO and work together to brainstorm ideas in search of a common solution.

Honourable senators, Bill C-29 received Royal Assent on May 12, 1994. It provided for the arrest of vessels that have no international registration and that refuse to comply with conservation measures in the NAFO regulatory area. This new legislation went into effect on May 31 and stateless vessels reportedly left the Grand Banks shortly afterwards.

On June 11, 2002, the House of Commons Committee on Fisheries and Oceans recommended that Canada withdraw from NAFO, establish "custodial management" of the fisheries on the Nose and Tail of the Grand Banks, and set up and enforce legislation against overfishing by other nations. Presently, NAFO is, in my opinion, a very imperfect organization, but I also believe it is better to have an imperfect organization than nothing at all.

In August 2002, a custodial management coalition was formed, meaning that Canada would take responsibility for the enforcement of regulations outside the 200-mile limit and would designate fish stocks that straddle this imaginary boundary line as part of the EEZ. Canada would then enforce all monitoring and surveillance activity, while NAFO would continue to operate the scientific council, carry out stock assessments, conduct the necessary research and provide recommendations on total allowable catch levels.

After years of negotiation, in 1982 a United Nations conference adopted the UN Convention on the Law of the Sea, UNCLOS. While Canada "signed" the text on December 10, 1982, and is

committed to ratifying the convention, it has yet to do so. This is work in progress. When this happens, hopefully sometime this year, Canada's role in NAFO will be strengthened.

Because the Law of the Sea has too little to say on the protection of straddling fish stocks outside the 200-mile limit, the United Nations later adopted recommendations for straddling stocks and in 2001 provided a framework for conservation of fish stocks, which is commonly known as the United Nations Fisheries Agreement, or UNFA.

UNFA provides a good framework for the conservation and management of straddling stocks in high seas areas regulated by regional fisheries organizations such as NAFO. However, it is not operational within NAFO. Douglas Johnston, with the Marine and Environmental Law Program at Dalhousie University, stated: "As far as objectives and principles are concerned, implementation of the UNFA framework is crucial for the future of NAFO."

NAFO could be strengthened and modified by incorporating the new and up-to-date ideas, principles, procedures and sanctions found in other organizations, such as UNFA. The governing bodies, as they now stand, could come together and function under one umbrella and be more effective in the management of the straddling stocks in the northwest Atlantic. It is my understanding that a strong, unified secretariat within NAFO is imperative for success.

The Fisheries Council of Canada has also been a continuing positive force in the area of straddling stocks. They are a private sector trade association representing companies active in the growing, harvesting, processing and marketing of fish and seafood.

In June 2002, the provincial Minister of Fisheries and Aquaculture in my province of Newfoundland and Labrador announced the establishment of an advisory council on foreign overfishing. This year, on March 17, a report of the Newfoundland and Labrador Federal and Provincial All-party Committee on the Northern and Gulf Cod, of which I am proud to have been a member, called for a Canadian-based custodial management regime to be adopted to protect the straddling stocks from foreign overfishing. In a report released one week later, the House of Commons Committee on Fisheries and Oceans reiterated the recommendations that it made in its June 2002 report.

As well, a round table forum on improving the management of straddling fish stocks was held on February 20, 2003, in my province of Newfoundland and Labrador, bringing together renowned international legal experts and industry officials. However, a consensus was not sought or offered.

It is my opinion that there is an extensive amount of research, discussions, debates, reports and round table forums focusing on straddling stocks. Canada, once a leader for the development of international ocean affairs, now has an opportunity to regain its credibility on an international level.

Honourable senators, it is necessary to take action on a global scale, to think outside the box in conjunction with other concerned nations and to work together to become politically motivated to find solutions that will work. There is no doubt about the effort being invested; there are just no results. We need to focus and to follow through with all that has been done to date.

Honourable senators, there is a critical need for the federal government to promote cooperation, among the many nations fishing in the NAFO regulatory area, for scientific research in order to prevent this biological disaster from becoming irreversible and to try to save our ocean fish from extinction. In addition to providing more research, support is essential. The federal government must press and require organizations such as NAFO and UNFA to ensure that their practices are up to date, improved and effective.

Honourable senators, the fishermen and the people in my province deserve no less than to have this resource returned to them.

• (1730)

Hon. Bill Rompkey: I should like to adjourn the debate, but before I do so, I congratulate Senator Cook on an excellent speech and say to the chamber that there is no more important issue than this. We have just asked Canadian fishermen to stop fishing. We have said, "There is no more fish. You can no longer fish. You must find something else to do, or take a handout." Yet, outside of 200 miles, foreign people come and fish those same fish with no problem whatsoever. It is entirely unfair. The Government of Canada has never signed the Law of the Sea Convention and never moved to put in a regime to control the stock that exists outside of 200 miles. The issue Senator Cook has raised is an important one, and an imperative one for us. I will adjourn the debate because this debate must be continued.

On motion of Senator Rompkey, debate adjourned.

[Translation]

VISITOR IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw to your attention the presence in the gallery of the Honourable Marc Lalonde, former Minister of Finance for Canada. On behalf of all the senators, I welcome you to the Senate of Canada.

SERVICES AVAILABLE TO HEARING IMPAIRED USERS OF PUBLIC TRANSPORT

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Gauthier calling the attention of the Senate to the difficulties faced by the deaf and hearing impaired in availing themselves impartially and in full equality of the

information and safety procedures available to Canadians at airports, on aircraft, in ships and on all forms of public transport.—(*Honourable Senator Corbin*).

Hon. Eymard G. Corbin: Honourable senators, I believe there is much merit in Senator Gauthier's motion. There are so many questions needing clarification as far as the feasibility of what he is proposing is concerned. I think it would be a good thing, if no one wishes to speak about this issue, to refer this inquiry to a committee for an in-depth study. We need a motion for that. This is a technical matter that requires some degree of study.

I would like to ask Senator Gauthier, if I may, whether he intends to follow up on his inquiry with a formal motion so that the entire matter may be referred to a committee for an in-depth study.

Hon. Jean-Robert Gauthier: I would, of course, like to see some action and some follow-up on this. I have already spoken on this matter and was expecting my colleagues to give me the benefit of their thoughts or advice on this highly important matter. If a motion is needed, I will move one.

[English]

Hon. Joan Fraser: Honourable senators, so that the chamber is aware, Senator Gauthier has mentioned in this context that he has spoken informally to me about having the Standing Senate Committee on Transport and Communications examine this question when an appropriate opportunity arose. It did seem to me, and I told him this, that there would be an appropriate opportunity when the committee is considering some transportation legislation now working its way through the other place. The new airports act and substantial amendments to the Transport Act are both coming to us.

I am sure this chamber will understand me if I say that I am not eager to have another motion of reference for another special study just now, but I do think that this is an important issue and can appropriately be considered without a whole special study and budget attached thereto.

[Translation]

Senator Corbin: We know that the airline industry in Canada is currently suffering as a result of the September 11 tragedy. Tourism is down and travel abroad has dropped because of another problem, a health problem, that has hit everyone hard.

Obviously I support Senator Gauthier's motion. I think that it would be good for the Standing Senate Committee on Transport and Communications to hear from experts, from professionals in the field who could explain to us how to go about implementing the measures that Senator Gauthier would like to see, and what the costs would be.

We are talking about making changes to all aircraft in Canada, if I understand the scope of Senator Gauthier's motion properly. His proposal has consequences. I am not at all opposed to it, and if — given Senator Fraser's comments — her committee could look into the terms of this inquiry and report back to the Senate, that could satisfy me. We must not avoid a technical and professional assessment of the issue.

On motion of Senator Robichaud, debate adjourned.

AMERICA DAY IN CANADA

MOTION—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Kirby:

That the Senate urge the Government of Canada to establish September 11 of this and every year hereafter as a commemorative day throughout Canada, to be known as “America Day in Canada.”—(*Honourable Senator Corbin*).

Hon. Eymard G. Corbin: Honourable senators, I do not intend to speak today on Senator Grafstein’s motion. If other honourable senators wish to join the debate in the meantime, I would be pleased to listen to them. However, I would like the motion to stand in my name.

Order stands.

• (1740)

[*English*]

UKRAINIAN FAMINE/GENOCIDE

MOTION REQUESTING GOVERNMENT RECOGNITION—DEBATE ADJOURNED

Hon. A. Raynell Andreychuk, pursuant to notice of December 12, 2002, moved:

That this House calls upon the Government of Canada:

- (a) to recognize the Ukrainian Famine/Genocide of 1932-33 and to condemn any attempt to deny or distort this historical truth as being anything less than a genocide;
- (b) to designate the fourth Saturday in November of every year throughout Canada as a day of remembrance of the more than seven million Ukrainians who fell victim to the Ukrainian Famine/Genocide 1932-33; and
- (c) to call on all Canadians, particularly historians, educators and parliamentarians, to include the true facts of the Ukrainian Famine/Genocide of 1932-33 in the records of Canada and in future educational material.

Given that the Genocide of Ukrainians (now commonly referred to as the Ukrainian Famine/Genocide of 1932-33 and referred to as such in this Motion) engineered and executed by the Soviet regime under Stalin to destroy all opposition to its imperialist policies, caused the deaths of over seven million Ukrainians in 1932 and 1933;

That on November 26, 1998, the President of Ukraine issued a Presidential Decree establishing that the fourth Saturday in November be a National Day of Remembrance for the victims of this mass atrocity;

That the fourth Saturday in November has been recognized by Ukrainian communities throughout the world as a day to remember the victims of the Ukrainian Famine/Genocide of 1932-33 and to promote the fundamental freedoms of a democratic society;

That it is recognized that information about the Ukrainian Famine/Genocide of 1932-33 was suppressed, distorted, or wiped out by Soviet authorities;

That it is only now that some proper and accurate information is emerging from the former Soviet Union about the Ukrainian Famine/Genocide of 1932-33;

That many survivors of the Ukrainian Famine/Genocide of 1932-33 have immigrated to Canada and contributed to its positive development;

That Canada condemns all war crimes, crimes against humanity and genocides;

And that Canadians cherish and defend human rights, and value the diversity and multicultural nature of Canadian society.

She said: Honourable senators, I am waiting for some further information and would like to continue my comments on this motion next week.

On motion of Senator Andreychuk, debate adjourned.

[*Translation*]

THE SENATE

MOTION TO CREATE SPECIAL COMMITTEE TO OVERSEE IMPLEMENTATION OF BROADCASTING OF PROCEEDINGS—DEBATE ADJOURNED

Hon. Jean-Robert Gauthier rose pursuant to notice of December 12, 2002:

That the Senate approve the radio and television broadcasting of its proceedings and those of its committees, with closed-captioning in real time, on principles analogous to those regulating the publication of the official record of its deliberations; and

That a special committee, composed of five senators, be appointed to oversee the implementation of this resolution.

He said: Honourable senators, I hesitated a long time before moving this motion, because there is much division on this matter: some people support it, others do not. Obviously, I am in favour of this motion. Given the late hour, I beg leave to defer the debate to a later date. This would allow us to further examine the issue.

On motion of Senator Gauthier, debate adjourned.

ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, May 6, 2003, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 6, 2003, at 2 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Daniel P. Hays

THE LEADER OF THE GOVERNMENT

The Honourable Sharon Carstairs, P.C.

THE LEADER OF THE OPPOSITION

The Honourable John Lynch-Staunton

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

Paul Bélisle

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

Gary O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Terrance J. Christopher

THE MINISTRY

According to Precedence

(May 1, 2003)

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 Vanclief	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)
The Hon. Steve Mahoney	Secretary of State (Selected Crown Corporations)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(May 1, 2003)

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	Acadie/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.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.

SENATORS OF CANADA

ALPHABETICAL LIST

(May 1, 2003)

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, Gérald-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
Chaput, Maria	Manitoba	Sainte-Anne, Man.	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
Hubleby, 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	Acadie/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
Mahovich, Francis William	Toronto	Toronto, Ont.	Lib
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	PC
Merchant, Pana	Saskatchewan	Regina, Sask.	Lib
Milne, Lorna	Peel County	Brampton, Ont.	Lib
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Lib
Morin, Yves	Lauson	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
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Lib
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	Theftord 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
(May 1, 2003)

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

 SENATORS BY PROVINCE AND TERRITORY

 QUEBEC—24

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

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	Acadie/New Brunswick	Moncton
8 Joseph A. Day	Saint John-Kennebecasis	Hampton
9 Pierrette Ringuette	New Brunswick	Edmundston
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 Maria Chaput	Manitoba	Sainte-Anne

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 Pana Merchant	Saskatchewan	Regina

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 May 1, 2003)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator Chalifoux

Deputy Chair: Honourable Senator Johnson

Honourable Senators:

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

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,	Ringuette,
(or Robichaud)	Gustafson,	* Lynch-Staunton,	Tkachuk,
Chalifoux,	Hubley,	(or Kinsella)	Wiebe.
Day,	LaPierre,	Oliver,	

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,	Moore,
Biron,	Hubley,	(or Kinsella)	Oliver,
* Carstairs,	Kolber,	Meighen	Prud'homme,
(or Robichaud)	Kroft,	Merchant,	Tkachuk.

Original Members as nominated by the Committee of Selection

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

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

Baker,	Christensen,	Kenny,	Milne,
Banks,	Cochrane,	* Lynch-Staunton,	Spivak,
Buchanan,	Eyton,	(or Kinsella)	Watt.
* Carstairs,	Finnerty,	Merchant,	
(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 AND OCEANS**Chair: Honourable: Senator Comeau****Deputy Chair: Honourable Senator Cook****Honourable Senators:**

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

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

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****Interim Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

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

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

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, Lapointe, Morin, Poy.
Forrestall,

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, Comeau, Furey, Maheu,
Bolduc, Day, Gauthier, Mahovlich,
* Carstairs, Ferretti Barth, * Lynch-Staunton, Murray,
(or Robichaud) Finnerty, (or Kinsella) Oliver.

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

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.
Chaput,			

Original Members agreed to by Motion of the Senate

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

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

Chair: Honourable Senator Milne

Deputy Chair: Honourable Senator Andreychuk

Honourable Senators:

Andreychuk,	Grafstein,	Milne,	Rompkey,
* Carstairs,	Hublely,	Murray,	Smith,
(or Robichaud)	Joyal,	Pépin,	Stratton,
Di Nino,	* Lynch-Staunton,	Ringuette,	Wiebe.
Fraser,	(or Kinsella)	Robertson,	

Original Members as nominated by the Committee of Selection

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

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

Biron, Chaput,	Hervieux-Payette, Kelleher,	Merchant, Moore,	Nolin, Phalen.
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*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:**

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

* Carstairs, (or Robichaud) Cook, Cordy,	Fairbairn, Keon, Kinsella, Kirby,	LeBreton, Léger, * Lynch-Staunton, (or Kinsella)	Morin, Pépin, Robertson, Roche.
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*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,	Gustafson,	Merchant,
Atkins,	Eyton,	LaPierre,	Oliver,
* Carstairs,	Fraser,	* Lynch-Staunton,	Phalen,
(or Robichaud)	Graham,	(or Kinsella)	Ringuette.

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.*

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(2nd Session, 37th Parliament)
Thursday, May 1, 2003

GOVERNMENT BILLS
(SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act 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.	02/10/02	02/10/23	Banking, Trade and Commerce	02/10/24	0	02/10/30	02/12/12	24/02
S-13	An Act to amend the Statistics Act	03/02/05	03/02/11	Social Affairs, Science and Technology	03/04/29	0			

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon	03/03/19	03/04/03	Energy, the Environment and Natural Resources	03/05/01	0			
C-3	An Act to amend the Canada Pension Plan and the Canada Pension Plan Investment Board Act	03/02/26	03/03/25	Banking, Trade and Commerce	03/03/27	0	03/04/01	03/04/03	5/03
C-4	An Act to amend the Nuclear Safety and Control Act	02/12/10	02/12/12	Energy, the Environment and Natural Resources	03/02/06	0	03/02/12	03/02/13	1/03
C-5	An Act respecting the protection of wildlife species at risk in Canada	02/10/10	02/10/22	Energy, the Environment and Natural Resources	02/12/04	0	02/12/12	02/12/12	29/02
C-6	An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts	03/03/19	03/04/02	Aboriginal Peoples					
C-8	An Act to protect human health and safety and the environment by regulating products used for the control of pests	02/10/10	02/10/23	Social Affairs, Science and Technology	02/12/10	0	02/12/12	02/12/12	28/02
C-10	An Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act	02/10/10	02/11/20	Legal and Constitutional Affairs	02/11/28	divided			
C-10A	An Act to amend the Criminal Code (firearms) and the Firearms Act	–	–	Legal and Constitutional Affairs	02/11/28	0	02/12/03		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-10B	An Act to amend the Criminal Code (cruelty to animals)	–	–	Legal and Constitutional Affairs					
C-11	An Act to amend the Copyright Act	02/10/10	02/10/30	Social Affairs, Science and Technology	02/12/05	0	02/12/09	02/12/12	26/02
C-12	An Act to promote physical activity and sport	02/10/10	02/10/23	Social Affairs, Science and Technology	02/11/21	0 + 1 at 3 rd 02/12/04 2 at 3 rd 03/02/04	03/02/04	03/03/19	2/03
C-14	An Act providing for controls on the export, import or transit across Canada of rough diamonds and for a certification scheme for their export in order to meet Canada's obligations under the Kimberley Process	02/11/19	02/11/26	Energy, the Environment and Natural Resources	02/12/04	0	02/12/05	02/12/12	25/02
C-15	An Act to amend the Lobbyists Registration Act	03/03/19	03/04/03	Rules, Procedures and the Rights of Parliament					
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003	02/12/05	02/12/10	–	–	–	02/12/11	02/12/12	27/02
C-29	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003	03/03/25	03/03/26	–	–	–	03/03/27	03/03/27	3/03
C-30	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2004	03/03/25	03/03/26	–	–	–	03/03/27	03/03/27	4/03

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-227	An Act respecting a national day of remembrance of the Battle of Vimy Ridge	03/02/25	03/03/26	National Security and Defence	03/04/02	0	03/04/03	03/04/03	6/03
C-300	An Act to change the names of certain electoral districts	02/11/19							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-3	An Act to amend the National Anthem Act to include all Canadians (Sen. Poy)	02/10/02							
S-4	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	02/10/02							
S-5	An Act respecting a National Acadian Day (Sen. Comeau)	02/10/02	02/10/08	Legal and Constitutional Affairs					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-6	An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella)	02/10/03							
S-7	An Act to protect heritage lighthouses (Sen. Forrestall)	02/10/08	03/02/25	Social Affairs, Science and Technology					
S-8	An Act to amend the Broadcasting Act (Sen. Kinsella)	02/10/09	02/10/24	Transport and Communications	03/03/20	0	03/04/02		
S-9	An Act to honour Louis Riel and the Metis People (Sen. Chalifoux)	02/10/23							
S-10	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	02/10/31	03/02/25	Energy, the Environment and Natural Resources					
S-11	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	02/12/10							
S-12	An Act to repeal legislation that has not been brought into force within ten years of receiving royal assent (Sen. Banks)	02/12/11	03/02/27	Legal and Constitutional Affairs					
S-14	An Act to amend the National Anthem Act to reflect the linguistic duality of Canada (Sen. Kinsella)	03/02/11							
S-15	An Act to remove certain doubts regarding the meaning of marriage (Sen. Cools)	03/02/13							
S-16	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	03/03/18							
S-17	An Act respecting the Canadian International Development Agency, to provide in particular for its continuation, governance, administration and accountability (Sen. Bolduc)	03/03/25							
S-18	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	03/04/02							

PRIVATE BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.

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